

Independent Environmental Audit (IEA) **Whytes Gully Landfill Extension Project**



for Wollongong City Council

Reddalls Road, Kembla Grange, NSW

MCW Environmental Consulting Pty Ltd

March 2018

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Abbreviations

Abbreviation	Description
AQMP	Air Quality Management Plan
ANZECC	Australian and New Zealand Environment and Conservation Council
CCC	Community Consultative Committee
CoA	Condition of Approval
Council	Wollongong City Council
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 and Environment
Director-General	Director-General of Department of Planning, or delegate
EIS	Environmental Impact Statement
EC	Electrical Conductivity
EEC	Endangered Ecological Community, as defined under the NSW <i>Threatened Species Conservation Act 1995</i>
Environmental consequences	Environmental consequences of Subsidence Impacts, including: damage to infrastructure, buildings and residential dwellings; loss of surface flows to the subsurface; loss of standing pools; adverse water quality impacts; development of iron bacterial mats; cliff falls; rock falls; damage to Aboriginal heritage sites; impacts on aquatic ecology, ponding etc.
EMP	Environmental Management Plan
EMS	Environmental Management System
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
INP	Industrial Noise Policy
Land	Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Minister	Minister for Planning, or delegate
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))
Privately owned land	Land that is not owned by a public agency, or a mining company (or its subsidiary).
PA	Project Approval
Project	The development as described in the EA
REF	Review of Environmental Factors
RMS	Roads and Maritime Services
SEE	Statement of Environmental Effects
Site	Lands described in Schedule 1 of the Project Approval 11_0094
SoC	Statement of Commitments The Proponent's commitments in Appendix 1
TSS	Total Suspended Solids
WGLEP	Whytes Gully Landfill Extension Project
WGRRP	Whytes Gully 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 will provide approximately six million cubic metres of additional landfill capacity at WWARRP. The overall project will consist of the following key components:

- New landfill cell construction (Stage 1A, 1B, 2A, 2B, 3 and 4)
- New 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 Post Approval Guidelines – Independent Audits (DPE, 2015), the auditing standard AS/NZS ISO 19011:2014 and MCW Environmental's proposal to conduct the work dated July 2017. This is the first IEA undertaken at the Project.

The IEA consisted of a detailed desktop review of documents supporting compliance, interviews with Wollongong City Council (WCC) staff and site inspections of the Project area in September and November 2018.

The audit included consultation with the following government agencies: NSW Department of Planning and Environment, (DPE) NSW Environmental Protection Agency (EPA), Roads and Maritime Services (RMS) and WCC.

The period of the IEA was from the date of the Project Approval (3 April 2013) to 11 September 2017, with a focus on recent years (2015 onwards). The first day of the site visit of this IEA was on 11 September 2017 and second day on 27 November 2017.

The Independent Environmental Audit assessed compliance with relevant approvals, licences and management plans applicable to the Project. Detailed compliance registers identifying audit findings, comments and recommendations are presented in **Appendix A and B**. Non-compliances identified against relevant approvals are identified and discussed in Section 8.

In addition the scope of the audit included a review of the adequacy of the strategies, plans and programs required under the Development Approval. The findings of the adequacy review of management plans and systems is presented in Sections 7. 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 8.

1 Introduction

1.1 Background

MCW Environmental Consulting Pty Ltd (MCW Environmental) was engaged by Wollongong City Council (WCC, through Golder Associates) 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 (MCoA) for Whytes Gully Landfill Extension Project.

This is the first IEA undertaken at the Whytes Gully Landfill Extension Project in accordance with Minister's Condition of Approval 11_0094 (Appendix A).

MCW Environmental were commissioned and contracted by Golder Associates on behalf of WCC to undertake the IEA.

1.2 Audit Scope

The audit was conducted in accordance with the requirements set out in WCC Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094 as detailed in **Table 1-1**. The audit period was from the date of the Project Approval (3 April 2013) to 11 September 2017, with a focus on recent years (2015 onwards).

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 C
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

Project Condition	Approval Requirement	Where Addressed in this Report
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 MCoA and the 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 LEMP and its subplans, however, comments relevant to the LEMP and compliance with the Project Approval conditions 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 has 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 MCoA as detailed above.

The IEA was undertaken in general accordance with:

- Post Approval Guidelines: Independent Audits (NSW Government, 2015);
- AS/NZS ISO 19011:2014 Guidelines for auditing management systems; and
- MCW Environmental's proposal (dated 7 July 2017).

The IEA methodology included:

- Opening meeting with WCC management to discuss the approach and process of the IEA;
- Consultation with the following key government agencies on WGLEP environmental performance:
 - NSW Department of Planning and Environment (DPE);
 - NSW Environment Protection Authority (EPA);
 - Office of Environment and Heritage (OEH); and
 - Roads and Maritime Services (RMS);
- Preparation of compliance assessment checklists for the regulatory approvals and licence listed in **Table 2-1**;
- Site inspections – two site inspections were conducted: the first on 11 September 2017 (review of operations activities) and the second on 27 November 2017 (review of construction activities). The weather on the first inspection was clear, still and sunny. The weather on the second inspection was windy and overcast. 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;
 - 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, an Opportunity for Improvement (OFI) was provided.
- 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.

It is the responsibility of WCC to place the IEA Report on the WCC website and provide 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 Golders and 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
- Annabelle Tungol Reyes, Auditor (Healthy Buildings International Pty Ltd (HBI)).

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

Annabelle Tungol Reyes 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 27 July 2017.

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

- Sandra Belansky, Waste Operations Manager (left WCC in early November 2018);

- Joel Coulton, Waste Operations Manager (from February 2018)
- Wayde Peterson, Waste Services Manager; and
- Benjamin Hardaker, Senior Project Manager.

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 an assessment of the environmental performance of the development and its effects on the surrounding environment;
- Section 5 provides a summary of photographs from the site inspection.
- Section 6 describes the approach to the assessment against the relevant standards, performance measures and statutory requirements;
- Section 7 presents the findings of the review of the adequacy of the Environmental Management Strategy and environmental management and monitoring plans
- Section 8 summarises the non-compliances and recommendations made throughout the report.
- Section 9 provides the limitations of the report.

Appendix A is a tabulated review of the results of the assessment of compliance with the Conditions of Approval (CoA) and Statement of Commitments (SoCs) of PA 11_0094. **Appendix B** is a tabulated review of compliance with Environmental Protection Licence 5862.

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.

Whytes Gully Resource Recovery Park (WGRRP) is located approximately 10km to the south west of the Wollongong CBD and is approximately 65 ha in size.

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 located on the Reddalls Road, Kembla Grange NSW. The site is generally 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

The EPA Annual Return (2017) provides the following overview of the site:

“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 stage 3 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.

Council has since constructed Cell 1B (2015) and commenced filling. Cell 2 is currently being constructed.

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."

2.2.2 Project Approval

Wollongong City Council owns and operates the Whytes Gully Resource Recovery Park (WGRRP), which receives municipal solid waste within the local government area (LGA). As landfill airspace at WGRRP was projected to expire in 2014, Council proposed a staged new landfill cell at this location to cater for projected future landfilling requirements.

In 2012, Council lodged a major project application (project application number 11_0094) for the Whytes Gully New Landfill Cell project under Part 3A of the Environmental Planning and Assessment Act 1997 (EP&A Act).

This included the preparation of an Environmental Assessment (EA) which was submitted to the then NSW Department of Planning & Infrastructure (now NSW Department of Planning and Environment). The EA was exhibited and the community was invited to comment on it from 6 August – 7 September 2012.

The project application was approved on 3 March 2013, subject to conditions. The EA, including the conditions of approval, can be viewed at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4024.

The approved landfill project is to provide approximately six million cubic metres of additional landfill capacity at WGRRP. The overall project consists of the following key components:

- New landfill cell construction (Stage 1A, 1B, 2A, 2B, 3 and 4)
- New landfill cell operation (Stage 1A, 1B, 2A, 2B, 3 and 4)

-
- LEGEND**
- Property boundary
 - Landfill bogline
 - Future road
 - Access road
 - Proposed small tree and shrub planting on landfill
 - Proposed evergreen planting along boundary
 - Proposed tree planting on natural ground
- Notes:**
1. Restricted use areas in accordance with approved agreements.
 2. Excavation required to form platform for BMT.
 3. Better area for different development.
 4. Possible future location of BMT, BMT, LUTS, and other facilities.
 5. Area outside heritage landscape.
- Scale:** 0 20 40 60 80 100 Feet
- PROJECT INFORMATION:**
- | | | | |
|---------------------------------|-------------|--|-------------|
| WALLINGFORD CITY COUNCIL | | WHYTEVILLE DOLLY LANE LLC - NEW CELL DESIGN | |
| DATE: | 10/25/2017 | SCALE: | AS SHOWN |
| DRAWN BY: | J. J. JONES | CHECKED BY: | J. J. JONES |
| APPROVED BY: | [Signature] | DATE: | 10/25/2017 |
- CONCEPT SITE MASTER PLAN**
- FIGURE 4.6**

The construction of Package 1 is broken into two stages being Stage 1A and Stage 1B. These works comprise the construction of approximately 10ha of new landfill liner, with associated earthworks and surface water management components, and will provide more than one million cubic metres of landfill storage volume (airspace). This represents roughly 20% to 30% of the entire New Landfill Cell Project presented in the Preliminary Design Report (Golder reference: 117625003_058_R) as having a total new landfill liner area of 35 ha and approximately six million cubic metres of landfill airspace volume.

Construction of the next package of works (Stage 2) commenced in March 2017. Stage 2 works includes two separate lined landfill cells with works comprising:

- March 2018

- new stormwater infrastructure to divert clean surface water runoff from the new landfill cells
- new landfill lining systems.

WCC indicated that construction of Stage 2 works was due to be completed mid-2018.

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
- Operation of dumping and recycling areas for residents
- Water management
- Leachate management operations
- Construction of Stage 2 or Package 2 works
- Environmental controls activities

Photos of environmentally significant aspects of the operation taken during the site inspection on 11 September and 27 November 2017, are provided throughout the report. Plans of the WGLEP and locations of monitoring can be found in Annual Return report(s) found on the WCC website.

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 WGLEP. The following provides a summary of this consultation, as well as outcomes of recent regulatory reviews of WGELP annual reporting.

3.1 NSW Department of Planning and Environment (DP&E)

The auditors contacted the nominated Approvals Officer within DPE on 6 September 2017 by telephone. No specific areas of concern in relation to the WCC Operations or regarding the scope of the IEA was identified by the Approvals Officer. The Officer nominated the agencies considered to be relevant for consultation as detailed in this section. The Officer was not aware of individual relevant contacts within each agency.

3.2 NSW Environment Protection Authority (EPA)

WCC identified the appropriate Officer within the local office of the EPA for consultation. Telephone contact was made with the Unit Head Waste Compliance – Wollongong on 6 September 2017 and was followed by email communication on 6 September 2017 requesting a formal response from the EPA in relation to consultation for the IEA. A response was provided on 7 September 2017 stated the following:

“The Environment Protection Authority (EPA) generally finds Wollongong City Council (Council) to be a professional and effective licensee.

Historically, the key issue of concern to the EPA and nearby sensitive receivers is the emission of potentially offensive odour, particularly during wet weather periods.

Therefore, the EPA would like to propose that the Environmental Audit include a focus on the management of odour sources during normal operating conditions as well as during periods of wet weather with additional leachate/waste water generation.

Relevant conditions from environment protection licence 5862 are:

- *Condition O1.1;*
- *Condition O2.1;*
- *Condition O6.5;*
- *Condition O7.1;*
- *Condition O7.2; and*
- *Condition L4.1.”*

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 Roads and Maritime Services (RMS)

The Network & Safety Manager, Southern Region, Regional & Freight for RMS was contacted by Telephone on 15 December 2017 and by email on 17 December 2017. A response was provided on 19 December 2017 stating the following:

“Thank you for the opportunity to comment in regards to Whytes Gully. I have consulted with the team and we have no issues requiring consideration.

RMS understands that the development, along with many others in the area, will have cumulative impact on the level crossing and the regional road network (that is Princes Highway and Northcliffe Drive which are under the care and control of Council). Council continue to monitor and have a long term plan to address growth.”

Based on this response, there were no specific areas to address for RMS in the conduct of the IEA.

3.4 Office of Environment and Heritage (OEH)

WCC were not able to provide a specific contact name for consultation. An attempt to contact the local OEH was undertaken in December 2017, however no contact with an appropriate officer was able to be made.

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 11 September 2017, focussing on WCC operations; and the second on 27 November 2017 which focussed on construction activities by contractors. The weather on the first day of inspection was clear, still and sunny. The weather on the second inspection day was overcast and windy.

Table 5-1 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 11-9-17 unless otherwise marked)
5-1.	Entry to the weighbridge	
5-2.	Leachate treatment facility. Leachate is directed to sewer from this point.	
5-3.	Generator used for the leachate water treatment facility. Generator is contained within bunding and covered with a roof for weather protection.	

Photo No.	Photo Description	Photos (dated 11-9-17 unless otherwise marked)
5-4.	Chemical dosing area in a bund at the leachate water treatment facility.	
5-5.	Final sediment pond.	
5-6.	Outlet of the final sediment pond (discharge and overflows from the pond are directed to EPL Licenced Discharge Point 1).	
5-7.	Small vehicle waste and recycling transfer area.	
5-8.	Unsealed ground at the small vehicle transfer area wet down with water cart showing dust suppression activities by WCC.	

Photo No.	Photo Description	Photos (dated 11-9-17 unless otherwise marked)
5-9.	Landfill cell in operation showing relatively small tipping face due to topography and piggyback landfill design.	
5-10.	Active tipping face on 11-9-17.	
5-11.	Liner covered with a rainflap to divert stormwater flow away from leachate.	
5-12.	Cleanwater diversion swale installed and lined with gravel for scour protection.	

Photo No.	Photo Description	Photos (dated 11-9-17 unless otherwise marked)
5-13.	Compacting and covering of wastes at the tip face.	
5-14.	View of tipping face from the top of the eastern gully landfill.	
5-15.	Water cart in operation providing dust suppression on internal haul roads.	
5-16.	VENM/ENM stockpile area.	

Photo No.	Photo Description	Photos (dated 11-9-17 unless otherwise marked)
5-17.	Construction of new leachate pond showing liner in place.	
5-18.	View of the construction area from the top of the eastern gully. This area is managed by Contractors ERTECH.	
5-19.	Panoramic view of the landfill.	
5-20.	New and existing leachate ponds. Car storage areas (external to WCC operations) in the background.	
5-21.	Trailer mounted deodouriser in operation near the tipping face.	

Photo No.	Photo Description	Photos (dated 11-9-17 unless otherwise marked)
5-22.	Weather data display for the on automatic weather station located on site.	
5-23.	Litter around the perimeter. There was residual litter observed around the landfill in trees and fences.	
5-24.	A gas manifold at the top of the eastern gully landfill.	
5-25.	Gas flare in operation	
5-26.	A bund was created at the top of the rain flap to divert the stormwater run-off coming from the area upslope of the drain into the stormwater swale and away from the tipping face/leachate collection drain.	

Photo No.	Photo Description	Photos (dated 11-9-17 unless otherwise marked)
5-27.	Flyer made available to the community to educate on proper recycling, acceptable wastes and cost of waste disposal.	
5-28.	Leachate collection infrastructure for Cell 2 being constructed (photo dated 27-11-17).	
5-29.	Tipping face on 27 September 2017. Some odour on top of the eastern gully landfill was observed at this location which was downwind of the tipping area.	
5-30.	MRF operated by Visy Recycling. This was not inspected or included as part of the audit.	

5 Compliance with Statutory Requirements

This Section fulfils the requirement to assess whether the project is complying with the relevant requirements in its Project Approval and Environmental Protection Licence (EPL).

5.1 Approvals and Licences

WCC WGLEP operates under the EPL No. 5862 administered by the Environmental Protection Authority (EPA). The NSW Department of Planning and Environment (DP&E) granted Project Approval 11_0094 on 3 April 2013.

Table 5-1 identifies the major approvals, licences in place for WGLEP and provides relevant information were applicable.

Table 5-1 - Summary of Major Approvals and Licences

Title	Summary	Date Granted	Expiry
Minister's Condition of 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		14 August 2017	9 months from 1 August 2017 unless surrendered

A compliance assessment of the Sydney Water Trade Waste Agreement 11205 was not conducted as part of this audit.

5.2 Project Approval

The NSW Department of Planning and Environment (DP&E) granted Project Approval 11_0094 on 3 April 2013. Appendix 1 of the Approval comprises Statements of Commitments relevant to the project. There have been no approved Modifications to the approval, however, there are two modifications currently under review by DPE. These were not considered in this audit. An assessment of compliance with the Project Approval is provided in **Appendix A** of this report.

5.3 Environmental Protection Licence 5862

Council holds an Environmental Protection Licence (EPL) number 5862, for "Waste Disposal by Application to Land" for the Site. Council currently operates in accordance with the sites Landfill Environmental Management Plan (LEMP). Evidence of the compliance status with the EPL 5862 conditions is provided in **Appendix B**.

The EPL has had undergone several variations to it in recent years. These have included:

- Removal of requirement to monitor redundant or removed environment monitoring points MP2, MP6, MP7 & MP8 on 22 June 2017.
- Approval to construct Package 2 & 3 Landfill Cells/Deep Leachate Drainage System dated 20 January 2017.
- Approval granted to construct and operate the new contingency leachate pond dated 23 November 2016.
- Approval to reinstate cover material descriptions and allow specific material types. Additional conditions regarding the management of onsite sediment basin/s at the premises. Streamline, add and update waste management conditions dated 14 October 2016.
- Approval granted to dispose of waste in Cell 1B on 01 September 2015

- Approval granted to dispose of waste in Cell 1A on 28 October 2014.
- Site boundaries updated to excise the previous Solid Waste to Energy Recovery Facility from the landfill licence to allow Visy to gain their own licence for the retrofit of the building as a Materials Recovery Facility. Also addition of a Potential Offensive Odour clause and analytical unit measures amended on 08 July 2014.
- Wording amendments and consolidation of various clauses as well as monitoring point updates on 23 August 2013.
- Inclusion of further enhanced and upgraded environment sampling points on 23 August 2013 for the Stage 3 (new landfill cell development).
- Overhauled and reformatted licence resulting from Council's request to modernise environmental testing requirements and to formally recognise the increased environmental sampling points and standards adopted by Council for the site. The request formed Annexure B of the 2010/2011 Annual Environmental Management Report and was formally approved and adopted by the EPA on 16 April 2012.
- Tidy up of various incremental site changes including lot and boundary amendments, sampling point review and update including location detail, removal of redundant trial and reporting details and various other updates in line with EPA reformatting and internal software and consistency changes on 16 April 2012.
- Addition of pollution studies and reduction programs added on 28 November 2008.
- Scheduled Activity and Waste Classification structure changed on 17 October 2008.
- Reformatted licence including specification for cover material, litter control and other operational processes on 20 November 2007.
- Clarification of water pollution prevention requirements on 11 October 2005.

Various analytical data sets are collected on a monthly, quarterly and annual basis:

- Groundwater Monitoring – Quarterly (February, May, August and November)
- Stage 3 Bores and Surface Water Monitoring – Quarterly (February, May, August and November)
- Surface Water Monitoring – Annually in August
- Air Monitoring – Monthly

Results of the above monitoring are posted in the WCC public website and reported every year to EPA through Annual Return to EPA. These annual returns are also uploaded to the WCC website.

5.4 Key Strategies, Plans & Programs

Table 6-2 summarises the strategies, plans and programs required by MCoA 11_0094.

Table 5-2 - List of Strategies, Plans and Programs

Strategy / Plan / Program	Date Prepared / Revised	Approval Date
Landfill Environmental Management Plan	September 2014	11 December 2014
Construction Environmental Management Plan	13 August 2013	20 August 2013
Flood Emergency and Evacuation Plan	19 August 2013	29 August 2013
Soil, Water and Leachate Management Plan (Appendix E of LEMP)	November 2008	11 December 2014
Vegetation and Biodiversity Management Plan	Initially prepared by Biosis on 1 August 2013	14 December 2017

Strategy / Plan / Program	Date Prepared / Revised	Approval Date
	Reviewed (but not updated) by Biosis in July 2017	
Pollution Incident Response Management Plan Revision 3	1 July 2017	EPL Requirement
Wollongong City Council Waste and Resource Recovery Strategy 2012 to 2022	18 July 2014	Submitted with LEMP 14 December 2014

5.5 Compliance Assessment

The status of WGLEP's performance during the audit, in respect of each condition of the MCoA, EPL, SoC is presented in **Appendix A and Appendix B**. Conditions considered to be not complied with, or not able to be verified, have been listed in Section 10 of this report.

Table 6-3 provides a summary of the performance categories in respect the compliance status for each requirement or commitment as defined in the *Post Approval Requirements for State Significant Developments, Independent Audit Guideline* (NSW Government, October 2015, p7).

Table 5-3 - Performance Category Assessment Criteria

Performance Category	Definition
Compliant	Currently in compliance. Sufficient verifiable evidence was available to demonstrate that the intent and all elements of the requirement of the regulatory instrument had been complied with within the scope of the audit.
Non-compliant	Currently not in compliance. Sufficient verifiable evidence was available to demonstrate that the intent of one or more specific elements of the regulatory instrument have not been complied with within the scope of the audit.
Administrative Non-compliance	A technical non-compliance with a condition of the consent that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance related aspects (e.g. exceedance of a noise limit) or where a condition had not been met at all (e.g. noise management plan not prepared and submitted for approval).
Not Verified	It has not been possible to determine whether compliance exists. Sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory instrument have been complied with within the scope of the audit was not available.
Not Triggered	Condition not applicable at time of audit or had not been triggered
Observation	The identified issue(s) of concern do not strictly relate to the scope of the audit or assessment of compliance. Further observations are considered to be indicators of potential non-compliances or areas where performance may be improved.
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.

Conditions considered Non-compliant are presented in **Table 8-1** (Section 8) of this report. The table includes a discussion of the compliance status and recommendations for improvement where appropriate.

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, an Opportunity for Improvement (OFI) comment/recommendation has been made in the compliance table. A summary of OFIs are provided in **Table 8-** (Section 8) of this report.

The auditors have not undertaken a technical assessment of the documents required by the MCoA or EPL, particularly where these documents have been signed off and/or approved by relevant regulatory authorities (for example, DP&E and the EPA). A high level review of adequacy of some documents is provided in Section 7 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.

6 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 Conditions of Approval (CoA), SoC (Statement of Commitments) and the Environment Protection Licence (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 10.
- environmental performance as reported in EPL Annual Returns
- 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 and/or other stakeholders, including from the community/Community Consultative Committee, on the environmental performance of the project during the audit period

6.1 Environmental performance as reported in EPL Annual Returns

Annual Returns under the EPL have been reported on the WCC website for the audit period.

The annual returns provide a summary of the results for environmental monitoring required under the EPL and present results for surface water; groundwater; air and noise monitoring. Data is graphed and trended with previous monitoring results and an interpretation of results is provided. In addition, exceedences of EPL criteria are presented. Auditors have not assessed the monitoring results or interpretations as part of this audit. The results for the May 2016 to May 2017 Annual Return are discussed below by exception, noting the returns are publically available.

Reported EPL Non Compliances and Penalty Notices: A summary of the non compliances and penalty notices reported in the annual returns for the audit period is provided below:

- 29 May 2013 to 28 May 2014 - O6.4 - Non-compliance with Condition O6.4 - The licensee must not exhume any landfilled waste unless approved in writing by the EPA. Penalty Notice issued as per above.
- Penalty Notices - O6.4 -Non-compliance with Condition O6.4 was raised on 22 May 2014 – The licensee must not exhume any landfilled waste unless approved in writing by the EPA. The Penalty Notices numbers were 1521880 and 1521881.
- 29 May 2016 to 28 May 2017 - L2.1/L2.4 - Exceed limit for TSS at LDP 1 on 2 occasions (June and July 2016) due to high intensity rainfall events.
- 29 May 2015 to 28 May 2016 - L2.1/L2.4 - Exceed TSS Concentration Limit at LDP1 after heavy rainfall event on 25/08/2015 (approximately 150mm over 24hours).
- 29 May 2015 to 28 May 2016 - R1.7 - Official Caution was received for failing to identify 2013-14 Penalty Notice within Statement of Compliance section of 2013-2014 Annual Return.

Surface Water: The Annual return dated May 2016 to May 2017 stated for surface water: “*Whilst the majority of analytical samples taken during the reporting period indicate low contamination levels in the sediment ponds, there has been two (2) non compliances with Environmental Protection Licence requirements associated with higher than acceptable suspended solids exiting the site during heavy rainfall. Whilst not a chemical or biological contamination issue, the result shows that the sediment ponds need additional care and maintenance moving forward.*”

Groundwater: The Annual return dated May 2016 to May 2017 indicated increased concentrations for some dissolved metals in groundwater in monitoring wells 11 and 16. The report stated the following in relation to Groundwater Testing Results Interpretation:

“Key indicators of landfill leachate’s potential ingress into groundwater particularly ammonia, nitrate, nitrite levels and other less poignant indicators as tested do not conclude that that landfill leachate is entering the surrounding ground water system. However, the results presenting in monitoring wells 11 and 16 in particular warrant continued scrutiny.”

Based on the above, the frequency of testing for some analytes at monitoring wells 11 and 16 was increased after this Annual Return.

Air Emissions: The annual return dated May 2016 to May 2017 reported the following in regards to “Methane Gas Monitoring:

The surface emissions sampled in August 2016 (located at the edge of the liner) and September 2017 (located at the southern edge of the cell) were recorded above acceptable limits, however upon further investigation it is noted the surrounding grid pattern (25 meter spacing’s) did not register elevated levels. Both areas were monitored and further samples taken have been low and in line with historical trends.”

The annual return dated May 2016 to May 2017 provided the following summary for air emissions:

“During the period 2011-2012 results sampled by GHD showed continued occurrences of surface methane emissions above the EPA recommended threshold levels. A more recent contract awarded to a NATA approved laboratory (ALS Environmental) has shown that the GHD recorded levels were potentially overstated. Both companies state that the accumulation monitoring clearly shows that the methane is not migrating offsite. Despite the differences in sample results, the site has the potential to generate relatively high amounts of landfill gas, namely methane that must be dealt with. Accordingly, Council commenced installation of methane gas extraction infrastructure in February 2014. Phase 1 (covering the older western gully) of the landfill gas management is in place and connected to a flaring unit. Phase 2 (capturing gas from legacy waste in under the new cell liner in eastern gully) has been fully constructed and has been commissioned. The final Phase 3 gas collection system will include infrastructure within the waste filling of the new landfill cell at the WWARRP.”

6.2 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 are likely to comprise 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 6.3. A summary of potential impacts is provided above in relation to Annual Return Reporting.

6.3 Environmental 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 environmental incident register (Z14/224119) Current Environment Monitoring Landfill Sites is used to record and monitor environmental incidents. The register enables record keeping, reporting and determining improvements to incident response and review of the Plan. The register is kept by the WHSQE Officer – Waste Services.

MCW Environmental requested all incident reports be provided for the purposes of the audit. WCC provided the following incident reports:

- An ICAM report for an incident dated 13 July 2017 where damage occurred to an existing leachate line located in the vicinity of the new leachate pond due to excavation activities in the area. A small volume of leachate leaked into the excavation. The leachate was contained on site.
- Incident reports for complaints relating to odours – these are discussed in Section 6.4 below.

It is not clear that there were no other incident reports prepared during the period.

No incidents that caused material harm to the environment were reported to the EPA during the period of the IEA from 2013 to 2016 in the EPA Annual Returns.

6.4 Complaint Management

WCC reported that Complaints are logged in Council's Customer Request Management System 'Pathways'. Complaints are reported to the community in summary form only, via the annual returns which are published on our website.

The EPA receive investigation reports: <http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx>

The following table provides the number of complaints raised per year in EPL Annual Returns:

Table 2 Summary of Complaints reported from 2013 to 2017

Annual Return Report	Number of Complaints
29 May 2013 to 28 May 2014	48
29 May 2014 to 28 May 2015	10
29 May 2015 to 28 May 2016	38
29 May 2016 to 28 May 2017	27

Based on the EPL annual return 29 May 2016 to 28 May 2017, the overlying trend for environmental complaints had been downward after closure of the solid waste energy recovery facility in 2004. However, the reporting periods 2011/12 to 2013/14 indicated a spike of approximately 150 complaints, invariably regarding perceived odour from the WWARRP. It should be noted that WCC commenced community engagement over a new landfill cell development at Whytes Gully coinciding with the 2011/12 year complaints spike.

From 01 July 2014, kerbside green waste was not stored at the WWARRP, instead it was unloaded at a nearby site on Reddalls Road. Organics received at the WWARRP are removed from site and processed at the above mentioned nearby facility.

WCC stated that air pollution complaints received were investigated, noting evidence was gathered and data from the on-site weather station was used to compare the source of the odour and prevailing wind direction relative to the Wollongong Waste and Resource Recovery site (Whytes Gully).

WCC reported that the bulk of the complaints (almost 85%) conveyed in the 2016-2017 reporting period were received in March 2017 and that the majority of the pollution complaints received coincided with the timing of the proposed expansion of the nearby organics processing facility and the associated notification and advertising to key stakeholders and neighbours.

WCC provided Incident Investigation Reports for odour complaints on: 24 November 2016; 6 March 2017 (four complaints); and 17 March 2017. The reports provide information on weather conditions at the time of the complaint; immediate control actions taken; and corrective actions to prevent a recurrence. Corrective actions were generally reported as comprising: cover waste as per EPL; ensuring deodoriser trailer is activated; ongoing assessment throughout the day.

The EPA provided a letter in response to complaints in March 2017 and noted that *“it believes it has identified the cause of the recent odour complaints which relate to a premises not under Wollongong City Council Control.”*

6.5 Addressing Recommendations from the Previous Independent Environment Audit

This is the first Independent Environment Audit conducted at Whyte Gully Landfill Extension Project, hence there were no recommendations from previous reports to assess compliance with.

7 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**.

7.1 WCC WGLEP Environmental Management System Overview

WCC WGLEP operates under the MCoA 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 CEMPF.

These documents are voluminous (the full LEMP contains over 1900 pages), which appear largely developed for approval purposes rather than for ease of implementation. In response to this, WCC have developed various Standard Operating Procedures (SOPs) such as the Placement & Compaction of Waste SOP and the Deodouriser 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. WCC reported that further works are planned to produce more site level implementation documents similar to these SOPs and Work Instructions. WCC did not explain how these documents integrated 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 CEMPF documents do not include key aspects of Environmental Management Systems as defined in the ISO14001 Standard such as: setting and updating objectives and targets; regular conduct of risk assessments; systems of auditing; annual reviews etc.

Further WCC did not provide formal internal audit reports of the CEMP; or the CEMPF that assessed the implementation or effectiveness of these documents. WCC did provide numerous examples of where the LEMP and CEMPF had been implemented, such as inspection records and checklists – these are further described in Section 7.2 and in Appendices A and B.

Based on site discussions, it appears that the LEMP is a cumbersome document in terms of a management system for implementation at site level and there are further opportunities for improvements in the development of a more efficient and comprehensive site based environmental management system.

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 CEMPF 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; Contractors CEMPs; the CEMPF and other WCC systems to ensure ongoing implementation and effectiveness of controls.**

7.2 Management Programs and Plans

The following documents were reviewed for adequacy by the auditors with a summary of the review provided in Table 7-1:

- Landfill Environmental Management Plan
- Construction Environmental Management Plan

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 have not been reviewed in detail since their original approval in 2014.

A key finding of the review is that WCC conduct a detailed review of the documents to ensure their ongoing effectiveness in achieving performance measures defined in the Project Approval; Environmental Assessment and EPL; and to ensure the documents are up to date and adequate in respect of site operations; environmental legislation; the EPL; and current procedures used by WCC.

7.2.1 General Summary of Management Plan Adequacy Review

WCC has established key management and monitoring plans/programs under the scope of the WGLEP Landfill Environmental Management Plan and Construction Environmental Management Plan.

In general, these plans and programs are established and implemented in general accordance with the consent conditions of MCoA 11_0094 and the requirements of EPL 5862, subject to the comments made in Appendix A and Appendix B and in this report. 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 CEMPF are not comprehensive.

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 7-1**.

Table 7-1 - Adequacy Review of Management Plans / Monitoring Programs

Management Plan / Monitoring Program	Adequacy Review and Recommendations
Landfill Environmental Management Plan and associated sub-plans	The LEMP was prepared by Golders in September 2014 and approved by DPE on 11 December 2014 in compliance with MCoA 11_0094 Schedule 18, 29, 34, 40, and 49 of Schedule 4 of the Project Approval for the Whytes Gully Landfill Extension Project. The LEMP contains a number of sub-plans which are required by the condition of approval such as: • 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 or 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) 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. The implementation of the LEMP and associated subplans on sites operations has not been reviewed or internally audited to ensure it's adequacy and effectiveness. Many aspects of the LEMP document are out of date e.g. it still refers to all of the development consents that WCC are to have surrendered under the Project Approval; it refers to out of date legislation; it has not been updated to reflect the numerous EPL variations issued and quotes EPL requirements that have since changed; Operating Procedures detailed in the LEMP have been updated and are now superceded in some instances; and the LEMP has not been modified to reflect some current on site practices that have changed since 2014 (e.g. MRF and recycling facility). A number of appendices the LEMP are now out of date or not relevant to be included as part of the LEMP. It was noted that some Standard Operating Procedures have been updated, however these were not linked to the LEMP. Recommendations: That the LEMP and associated sub-plans be reviewed and updated as required and ensure their effectiveness and adequacy. Technical aspects of the review should be undertaken by suitably qualified people. That the LEMP update include a rationalisation of 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. The LEMP and associated subplans are required to be posted on the WCC website. That key requirements of the LEMP be reflected in operating level systems and procedures (see recommendations under Section 7.1).

Management Plan / Monitoring Program

Adequacy Review and Recommendations

Construction Environmental Management Framework and associated sub-plans

The CEMPF has been prepared by Golders in August 2013 and approved by DPE on 20 August 2013 in compliance with Condition 2 of Schedule 5. The CEMP contains a number of sub-plans which are required by the condition of approval such as:

- 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).

The CEMP and subplans have not been reviewed since they were approved by DPE prior to construction.

It was noted that the CEMP of contractors i.e. ERTECH has been reviewed and approved by WCC as per the requirements of CEMPF.

The implementation of the CEMPF and associated subplans has not been reviewed or internally audited to ensure it's adequacy and effectiveness.

The Public Works Surveillance Team conducts weekly inspections of the construction site to ensure mitigation measures are implemented (i.e. erosion and sediment control, plant inspection, quality control, dust).

Recommendation:

That the CEMPF and its associated sub-plans be reviewed and updated as required and ensure implementation and effectiveness on construction works.

The CEMP and it's associated subplan be posted on the WCC website.

Vegetation and Biodiversity Management Plan

The vegetation and biodiversity management plan has been prepared in 2013 and approved under the LEMP by DPE in 2014.

Biosis Pty Ltd was commissioned by Wollongong City Council to review the existing Whytes Gully New Landfill Cell Vegetation Management Plan (VMP), prepared by Biosis (2013).

Biosis understands that Council require an updated assessment of the current condition of the vegetation within the study area and the maintenance required to meet the performance criteria to date as outlined in the VMP (Biosis 2013). Performance criteria 'to date' has been based on the assumption that the proposed works program would currently be in year four, if the VMP had been implemented in 2014.

A field investigation was undertaken on 20 June 2017 by Botanist, Bianca Klein. This report details the results of the field investigation, including vegetation condition assessments and provides recommendations for management of the VMP site. Management actions have been formulated based on the requirement for each management zone, as outlined in Biosis (2013), to satisfy the condition criteria outlined in the VMP to date. These management actions are proposed to be undertaken within a 12 month period, with consideration to the current condition of the site and the ongoing viability of the site during and after the VMP works.

Recommendation:

Update the Vegetation Management Plan with the findings of the review of the existing Whytes Gully New Landfill Cell Vegetation Management Plan (VMP), prepared by Biosis (2017).

8 Summary of Non Compliances and Recommendations

Some non-compliances have been identified with the MCoA conditions and EPL conditions, and SoC conditions. These non-compliances as well as the requirements assessed as Not Verified and the associated recommendations have been consolidated and are summarised in **Table 8-1** below.

For a number of requirements that were assessed as compliant or not applicable, recommendations were made where continuous improvements were identified. These requirements and recommendations are summarised in **Table 8-1**.

Recommendations relating to observations of general environmental management, the adequacy of the various plans / programs are provided in Section 7.

Table 8-1 - Non-Compliant and Not Verified Conditions – MCoA 11_0094 and Statement of Commitments

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
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.	At the time of the audit site inspections, WCC could not demonstrate that they had surrendered the previous development consents. On 29 March 2018, WCC provided documents showing that WCC surrendered all of the leases detailed in Table 1 on the leases on 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. On the basis that the Development Consents were not surrendered within 12 months of the date of the Approval (being 3 April 2013); and that surrender of two development consents may be outstanding; WCC is considered non-compliant with this condition.	Non-compliant Recommendation: Ensure that development consents DA 1996/8256 and DA-1996/6256 are surrendered in accordance with Condition 7: Schedule 3.
Sch 4 Condition 9	The Proponent shall: 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.	Fencing was installed around the boundary of the landfill. Cleaning of litter around the perimeter was reported to be conducted by WCC on a campaign basis at least weekly. WCC reported that daily inspections are carried out that includes litter inspections. A template form including the item “workplace free of litter and obstructions” was sighted. During the site inspection significant quantities of litter was observed across the site, generally caught in obstructions such as shrubs, trees and fences and also in and around landfill areas. Off site areas were not accessible to inspect. Minutes of the 2017 Whytes Gully reference group (22 November 2017) indicated that residents advised “ <i>that there is a lot of rubbish around, in particular in Reddalls Road, from the corner of the tip to the car yard. One member also mentioned that the area near where he lives there are plastic bags up in the trees.</i> ” On the basis of site observations during both site inspections, and the feedback from community representatives at the November Whytes Gully reference group, that WCC are not compliant with this condition and that there is significant opportunity to reduce the amount and extent of litter at the site (and off site) through better controls or through more frequent litter reduction campaigns. It is noted that the condition requirement to “ <i>clear the site</i> ” of litter is very challenging given the extent of plastic bags etc. disposed of at the landfill on a daily basis.	Non-compliant Recommendation: Increase the effectiveness of litter reduction controls and of litter reduction campaigns to reduce on and off site litter. OFI: Reconsider with DPE what would be acceptable in terms of “clear the site of litter” so as to be able to comply with this condition.
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.	As noted in the annual report 2016-2017, surface water that exited the site in June 2016 and July 2016 contained suspended solids at levels above the 50mg/L concentration limit prescribed in the sites Environment Protection Licence. Downstream samples taken at the same time indicated suspended solids <50mg/L concentration limit and it was reported by WCC that there was no material harm caused by the non-compliance (as defined by Section 147 of the POEO Act 1997). To help reduce the likelihood of future non-compliances, 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. Since the implementation of the new work instruction, no further sediment rich discharges have occurred. Council consider that these are historic results and that Council has implemented amended controls to eliminate recurrence, noting that controls implemented are performing as designed. Though the above situation has been reported by WCC through the EPL Annual Report for 2016-2017, the exceedance of suspended solids above the discharge limit is noted as non-compliant to this condition.	Non-compliant Recommendation: Continue to review the effectiveness of corrective actions applied to site water management and address any further non compliances as required.

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
Sch 4 Condition 18e	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: e) an on-going surface water, groundwater and leachate monitoring program that includes (but is not limited to): a commitment to provide the results of monitoring to NOW and other relevant government agencies every 12 months	WCC did not provide evidence that results of monitoring are reported to NOW and other relevant government agencies every 12 months, hence compliance with this aspect of the condition was not Verified.	Not Verified 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.
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).	No offensive odour was noted at the time of the first site inspection during calm, and sunny conditions. A deodoriser was observed to be in operation during the first site visit. However, during the second site visit, some odour was observed up slope of the tipping face on the high point of the landfill, which was downwind at the time of the inspection. The odouriser was not in operation during the second site visit. There did not appear to be a process for specific management of the face during these more adverse wind conditions. It was noted that the tipping face was being kept small and cover was being used during both site inspections. Minutes of the Whytes Gully Reference Group meeting on 24 May 2017 indicated that one member <i>“mentioned the smell in the morning when the lids are lifted. It was advised that the deodoriser trailer is turned on prior to site start up to minimise odour generated. Another member mentioned that sometimes the smell is as late as 10:00am.”</i> No mention of odour was made in the Minutes of the Whytes Gully Reference Group meeting on 22 November 2017. Selected incident reports were provided by WCC for odour complaints on 24 November 2016 (1 complaint); 6 March 2017 (4 complaints); and 17 March 2017 (4 complaints). The reports showed that complaints are followed up with weather data and other factors documented. The EPA issued a letter to WCC dated 30 March 2017 responding to a letter from WCC dated 21 March 2017 in relation to odour complaints made in March 2017. The EPA noted that the identified the cause of the complaints relates to a premises not under the control of WCC. Given the audit site inspections were of limited duration, it was not possible to fully assess compliance with this condition and hence is considered Not Verified.	Not Verified 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. 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.
Sch 4 Condition 36	The Proponent shall ensure that 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;	No queuing of vehicles noted during the site audit, however it was indicated that some waste trucks are likely to queue on the road outside the facility before 7:30 am waiting for the site and weighbridge to be opened. Due to the extra lane on the road adjacent to the entrance to the facility, trucks are able to queue and not obstruct local traffic. During operating hours, there is room for vehicles to queue on site prior to having to stop. Consultation with RMS did not identify any traffic related issues relating to WCC Operations in this location. Auditors did not observe trucks queuing on public roads, and hence were unable to verify from observation the extent and nature of queuing on public roads. Hence auditors were not able to verify if WCC are not compliant with sub conditions c, d and e.	Not Verified 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.

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
Sch 4 Condition 45	The Proponent shall: a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area. <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>	During the site inspections, numerous weeds including noxious weeds were evident across the site. Current weed controls appeared limited and was not able to be explained in detail by WCC. Based on site observations, weed controls measures across the site were not adequate or effective. WCC reported that the site is inspected monthly and control undertaken periodically derived from inspection results. Implementation records provided included: 1) a schedule of weed management visits for all of council's sites. This indicated site visits on 7 occasions were scheduled over 2017; 2) emails discussing various weed areas and requesting weed control services during 2016 and 2017; WCC did not demonstrate that a systematic and through approach is taken to management and control of weeds at the site. Biosis Pty Ltd was commissioned by Wollongong City Council to review the existing Whytes Gully New Landfill Cell Vegetation Management Plan (VMP), prepared by Biosis (2013). A field investigation was undertaken on 20 June 2017 by Botanist, Bianca Klein. This report details the results of the field investigation, including vegetation condition assessments and provides recommendations for management of the VMP site. Management actions have been formulated based on the requirement for each management zone, as outlined in Biosis (2013), to satisfy the condition criteria outlined in the VMP to date. These management actions are proposed to be undertaken within a 12-month period, with consideration to the current condition of the site and the ongoing viability of the site during and after the VMP works. WCC provided a screen shot of records for Wild Dear Operation - Feral Animal Control - Whytes Gully with latest record dated 24, 25, 26 October 2017. Given the extent of weeds across the site, WCC are considered not compliant with this condition. Implementation of the control measures defined by Biosis will go towards addressing compliance issues with this condition.	Non-compliant Recommendation: Implement the controls in the program as defined by Biosis for pest, vermin and noxious weeds management.
Sch 4 Condition 49	The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Director-General.	Implementation: Based on the issues related to weeds identified above in Condition 45; and outcomes of the Biosis report where more stringent weed actions are defined to be required, WCC are considered to be Non Compliant with the implementation of the weed controls measures identified in the Vegetation Management Plan.	Non-compliant (Implementation) Recommendation: It is recommended WCC implement weed controls as defined in the Vegetation Management Plan. 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. Recommendation: Report progress in implementation of the VMP in Annual Environmental Reports.
Sch 5 Condition 3h	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 Director-General. This plan must: h) be placed on Council's website within 2 weeks of its approval.	At the time of the audit site inspections (hence for the audit period), the Draft LEMP was posted in DPE website, and the final LEMP was not posted on the WCC website, hence at the time of the audit WCC were not compliant with this condition. As of 26 February, the Final LEMP was located on the WCC website.	Non-compliant

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
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.	The requirement for periodic review is documented in the LEMP and CEMPF. Based on discussions with WCC, annual reviews of the LEMP and CEMPF were not conducted. The latest version of the LEMP and CEMPF were dated 2014. Following issue of the Draft Report, WCC indicated that they consider completing the checklist provided in Section G of the EPL Annual Return as a review of the adequacy of the LEMP and CEMPF.	Non-compliant Recommendation: Implement a formal review process for the LEMP and CEMPF. Where relevant and based on the findings of the review, update the LEMP.
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 - 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;	WCC provided Annual Reports that incorporate Annual Returns required under the Environmental Protection Licence for the years 2012-2013 to 2016-2017. The objective of the Annual Report is stated as being required under Condition R1.8 of the EPL which specifies that WCC must provide an Annual Report to accompany the Annual return for the site. The objective does not appear to reflect the requirements of this condition with thin the Project Approval. The Annual Report address some of the requirements of the condition, however, these reports do not consider compliance with the Project Approval nor meet all aspects of this condition. Specifically, the reports do not cover the following aspects of the condition: 5a) describe the operations that were carried out in the last year; 5b) third bullet point: Provide a comparison of results against the relevant predictions in the EA; or 5c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; In summary, WCC are compliant with many aspects of the condition, however, the scope of current reports do not address some aspects of the condition.	Non-compliant 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.
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 is the first audit to be commissioned by WCC since Approval for the Project and since Stage 1 operation of new cell commencing in 2014. To comply with this condition an audit was required in 2015. An independent environmental audit was not conducted a year after commencement of operation of Stage 1, hence WCC are non compliant with the timing related to this condition.	Non-compliant
Sch 5 Condition 11	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: c) a copy of the current plans and programs required under this approval; a complaints register, which is to be updated on a monthly	The LEMP and CEMPF were not posted on the WCC website at the time of the site inspections and hence WCC are considered as non compliant with this condition. As of 26 February, the documents were sighted on the website. All complaints are logged into Councils Customer Request Management System 'Pathways'. Complaints are reported to the community via the annual returns which are published on our website. WCC do not have a register of all complaints posted on the WCC website as required of the Condition. WCC have a complaints form in the LEMP, however, evidence of the use of this form was not provided by WCC and an Environmental Incident Report form was sighted for complaints.	Non-compliant Recommendation: It is recommended that a register of complaints, updated monthly, is provided on the WCC website. OFI: Update the LEMP with the form being used by WCC for the recording of complaints.
Statement of Commitment	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	Refer to Schedule 3; Condition 7.	Non-compliant

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
Statement of Commitment	Wollongong City Council commit to: Screen planting with dense tall tree planting on natural ground would be used to block views to the site, particularly from adjoining residences.	Landscape strategy is documented in the LEMP. Section 4 of the Landscape Strategy states that "the proposed planting along sections of the site boundary is intended to provide visual screening of the landfill operations from adjoining properties. In order to fulfil this function, the planting will need to be carried out in advance of landfill operations. A minimum of 5 years growth will be required to provide the intended visual screening. WCC did not provide evidence of where trees have been planted for screening purposes. Minutes of the Whytes Gully Reference Group meetings on 24 May and 22 November 2017 indicated questions from members as to why screening trees had not been planted at the boundary of the site.	Non-compliant Recommendation: WCC to conduct screen planting with dense tall tree planting on natural ground to block views to the site, particularly from adjoining residences.

Table 8-2 - Non-Compliant and Not Verified Conditions – Environmental Protection Licence 5862

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
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.	Based on the monthly reports posted in WCC council and annual returns to EPA, there were 3 occurrences of non-compliances reported to EPA since 2013 against this condition: - L2.1/L2.4 - Exceed TSS Concentration Limit at LDP1 (x1, minor) after heavy rainfall event on 25/08/2015 (approximately 150mm over 24hours). Action taken by licensee. EPA has written to licensee regarding non-compliance and relevant action. (1 occurrence); - L2.1/L2.4 - Exceed limit for TSS at LDP 1 (minor) on 2 occasions due to high intensity rainfall events in June and July 2016. The licensee is addressing non-compliances. EPA has written to licensee regarding non-compliance and relevant action. (2 occurrences). Review of water quality monitoring spreadsheets provided by WCC also indicated exceedences of the criteria at LDP1 on 2 occasions in August 2014; and one occasion in March 2016. WCC consider these are historic results and that it has implemented amended controls to eliminate recurrence. WCC consider that controls implemented are performing as designed. Specifically, 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. Since the implementation of the new work instruction, there were no further reported elevated TSS discharges. There was no reported exceedance to the water/land concentration limits since July 2016. Based on the exceedences of the criteria as reported, WCC is assessed as Non compliant with this condition. Review of water quality monitoring spreadsheets provided by WCC also indicated exceedences of the criteria at LDP1 on 2 occasions in August 2014; and one occasion in March 2016. It was not evident that these events were reported to the EPA based on documents sighted.	Non-compliant 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.
L4.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.	Refer to Sch 4 Condition 23.	Not Verified Refer to recommendations made in the MCoA Checklist for Conditions 23 and 26; Schedule 4.
O6.8	The licensee must not exhume any landfilled waste unless approved in writing by the EPA.	The process of exhumation of the landfill is defined in the LEMP. Two-2 Penalty Notices (1521880 and 1521881) were raised on 22 May 2014 regarding exhumation of waste: O6.4 - Non-compliance with Condition O6.4 - The licensee must not exhume any landfilled waste unless approved in writing by the EPA. Penalty Notice issued. WCC consider this to be an historic incident for which Council has implemented amended controls to eliminate recurrence. Controls implemented are performing as designed. WCC has not exhumed any landfilled waste unless approved in writing by the EPA since this event in 2014. An approval for exhumation of waste for the removal of rainflap was granted in October 2017. Given the events in 2014, WCC were not compliant with this condition at this time. Since May 2014 it is considered that WCC has been compliant with the condition hence no recommendation is made.	Non-compliant

Condition Number	Condition	Comments and Evidence Sighted for Audit Period	Compliance Status (C/O/NC/NA) and Recommendation
O7.3	Disturbed areas must be provided with separate water quality controls for the treatment of runoff containing suspended or turbid pollutants.	During the audit inspections, it was observed that generally disturbed areas within the operation facilities were spray grassed or covered with geofabric. Swales or drainage were generally lined with gravel, and sand bags or check dams were also place within the swales. However, limited erosion and sedimentation controls were noted within the construction areas of cells 2 and 3 and at the newly constructed leachate pond (see photos below). The lack of controls in these areas was reported by WCC to have been from recent construction activities conducted in and adjacent to the drainage line. Issues on this area were also noted in the Whytes Gully Inspection November 2017 Report prepared by the WCC surveillance officer from the public works division. Photo below was taken at the outlet of stormwater swale from the construction of Cell 2 & 3. Note that there was no sediment control prior to the entry to the culvert. WCC noted that since the site inspection, it has and continues to address these issues with the construction contractor on the site. A stop work order was issued in October 2017 and rectification implemented before work could recommence. Performance management of the contractor is ongoing.	Non-compliant 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.
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.	Two fires were recorded in the WHS records management system. Register of events were provided for WGRRP from 2013 to 2017. The fires occurred on 31-7-2013 and 21-8-2013. The system did not report fires after this event. The system indicated that the first fire was reported to the EPA, and a separate email indicated that the second fire was also reported to the EPA. The data provided to auditors did not address all of the requirements of the conditions a to h. As such, Auditors were not able to verify compliance with this condition.	Not Verified 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.
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.	See response to above condition R4.1.	Not Verified

8.1 Additional Recommendations (not related to non-compliances)

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 8-3 – Opportunities for Improvement for Conditions Considered Compliant for Improved Compliance and Continuous Improvement

Approval & EPL Condition Number	Rec #	Opportunities for Improvement (OFIs)
Project Approval MCoA 11_0094		
Sch 4 Condition 5	OFI 1	The effectiveness of the resource and recovery measures was not able to be fully reviewed during this audit and satisfaction of the Director General was not evident. It is recommended that WCC review the effectiveness of the resource recovery measures to fully meet this condition.
Sch 4 Condition 7g	OFI 2	This audit did not fully review the implementation of all SOPs developed by WCC. It is recommended that WCC conduct an internal audit/review of all the SOPs to ensure ongoing implementation and compliance.
Sch 4 Condition 7h	OFI 3	It is recommended that WCC conducts an audit of filling activities regularly to demonstrate that it is being implemented to comply with this requirement and the EPL.
Sch 4 Condition 15g	OFI 4	It is suggested WCC consult with DPE so as to define what is required to obtain or demonstrate <i>“satisfaction of the Director General”</i> for surface water management.
Sch 4 Condition 18b	OFI 5	Ensure ERSED controls are replaced promptly after works near drainage lines and stabilise the bank of the sediment pond near the outlet and.
Sch 4 Condition 27	OFI 6	That WCC conduct a review of implementation of the LEMP and SOPs in respect to tipping areas to demonstrate compliance with the figures in Table 5 for the areas of tipping face; daily cover; and 90 day cover.
Sch 4 Condition 32	OFI 7	Ensure all plant use low frequency reversing alarms.
Sch 4 Condition 33e	OFI 8	It is recommended that WCC conducts a review of the implementation of the noise management plan for operations and construction to ensure compliance to this condition. WCC to address the requirement of the condition to <i>“evaluate and report on the effectiveness of the noise management system”</i> .
Sch 4 Condition 46	OFI 9	WCC conduct a review of their capability to manage fire risk and maintain adequate fire-fighting capacity on site.
Sch 5 Condition 2	OFI 10	The Construction Environmental Management Plan has not been updated since 2013. It is suggested that WCC review and update the plan to ensure its alignment with changes on site; and relevant EPL variations.
SOCs	OFI 11	It is suggested WCC consider better advising of the complaints line to Council on Whytes Gully related web pages and other media, to make it more transparent

Approval & EPL Condition Number	Rec #	Opportunities for Improvement (OFIs)
		how complaints to the facility can be made.
Environmental Protection Licence 5862		
M5.2	OFI 13	It is recommended that WCC review the on line complaints process on the WCC website to specifically include a means of making a complaint for Whytes Gully direct to WCC, rather than the EPA. It is recommended that WCC improve signage at the site to better advertise the complaints line telephone number so that the impacted community knows how to make a complaint.

Table 8-3 - Recommendations Relating to Management Plans

Document or Area of Recommendation	Recommendations
LEMP and CEMPF	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 CEMPF 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; Contractors CEMPs; the CEMPF and other WCC systems to ensure ongoing implementation and effectiveness of controls.
LEMP	That the LEMP and associated sub-plans be reviewed and updated as required and ensure their effectiveness and adequacy. Technical aspects of the review should be undertaken by suitably qualified people. That the LEMP update include a rationalisation of 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. The LEMP and associated subplans are required to be posted on the WCC website. That key requirements of the LEMP be reflected in operating level systems and procedures (see recommendations under Section 7.1).
LEMP and CEMPF	That the CEMPF and its associated sub-plans be reviewed and updated as required and ensure implementation and effectiveness on construction works. The CEMP and it's associated subplan be posted on the WCC website. (noted this recommendation was implemented during the audit report finalisation).
Vegetation Management Plan	Update the Vegetation Management Plan with the findings of the review of the existing Whytes Gully New Landfill Cell Vegetation Management Plan (VMP), prepared by Biosis (2017).

9 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 **July 2017** 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 11 September 2017 and 29 March 2018 and is based on the conditions encountered and information reviewed at the time of the site visits on 11 September and 27 November 2017. 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 – MCoA 11_0094

Appendix A

Minister's Conditions of Approval 11_0094 dated 3 April 2013 for Whytes Gully Landfill Extension Project

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.	Interview with Waste Manager and Construction Manager and Site inspection 11 September and 27 November 2017 Documents and records provided to auditors (Refer to Appendix D)	WCC have developed the environmental management plans LEMP and CEMPF with associated subplans and procedures for Whytes Gully Landfill Extension Project as per the requirements of Minister's Conditions of Approval 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 Department of Planning for implementation. Stage 1A & 1B construction was completed in 2014. Operation of the Stage 1 Cell commenced in 2014 and was 70% filled at the time of this audit. 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. There were no reported incident that cause material harm to the environment. 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 Minister's Conditions of Approval. It was noted that the LEMP and CEMPF were developed as per the requirements of the EA. The requirements of the EA are also referenced in MCoA 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

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				While Auditors have conducted a high level review of the requirements of the PPR, the audit did not comprise a detailed assessment against the EA. 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); and	Environmental Assessment Report	Based on the site layout in EA the extent of the landfill works only covers the following Lot and DP numbers: - 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 MCoA 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: - Lot 52 DP 1022266 is leased by Visy Recycling - Lot 51 DP 1022266 was noted not to be under Whytes Gully Landfill management. OFI: 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.	Compliant
		e) Conditions of this approval.		Refer to the following review of conditions. This audit focussed on the review of compliance to the conditions of approval and implementation of LEMP and CEMP.	
Sch 3	3	If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.		The lot number noted in the EA Figure 6.1 is Lot 1 DP 240557, however in the MCoA and EPL it is Lot 2 DP 240557. The lot and DP noted in the MCoA and EPL will prevail.	Note
Sch 3	4	The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:		WCC have received approval for the various management plans required of the project approval. WCC did not identify or provide any documents that included	Compliant
		a) Any reports, plans, strategies, programs, or correspondence			

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		that are submitted in accordance with this approval; and b) The implementation of any actions or measures contained in these reports, plans, strategies, programs, or correspondence.		outstanding requirements from the Department's assessment of plans and documents as listed. On this basis WCC are deemed compliant with this condition.	
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.	Whytes Gully tonnage data - waste and recycling Weigh bridge data TPA Weighbridge Data – to March 2018 Operational Purpose Deduction – Certificate	WCC report tonnages to the EPA on a monthly basis as a requirement of Council's Environment Protection Licence. The EPA review this data monthly and audit the data as required. The tonnages are collected via a weighbridge system that is calibrated annually. Additionally, this information is verified via stocktake surveys completed for the site which are executed by a registered surveyor. WCC provided a Whytes Gully tonnage data spreadsheet – waste and recycling register to record the type of waste received, recycled and disposed offsite. While this was provided and reviewed, the auditors were not able to establish how the total tonnage accepted at the landfill in any calendar year is calculated by WCC. WCC provided a further spreadsheet (TPA Weighbridge Data provided 29-3-18) that summarised the waste tonnages for 2014 to 2018. This data provided a total of waste accepted at the facility, and subtracted the following: wastes taken off site including green waste; Operational Purpose Deduction (materials bought to site for other purposes e.g. construction materials); and non waste related items e.g. consumable products. The data provided by WCC reported the following totals of waste (in tonnes per annum) to landfill was: 2014 was 54,743 tonnes; for 2015 was 120,330 tonnes; 2016 was 106,981 tonnes; and for 2017 there was 133,144.04 tonnes recorded as going to landfill. WCC provided an Operational Purpose Deduction – Certificate from the EPA for the construction of Landfill Cells 2 & 3 and Leachate Pond/Drainage. This provided an exemption of 167,649.40 tonnes of materials. Based on the data supplied by WCC and the Operational Purpose Deduction applied by WCC, the data indicates compliance with the condition. MCW Environmental has not verified; nor completed an independent check on the methodology used by WCC to measure and calculate the waste numbers as reported.	Compliant
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. The photo below of the site taken during the audit shows no activities in the Stage 4-2B area.	Compliant

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SURRENDER OF EXISTING DEVELOPMENT CONSENTS					
Sch 3	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.	Surrender of Development Consent documents dated 13 March 2018 Applications to surrender Development Consents dated 7 February 2018	At the time of the audit site inspections, WCC could not demonstrate that they had surrendered the previous development consents. On 29 March 2018, WCC provided documents showing that WCC surrendered all of the leases detailed in Table 1 on the leases on 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. One the basis that the Development Consents were not surrendered within 12 Months of the date of the Approval (being 3 April 2013); and that surrender of two development consents may be outstanding; WCC is considered non-compliant with this condition. Recommendation: Ensure that development consents DA 1996/8256 and DA-1996/6256 are surrendered in accordance with Condition 7: Schedule 3.	Non-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	Previous DA's were not provided to the Auditors hence this condition was not assessed.	Noted - Not Assessed
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.	LEMP Sep 2014 CEMPF August 2013	WCC reported that during the transition period until the approval of the Landfill Environmental Management Plan (LEMP) in 2014 and Construction Environmental Management Plan Framework (CEMPF) in 2013, all existing management plans prevailed. This audit has not considered the management plans under the DA's listed in Table 1. Due to the time elapsed since the commencement of the LEMP and hence replacement of the former management plans, it was not possible to verify whether the plans were in place until replaced under this approval.	Not Verified

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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. Notes: - 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.	WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1A (Doc #137625004-184-M-Rev0) 4 September 2014 WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1B (Doc #137625004-257-M-Rev0) 20 April 2014 WHYTES GULLY NEW LANDFILL CELL – NOTICE OF COMPLETION RAIN SHED CONSTRUCTION (137625004-258-M-Rev0) 21 April 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1A dated 15 September 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1B dated 12 June 2015.	WCC reported that no new permanent buildings have been constructed under the approval. The project has comprised the construction of new landfill cells. At the time of this audit New Cell Part 1A and 1B were completed (in 2014). Completion Reports and Practical Completion Certificates for Part 1A and 1B were provided to the auditor as evidence against this condition. Auditors have relied on the Completion Reports and Practical Completion Certificates completed by third parties to demonstrate compliance with this condition for Part 1A and 1B of the landfill. No further assessment has been undertaken in respect of this condition.	Compliant
Retaining Walls					
Sch 3	11	The Proponent shall ensure that: 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 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.		WCC reported that no retaining wall was included in Landfill Cell Part 1A & 1B. No retaining walls were observed during the site inspections.	Not triggered
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.	Work Plan Methodology Demolition dated 15-1-2014 – Blackwell Brothers	Demolition works were completed in 2013-2014. A Work Plan Methodology Demolition dated 15-1-2014 was sighted for the demolition of the weighbridge and the office structures. The work plan referenced the Australian Standard AS 2601:2001: The Demolition of Structures, in addition to a number of other relevant standards and codes. On this basis WCC are considered compliant with this condition.	Compliant
OPERATION OF PLANT AND EQUIPMENT					
Sch 3	13	The Proponent shall ensure that all plant and equipment used for the project is: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	Plant Daily Inspection Matrix Whytes Gully Waste Asset Maintenance Records John Deer Loader Maintenance Daily site inspection - Leachate Ponds; Ammonia Plant; Settling Ponds & weighbridge	WCC provided the plant and equipment maintenance record register as evidence of compliance for this requirement. An example of Daily site inspection - Leachate Ponds; Ammonia Plant; Settling Ponds & weighbridge was provided as evidence dated 21/08/17. An example of Waste Asset Maintenance Records 2015 included the following waste assets:	Compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				- AE79SP Komatsu PC 220-7 (P94401) - IVECO STRALIS 8x4 Hook truck (93701) - BG91EH Caterpillar Loader 950H (P95212) - Caterpillar Compactor 836H SERIES (P94242) - Water pump at Whytes Gully Tip 94/95 year 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 and based on the minor nature of the few incidents that have been reported to have occurred on site.	
PROTECTION OF PUBLIC INFRASTRUCTURE					
Sch 3	14	The Proponent shall: a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.		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 Director-General, the Proponent may submit any plan or program required by this approval on a progressive basis.	June 2012 VOLUME I - Environmental Assessment - Whytes Gully New Landfill Cell	The staging of the project was defined in the Environmental Assessment that was submitted to DPE. The Stage 1 Plans have been submitted and approved by DPE comprising the LEMP and CEMPF and their associated subplans. Stage 2 commenced in March 2017 and will be completed mid-2018.	Noted
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	Whytes Gully tonnage data - waste and recycling Weigh bridge data Work Place daily inspection - Small Vehicle Transfer Station - 9112014 -30112014 Daily inspection Tip Face Example rejected loads report Sept 2016 - Sept 2017	Based on the waste and recycling data supported with the procedures, the landfill only receives waste that is authorised under EPL. The weigh bridge check point was also installed with camera as an additional mitigation measure to ensure wastes accepted are in accordance with the EPL authorised wastes. Excavator and compactor site personnel are also trained to identify materials that are not acceptable at the landfill. Inspection during tipping is also conducted. The auditors did not do any specific inspection to assess compliance with this criteria due to access restrictions at the tip face. Full verification of compliance with this condition is	Compliant

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				not considered practicable as part of the audit.	
					
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.	Records of offsite disposal of waste during construction -Bingo Fill Disposal summary Whytes Gully tonnage data - waste and recycling	The process for waste classification is defined in the in the CEMPF. Construction wastes such as concrete, scrap metals, asphalts and hazardous waste (i.e. asbestos, contaminated soil) were classified and went offsite to a licence facility. The Bingo fill disposal summary that included construction demolition wastes was provided as evidence of compliance to this requirement.	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 Director-General.	WOLLONGONG WASTE AND RESOURCE RECOVERY STRATEGY 2022 ACTION PLAN WWRRP flyer to community Whytes Gully tonnage data - waste and recycling Register	Flyers are provided to community on proper waste sorting prior to disposal to landfill and emphasis cost savings on disposing to landfill. The recycling area was set up onsite for residential/community drop off. Tonnage data of waste and recycling register was provided as evidence. WCC plan to recover methane gas in the future. WCC were not able to provide evidence of satisfaction by the Director General with this condition. A full assessment of what reasonable and feasible comprises, in relation to this condition, has not been undertaken as part of this audit.	Compliant
Screening and Acceptance					
Sch 4	4	The Proponent must:			
		a) implement auditable procedures to:			
		• ensure that the site does not accept wastes that are prohibited; and	Waste Services SOP - Weighbridge Procedure Asbestos Detection & Treatment at Whytes Gully Safe Operating Procedure	The procedures listed in the "Evidence Source" column were developed and implemented at the site.	Compliant
		• screen incoming waste loads; and		Implementation Evidence:	
		b) ensure that:	Placement and Handling of Special Waste -	Prior to entering the landfill, all trucks and cars pass through	

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		- 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.	Whytes Gully Waste Services Daily Inspection -Tip Face - Whytes Gully Waste Depot Daily Inspection - Small Vehicle Transfer Station - Whytes Gully Waste Depot Training and Development - Risk Management - Assessment - Waste Services Required Training Matrix Accepting eWaste under the product stewardship program Procedure ewaste, mattresses and tyres, storage and removal – WWRRP Whytes Gully Weighbridge Cash Handling procedures Compliance checklist Whytes Gully Waste Depot weighbridge cash handling procedures Capture Training Records - Sandra Belanszky as example Example rejected loads report Sep 2016 - Sep 2017 SOP - Collection & Removal of bonded asbestos under 10 mtrs	a weigh bridge and receive dockets. A camera is installed at the weigh bridge as an additional check for waste prior to entering landfill. Staff were trained and sent to TAFE for a waste management course. A Training Register was provided as evidence of records for training. Daily Inspection – Tip face template was provided. A sample of completed forms were provided for review. Daily Inspection – small vehicle transfer station template was provided. A sample of completed forms were provided for review. There was no reported incident of illegal dumping to date. Given the nature of receiving wastes in enclosed trucks, it is not possible to verify this condition with certainty. Auditors have not conducted any on site assessment to test compliance with this condition. However, based on the records provided e.g. Example rejected loads report Sep 2016 - Sep 2017, this implies that WCC has demonstrated it has implemented practices in relation to accepting and rejecting waste at the site.	
Monitoring					
Sch 4	5	The Proponent shall prepare and implement a Waste and Resource Recovery Monitoring Program for the site to the satisfaction of the Director-General. This program must:			
		a) be prepared in consultation with the EPA;	Landfill Environment Management Plan, September 2014	Section 1.3 of LEMP presented the records of consultation with DPE and EPA.	Compliant
		b) be approved by the Director-General prior to the commencement of operation;	DPE approval letter for LEMP dated 11/12/14.	Record of DPE approval letter for LEMP was provided to the auditor as evidence of compliance to this requirement.	
		c) detail the screening and acceptance procedures required by Condition 4 above;	Whytes Gully tonnage data - waste and recycling Register	The Section 5.2 of LEMP defined the waste screening process.	
		d) monitor:	Wollongong Waste and Resource Recovery Strategy 2022 Action Plan (endorsed 28 July 2014)	Defined in operations overview Section 3 and Gate house operations Section 5 of LEMP.	
		- the quantity, type and source of waste received on site; and - the effectiveness of the resource recovery measures (see Condition 3 above).		Waste recycling process is defined in Section 5.4 of LEMP.	
		This program must be documented in the Landfill EMP (see Condition 3 in Schedule 5).	Whytes Gully tonnage data - waste and recycling	The Waste and Resource Recovery Monitoring Program is defined in Section 5 of LEMP. This section also defined the inspection, monitoring and maintenance schedule.	
				Implementation Evidence:	

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			LEMP	The evidence of implementation provided largely comprised the Whytes Gully tonnage data - waste and recycling wherein all waste data including the recycling tonnage are recorded. Screen shots of Strategic Waste Research Filing Container was also provided as evidence of WCC demonstration of waste and recovery monitoring program meeting and consultation for improvement and research of new technology. Brochures are also provided to the community on how to proper segregate and recycle wastes prior to disposal to the landfill. A separate recycling area was also set up for community to drop off any recyclable waste prior to dumping into the landfill. The Wollongong Waste and Resource Recovery Strategy 2022 Action Plan (endorsed 28 July 2014). Project Plan – Increased Diversion of Domestic Waste EOI and Tender Trim Ref: Z15/248910 OFI: The effectiveness of the resource and recovery measures was not able to be fully reviewed during this audit and satisfaction of the Director General was not evident. It is recommended that WCC review the effectiveness of the resource recovery measures to fully meet this condition.	
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.	Landfill Environment Management Plan Section 7.6 MONITORING LANDFILL SITES MASTER Whytes Gully analytical data WWARRP - Sydney Water - Trade Waste Agreement Consent No. 11205 - August 2017	The trade waste agreement under Sydney Water Consent 11205 was in place and parameters required for monitoring were monitored. Data of monitoring were provided in register MONITORING LANDFILL SITES MASTER Whytes Gully analytical data. Auditors did not complete an assessment of compliance with the Trade waste Agreement.	Compliant
Landfill Operations					
Sch 4	7	Unless the Director-General agrees otherwise, the Proponent shall:	Landfill Environment Management Plan 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.	
		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 - June 2017 - Email 21 July 2017	There were no completed areas of the landfill at the time of the inspection (relevant to the current approval). Intermediate cover was observed on areas not required for operational purposes at the time of the audit.	

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				The site of the oldest cell is now covered with temporary capping and grass cover.	
		c) ensure intermediate cover areas are revegetated with grasses;		Intermediate cover areas were revegetated with spray grass.	
		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 and daily cover was placed with compaction of waste implemented as per the SOP Z13/54468. See photo above.	
		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 site audit.	
		f) fill the landfill cells in a systematic manner;		Landfill operational cells were filled in accordance with the standard operating procedure based on the relevant benchmark techniques EPA (1996). At the time of the inspection the waste was being placed systematically up the hill on top of the Piggyback Liner.	
		g) maximise landfill compaction rates;		WCC has developed the SOP Z13/54468 Placement and Compaction of Waste which was claimed used on site. OFI: This audit did not fully review the implementation of all SOPs developed by WCC. It is recommended that WCC conduct an internal audit/review of all the SOPs to ensure ongoing implementation and compliance.	OFI
		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;		Section 6.5 of LEMP defined the covering of waste as per this requirement and EPL requirement. WCC reported that a cover of fill of 0.15m is placed as daily cover; or steel plates are placed over the active waste filling zone each day. OFI: As above, it is recommended that WCC conducts an audit of filling activities regularly to demonstrate that it is being implemented to comply with this requirement and the EPL.	OFI
		i) progressively cap the landfill cells with the approved capping		No areas were available for capping at the time of the site	

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		layer, which shall comprise the following (from top to bottom), or an EPA approved alternative: 0.5 m to 1 m revegetation layer; - geocomposite drainage system with geotextile covers to prevent clogging of the system from sediment migration; - 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		inspection, hence this condition was considered to be not triggered. Procedures for capping are included in the LEMP. Large areas had been temporarily covered for maintenance until required in the future.	
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.	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. No areas had been capped at the time of the inspection.	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.	SOP Acceptance of VENM at Landfill IW - Major Projects - Environment - Fowl~fication Virgin Excavated Natural Material IW - Major Projects - Environment - Fowl~ for the Acceptance and Disposal IW - Major Projects - Environment - Fowl~VENM at WWRRP - Soil Classification	The procedure for acceptance of VENM in landfill defines the process to meet the condition. WCC noted that cover material was sourced from ENM/VENM. SOP for acceptance of ENM/VENM provided. Example of records of waste classification and certification of ENM/VENM where provided as evidence.	Compliant
Litter Control					
Sch 4	9	The Proponent shall:			
		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.	Waste SOP - Wind blown litter collection Whytes Gully Extract from Trim (records management system) Community Service Attendance Records - Litter collection	Fencing was installed around the boundary of the landfill. Cleaning of litter around the perimeter was reported to be conducted by WCC on a campaign basis at least weekly. WCC reported that daily inspections are carried out that includes litter inspections. A template form including the item "workplace free of litter and obstructions" was sighted. During the site inspection significant quantities of litter was observed across the site, generally caught in obstructions such as shrubs, trees and fences and also in and around landfill areas. Off site areas were not accessible to inspect. Minutes of the 2017 Whytes Gully reference group (22	Non-compliant

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				November 2017) indicated that residents advised <i>"that there is a lot of rubbish around, In particular in Reddalls Road, from the corner of the tip to the car yard. One member also mentioned that the area near where he lives there are plastic bags up in the trees."</i> On the basis of site observations during both site inspections, and the feedback from community representatives at the November Whytes Gully reference group, that WCC are not compliant with this condition and that there is significant opportunity to reduce the amount and extent of litter at the site (and off site) through better controls or through more frequent litter reduction campaigns. It is noted that the condition requirement to "clear the site" of litter is very challenging given the extent of plastic bags etc disposed of at the landfill on a daily basis. Recommendation: Increase the effectiveness of litter reduction controls and of litter reduction campaigns to reduce on and off site litter. OFI: Reconsider with DPE what would be acceptable in terms of "clear the site of litter" so as to be able to comply with this condition.	
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: 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	WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1A (Doc #137625004-184-M-Rev0) 4 September 2014 WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1B (Doc #137625004-257-M-Rev0) 20 April 2014 WHYTES GULLY NEW LANDFILL CELL – NOTICE OF COMPLETION RAIN SHED CONSTRUCTION (137625004-258-M-Rev0) 21 April 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1A dated 15 September 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1B dated 12 June 2015	The CQAP was provided as evidence that the lining system would be constructed as per the requirements of this condition and as per EPA approved design. Completion Reports and Practical Completion Certificates for Part 1A and 1B were provided to the auditors as evidence of implementation of the CQAP. These reports included the design and certification of the Piggyback Liner System. The audit team did not conduct any checks of the liner system during inspections and relied Construction Completion Reports as listed to verify compliance with this condition.	Compliant

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		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).			
Sch 4	11	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: 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.	WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1A (Doc #137625004-184-M-Rev0) 4 September 2014 WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1B (Doc #137625004-257-M-Rev0) 20 April 2014 WHYTES GULLY NEW LANDFILL CELL – NOTICE OF COMPLETION RAIN SHED CONSTRUCTION (137625004-258-M-Rev0) 21 April 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1A dated 15 September 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1B dated 12 June 2015	Completion Reports and Practical Completion Certificates for Part 1A and 1B were provided to the auditor as evidence. These reports included the design and certification of Piggyback Liner System settlement analysis. The audit team did not conduct any checks of the liner system during inspections and relied on documents listed to verify compliance with this condition.	Compliant
Sch 4	12	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: a) a bearing layer at least 200 mm thick of compacted clay to provide a smooth surface for installation of the geosynthetic liner materials; b) 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; c) 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%	WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1A (Doc #137625004-184-M-Rev0) 4 September 2014 WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1B (Doc #137625004-257-M-Rev0) 20 April 2014 WHYTES GULLY NEW LANDFILL CELL – NOTICE OF COMPLETION RAIN SHED CONSTRUCTION (137625004-258-M-Rev0) 21 April 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1A dated 15 September 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1B dated 12 June 2015	Completion Reports and Practical Completion Certificates for Part 1A and 1B were provided to the auditor as evidence. These reports included the design and certification of Cell based Liner System. Detailed design report was provided as evidence of compliance and as per EPA approved design. The audit team did not conduct any checks of the liner system during inspections and relied on documents listed to verify compliance with this condition.	Compliant

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		smaller than 0.075mm. A filter protection geotextile must be placed above the gravel; and			
		d) 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.			
Sch 4	13	The Proponent shall prepare and implement a Construction Quality Assurance Plan for the project. The plan must: a) be prepared in consultation with EPA by a suitably qualified and experienced expert whose appointment has been endorsed by the Director-General; b) be approved by the Director-General prior the commencement of construction, or at a time otherwise approved by the Director-General; 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;	WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1A (Doc #137625004-184-M-Rev0) 4 September 2014 WHYTES GULLY NEW LANDFILL CELL – PRACTICAL COMPLETION PACKAGE 1B (Doc #137625004-257-M-Rev0) 20 April 2014 WHYTES GULLY NEW LANDFILL CELL – NOTICE OF COMPLETION RAIN SHED CONSTRUCTION (137625004-258-M-Rev0) 21 April 2014 Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1A dated 15 September 2014	The Construction Quality Assurance Plan for Package 2 and 3 Landfill Cells, as listed was provided by WCC. Completion Reports and Practical Completion Certificates for Part 1A and 1B were provided to the auditor as evidence. These reports included the certification that the QAQC Plans have been implemented during construction (Section 1.1 of each completion report).	Compliant
Sch 4	13	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).	Whytes Gully Landfill New Construction Cell Construction Completion Report Part 1B dated 12 June 2015 WHYTES GULLY NEW LANDFILL CELL Construction Quality Assurance Plan (CQAP) Package 2 and 3 Landfill Cells, 20 December 2016		
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 WWARRP - Annual Return 29 May 2016 - 28 May 2017	As noted in the annual report 2016-2017, surface water that exited the site in June 2016 and July 2016 contained suspended solids at levels above the 50mg/L concentration limit prescribed in the sites Environment Protection Licence. Downstream samples taken at the same time indicated suspended solids <50mg/L concentration limit and it was reported by WCC that there was no material harm caused by the non-compliance (as defined by Section 147 of the POEO Act 1997). To help reduce the likelihood of future non-compliances, 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. Since the implementation of the new work instruction, no	Non-compliant

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				further sediment rich discharges have occurred. Council consider that these are historic results and that Council has implemented amended controls to eliminate recurrence, noting that controls implemented are performing as designed. Though the above situation has been reported by WCC through the EPL Annual Report for 2016-2017, the exceedance of suspended solids above the discharge limit is noted as non-compliant to this condition. Recommendation: Continue to review the effectiveness of corrective actions applied to site water management and address any further non compliances as required.	
Stormwater Management					
Sch 4	15	The Proponent shall:	WHYTES GULLY LANDFILL		
		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;	Detailed Design Report Update - Tender Package 2 and 3 Landfill Cells, 5 October 2016 Whytes Gully Stormwater Management Work Instruction July 2016	Section 7 of Detailed Design Report defined the surface water management and collection design. To enable the construction of Tender Packages 2 and 3, several additional surface water drains have been designed to manage the diversion of water from the central ridge diversion drain and cascade (constructed with Tender Package 1) and to divert stormwater along the perimeter bund of the Package 2 Piggyback Liner. As per EPL O6.11 The licensee is permitted to construct the Package 2 and Package 3 Landfill Cells in accordance with the following documents, drawings and requirements: a) "Preliminary Design Report", Golder Associates, April 2012; b) "Whytes Gully Resource Recovery Park - Detailed Design Report Tender Packages 1, 2 and 3", Golder Associates, June 2013; and c) "Whytes Gully Landfill Detailed Design Report Update - Tender Package 2 and 3 Landfill Cells", Golder Associates, October 2016. The most recent document, drawing and requirement supersedes any conflict between older documentation, drawings and requirements. Auditors have not assessed if the stormwater management system was constructed in accordance with Chapter E14 of the Wollongong DCP 2009. Based on the above discussion WCC is considered generally compliant with the condition.	Compliant
		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;		Erosion and sediment control plans for the construction work of Packages 2 and 3 were provided as evidence to this requirement. Auditors have not verified the report as compliant with the condition relating to the Blue Book, and have relied on the	

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		c) ensure peak stormwater discharge rates from the site at each stage of the project do not exceed predevelopment values;		EPA's approval for the consideration of compliance. This was not able to be fully verified during this audit. However based on the site surveillance reports provided and site operations manager there was no reported recent overflow of the sediment pond. A Wet Weather Monitoring and Stormwater Management work instruction was provided. Implementation of this was validated through the site inspection records.	
		d) divert existing clean surface water around operational areas of the site;		Various clean water diversion drains were observed. A Rain flap was also installed to reduce stormwater entering the landfill area.	
		e) direct all sediment laden water in overland flow away from the leachate management system; and		Surface water or stormwater is directed to the sediment pond which is separate to the Leachate management system.	
		f) prevent cross-contamination of clean and sediment or leachate laden water,		There were no reported cross contamination or leaks of leachate water into the surface water. No evidence of cross contamination of clean water by leachate water was noted during site inspections.	
		g) to the satisfaction of the Director-General.		WCC did not provide evidence of "satisfaction of the Director General" as required of this condition. OFI: It is suggested WCC consult with DPE so as to define what is required to obtain or demonstrate "satisfaction of the Director General" for surface water management.	OFI
Flooding Management					
Sch 4	16	The Proponent must prepare and implement a Flood Emergency and Evacuation Plan to the satisfaction of the Director-General. The Plan must:	117625003_287_R_Rev1 Flood Emergency Evacuation Plan	Flood emergency evacuation plan was prepared by Golder Associate and was submitted to DPE for approval In August 2013. This was approved by DPE as part of the LEMP approval letter dated 11/12/14.	Compliant
		a) be prepared by a suitably qualified and experienced expert in consultation with Council;	LEMP Appendix N	Emergency Exercise was conducted at – Wollongong Waste and Resource Recovery Park Date 25/1/2017 Time 10.00am	
		b) be approved by the Director-General prior to the commencement of construction;		No flooding event that has been reported to date at the site, hence full implementation of the plan has not been tested.	
		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;		This plan is documented in LEMP Appendix N.	
		d) identify contingency actions to be implemented in the event that the site is inundated during a major flood event to protect:			
		• the integrity of stormwater/leachate ponds and prevent release of stormwater/leachate into the local environment including water quality control measures; and			
		• human safety.			
Sch 4	16	e) identify emergency evacuation routes, flood warning alarms,			

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		and evacuation procedures. This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).			
Leachate Management					
Sch 4	17	The Proponent shall:			Compliant
		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;	Western Gully Deep Leachate Drainage Completion Report, 17 August 2017 Section 7.0 LEMP	Construction of the Leachate Drainage System was approved by NSW EPA through Environment Protection Licence (EPL) 5862 Condition O6.13: The licensee is permitted to construct the Deep Leachate Drainage System in accordance with the following documents, drawings and requirements: a) "Henry & Hymas Detailed Design Report - Project Name: Western Gully Deep Leachate Drainage System - Whytes Gully Landfill", H&H Consulting Engineers Pty Ltd, December 2016. The leachate system was observed under construction during the site inspections, including a new leachate pond. The Western Gully Deep Leachate Drainage Completion Report, 17 August 2017 covered this aspect of the leachate management system.	
		b) ensure that leachate generated by the project is minimised and appropriately contained, collected and disposed of;		The management of leachate is detailed in the LEMP, Section 7. An incident involving a broken leachate line incident was reported to the EPA on 20 November 2017. As reported by the Waste Operations Manager, the leachate was contained and collected. The incident report was not available at the time of this audit.	
		c) collect and store all leachate generated by the project until it is transferred for treatment/processing;		Defined under LEMP Section 7. During the site inspection, leachate was observed being stored prior to treatment.	
		d) install a leachate barrier to be used for the direct impoundment of leachate (see Conditions 10 to 13 of this Schedule);		Defined under LEMP Section 7. See responses to conditions 10-13.	
		e) design and operate the leachate management system to prevent leachate from escaping to surface water, groundwater or the surrounding subsoils;		Defined in Western Gully Deep Leachate Drainage Completion Report, 17 August 2017.	
		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;		Defined under LEMP Section 7. As detailed above, the design has been approved by the EPA.	
		g) direct all surface water from areas not subject to waste disposal or leachate disposal away from the leachate management system; and		Defined under LEMP Section 7. Observations during the site inspection indicated that surface waters are generally away from the leachate management system, where feasible.	
		h) treat all water that has entered areas filled with waste, or		Defined under LEMP Section 7. Water that had entered the	

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to the satisfaction of the Director-General.

waste placement areas was generally managed as leachate and directed to the leachate treatment plant.

WCC could not demonstrate “satisfaction of the Director General through documents.

Auditors have not completed detailed assessment of the Leachate Management System and have relied on the documents listed to determine compliance with this condition.

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 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:	Section 7.3 of LEMP defined the surface water and sediment controls.	Process to manage the soil, water and leachate is defined in Section 7.3 of LEMP with reference to future works as per detailed design report for ongoing Package 2 and 3 landfill cell. The LEMP was prepared by Golders and approved by DPE on 11/12/14. Implementation: Evidence of implementation was noted in the monitoring of groundwater, surface and leachate water. Maintenance of leachate pond and water treatment facility was also noted.	Compliant
		a) a site water balance that: - 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	Section 3.2.6 of the LEMP Technical Memorandum dated March 2012: Leachate Generation and Water Balance Modelling	Details of the Site Water Balance is provided in Section 3.2.6 of the LEMP. This references to other sections of the LEMP for further details. A detailed assessment is provided in Technical Memorandum dated March 2012: Leachate Generation and Water Balance Modelling. Based on approval of the plan the condition has been assessed as compliant. Water use onsite is considered minimal and mainly comprises dust suppression and office use. 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.	Compliant
		b) an erosion and sediment control plan that: - 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: - 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	Section 7.2.3 of LEMP defined the surface water and sediment controls.	Erosion and sediment control is presented in Section 7.2.3 of the LEMP. Observations made during the site inspection included that: - 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 - some areas of the bank in the vicinity of the outlet to the sediment basin were not stabilised. - near the new cell construction where drainage and creek lines had recently been affected and controls	Compliant

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		proposed revegetation and rehabilitation of the site.		had not been re-instated (this issue was already covered in the WCC Public Works Site Surveillance to be addressed by the contractor). See photos below. OFI: Ensure ERSED controls are replaced promptly after works near drainage lines and stabilise the bank of the sediment pond near the outlet and.	
					
Sch 4	18	c) a leachate management plan that: - 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 - includes a remedial action plan should leachate escape the leachate containment system.	Section 7.2.4 of LEMP defined the control and management of leachate Western Gully Deep Leachate Drainage Completion Report, 17 August 2017	Leachate collection system is in operation and maintained. 	Compliant
		d) a stormwater management plan that: is consistent with the guidance in the latest version of	LEMP Section 7.2.3	Surface water and sediment control management is defined in Section 7.2.3 of LEMP which demonstrated compliance to	Compliant

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		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	WHYTES GULLY LANDFILL Detailed Design Report Update - Tender Package 2 and 3 Landfill Cells, 5 October 2016 Whytes Gully Stormwater Management Work Instruction July 2016	this requirement. The detailed design is included in the Detailed Design Report 2013 and 2016. .	
		e) an on-going surface water, groundwater and leachate monitoring program that includes (but is not limited to): - 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	Section 7.3 of LEMP MONITORING LANDFILL SITES MASTER Whytes Gully analytical data Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017	Section 7.3 of LEMP defined the monitoring of surface water, groundwater and leachate. Results of monitoring are recorded in a register provided to the auditors. Annual Return Report to EPA was provided as evidence. This provides a summary of water quality monitoring data and interpretation of results. The following monitoring and reporting was conducted by WCC. - 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 August, and after any overflow event caused by rain. WCC did not provide evidence that results of monitoring are reported to NOW and other relevant government agencies every 12 months, hence compliance with this aspect of the condition could not be verified. Recommendation: Provide results of monitoring to NOW (or equivalent agency) and other relevant government agencies every 12 months as required of the condition. The Plan is documented in the LEMP; Section 7.3. The auditors have relied on the approval of the plan by DPE to determine compliance with this condition and have not undertaken an assessment of the adequacy of the Soil, Water and Leachate Management Plan.	Not Verified
		This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).			
		Contamination Management Plan			
Sch 4	19	The Proponent shall prepare and implement a Contamination Management Plan for the project to the satisfaction of the Director-General. This Plan must:	Construction Environmental Management Plan Framework Section 3.7 Contamination Management Plan	The CEMP was prepared by Golder associates and was submitted to DPE and approved on 20/8/2013.	Compliant
		a) be prepared by a suitably qualified and experienced expert;		The CEMP addresses the requirements for the Contamination Management Plan.	
Sch 4	19	b) be submitted to the Director-General prior to the commencement of construction;		WCC reported that many aspects of the implementation of	

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		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; 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).		the Contamination management plan had not been triggered as no known contamination was uncovered or reported to date.	
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 2015	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 in general accordance with this requirement. The generator for the wastewater treatment plant was bunded as per the photo below.	Compliant
					Chemicals for the wastewater treatment plant were also stored in bunded area.

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Soil					
Sch 4	22	The Proponent shall: a) minimise any soil loss through erosion on site; b) set aside any topsoil won on site for the proposed revegetation and rehabilitation of the site; and c) ensure that any topsoil stockpiles on site are suitably managed to ensure that the topsoil in these stockpiles can be beneficially used in the proposed revegetation and rehabilitation of the site.	Site inspection	It was noted during the site inspection that a large part of the construction area is flat and sediments are contained within the construction footprint. A sump was installed within the construction area to collect sediments and run-off is contained within construction footprint.  WCC reported that top soil was segregated and stockpile onsite for re-use. No records of the storage of topsoil were sighted.	Compliant
AIR QUALITY					
Odour					
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 19. SOP - Deodouriser Trailer Operator Manual - Whytes Gully	No offensive odour was noted at the time of the first site inspection during calm, and sunny conditions. A deodoriser was observed to be in operation during the first site visit.	Not Verified

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					However, during the second site visit, some odour was observed up slope of the tipping face on the high point of the landfill, which was downwind at the time of the inspection. The odouriser was not in operation during the second site visit. There did not appear to be a process for specific management of the face during these more adverse wind conditions. Minutes of the Whytes Gully Reference Group meeting on 24 May 2017 indicated that one member <i>“mentioned the smell in the morning when the lids are lifted. It was advised that the deodoriser trailer is turned on prior to site start up to minimise odour generated. Another member mentioned that sometimes the smell is as late as 10:00am.”</i> No mention of odour was made in the Minutes of the Whytes Gully Reference Group meeting on 22 November 2017. Selected incident reports were provided by WCC for odour complaints on 24 November 2016 (1 complaint); 6 March 2017 (4 complaints); and 17 March 2017 (4 complaints). The reports showed that complaints are followed up with weather data and other factors documented. The EPA issued a letter to WCC dated 30 March 2017 responding to a letter from WCC dated 21 March 2017 in relation to odour complaints made in March 2017. The EPA noted that the identified the cause of the complaints relates to a premises not under the control of WCC. Given the audit site inspections were of limited duration, it was not possible to fully assess compliance with this condition and is considered Not Verified. 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. 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.

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Dust Criteria					
Sch 4	24	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.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data	Dust monitoring results were presented in a register. Data for the old and new dust monitoring locations were included in the register. Monthly monitoring was conducted and results as reported by WCC were within the required criteria.	Compliant
Dust Minimisation					
Sch 4	25	During construction, the Proponent shall ensure that:	Site Inspection	Water cart was in operation to control dust.	Compliant
		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	During the site inspection it was observed that loaded vehicles entering or leaving site have their loads covered. Covers were only open at the weighbridge for spot check on content of the vehicle.	Compliant

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		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.	Site Inspection Daily Inspection Tip face	No tracking of dirt or dust was noted on the road during the site inspection. A daily inspection of roads is also conducted by WCC. The inspection form included dust monitoring and control. No complaints had been received regarding dust tracking.	Compliant
Operating Conditions					
Sch 4	26	The Proponent shall:	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data SOP Placement & Compaction of waste SOP - Deodouriser Trailer Operator Manual - Whytes Gully Daily inspection Tip Face completed forms Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017		Compliant
		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;		WCC have developed a number of SOPs aimed at reducing dust and odour emissions. General implementation of these was evident during site inspections. There was no visible dust observed during the site inspections and a water cart was onsite for dust suppression. There is a long bitumen road on site which reduces the amount of mud and dirt picked up by trucks entering the site and trucks would likely lose dirt from wheels prior to leaving the site. At the time of the first site inspection the nature of the filling process led to a small area available for tipping, hence the design of the landfill led to a reduced tipping area. For the second site visit, the tipping area was slightly larger. WCC reported that the size of the tipping face is managed to be minimal for the reduction of odours and litter. An Odouriser was also installed and in operation to minimise odour for the first site visit. There was no offensive odour noted during the first site inspection. However, during the second site visit the odouriser was not in used and with strong southerly winds some odour was noted on higher areas of the landfill downwind of the tip face. Refer to Sch 4 (23).	OFI-Refer to Sch 4 (23)
		b) prevent and minimise the air quality impacts of the project during adverse meteorological conditions and extraordinary		It was evident that WCC focus on having a very small tip face open which reduces the potential for odour generation. On	

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events;
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the second site inspection, southerly winds were evident leading to a higher risk of off site odours. There did not appear to be a process for specific management of the face during these more adverse wind conditions.

Refer to discussion and OFIs for Condition 23.

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

There are 3 old dust gauges (C328-1, C328-2 and C328-3) and 5 new dust gauges (DDG1 to DDG5) installed around the site. Monitoring results are posted in WCC website

The dust monitoring data were analysed and graphed. The data is reported in the MONITORING LANDFILL SITES MASTER Whytes Gully analytical data. No reported exceedance of the criteria was observed in this data as presented.

It was noted there was no observed increase of dust deposited during construction based on the data provided.

Sch 4 26

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 or the construction of new areas of the landfill. Exposed ground and stockpiles are spray grassed to stabilise surfaces.

Project Areas

Sch 4 27

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 Director-General in consultation with the EPA.

Section 3.0 of LEMP

EPL 5862 WHYTES GULLY Volumetric survey -
June 2017 - Email 21 July 2017

Section 3.0 of LEMP defined the future operations and key site features that covers this requirement.

WCC provided an example of - Daily inspection Tip Face and waste data tonnage, SOP for placement and compaction of waste and volumetric survey (EPL 5862 WHYTES GULLY Volumetric survey - June 2017 - Email 21 July 2017).

Implementation:

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.

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. WCC were not able to provide figures demonstrating the exact size of the tip face; daily cover and 90 day cover areas so as to demonstrate compliance with the condition.

Based on the apparent and relatively small size of the tipping face, WCC were deemed compliant with this condition for the tipping face. The areas of the daily cover and 90 day cover were not provided by WCC and compliance with this aspect of the condition was not able to be verified.

OFI: It is recommended that WCC conduct a review of implementation of the LEMP and SOPs in respect to tipping areas to demonstrate compliance with the figures in Table 5 for the areas of tipping face; daily cover; and 90 day cover.

Compliant

OFI

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
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
Air Quality Management Plan					
Sch 4	29	The Proponent shall prepare and implement an Air Quality Management Plan for landfilling operations in consultation with the EPA. The plan must: a) be prepared and implemented by a suitably qualified and experienced expert; b) be approved by the Director-General prior to the commencement of operation; c) describe the measures that will be implemented to ensure: • best management practice is employed; • the air quality impacts (including odour) from landfilling are minimised during adverse meteorological conditions and extraordinary events; and • compliance with the relevant conditions of this approval. d) describes the air quality management system; and	Section 8 of LEMP defined the Air Quality Management for landfill gas and Section 9.6 for odour MONITORING LANDFILL SITES MASTER Whytes Gully analytical data	The AQMP is included in LEMP which was prepared by Golders. The AQMP was approved with the LEMP by DPE on 11/12/14. WCC adopts a strategy for day to day management of landfill via a combination of the leachate barrier system and covering of wastes, use of odouriser and dust suppression. Management of odours has been discussed under Condition 23 and 26. See relevant findings and OFI for these conditions. There is no specific conditions relating to landfill gas containment in the license. The Landfill Guidelines recommend that landfill gas should be contained by a combination of leachate barrier system, site capping and	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				revegetation and covering of waste. The photo shown below is one of gas manifolds or gas well.  Flaring was also observed during the site inspection. Section 8.3 of LEMP defined the gas monitoring requirements. The following management techniques are applied: - subsurface gas monitoring wells - subsurface gas monitoring program - surface gas emission monitoring and - gas accumulation monitoring. Results of monitoring are presented in register included in Monitoring Landfill Sites Master Whytes Gully analytical data. The air quality monitoring as defined in LEMP Section 8 AQMP, included the following: - Odour observation - Landfill gas monitoring - Dust observation Based on the site inspection on 27 November 2017, the auditor recommends that WCC evaluate and report the effectiveness of the air quality management system specifically odour. See the OFIs under Condition 23 and 26.	
		e) includes an air quality monitoring program that: • 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; • adequately supports the air quality management system; and • evaluates and reports on the effectiveness of the air quality management system.			
Sch 4	29	This plan must be documented in the Landfill EMP (see Condition 3 in Schedule 5).			
		Greenhouse Gas Management Plan			
Sch 4	30	The Proponent must develop and implement a Greenhouse Gas Management Plan prior to the commencement of operation of the new	Section 8.5 of LEMP defined the Greenhouse Gas Management Plan	The following greenhouse gas reduction measures are defined in the LEMP to be implemented by WCC.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		landfill cells. This plan must include, as a minimum:	Whytes Gully Landfill Methane Gas Monitoring data - accumulation		
		a) final details of the landfill gas management system including flaring and/or combustion to reduce potential greenhouse gas emissions from the landfill;	Whytes Gully Landfill Methane Gas Monitoring – Wells	Flaring was being conducted and was observed during site inspections.	
		b) energy saving measures to be implemented; and	Gas analysis records in April 2017.	Based on the records and audit inspection the following were noted: - Plant and equipment were maintained to reduce emissions - Flaring was conducted of methane capture in some areas of the landfill.	
		c) include a program to monitor the effectiveness of these measures, and a protocol to periodically review the plan.		WCC reported that greenhouse gas emissions are monitored continuously and reported via a contract provider monthly to assess the effectiveness and efficiency of the landfill gas management system. The effectiveness of the system is reported quarterly to Council as part of Council's annual plan. Internal annual sustainability reporting is also conducted which includes an annual review of greenhouse gas emissions at the landfill and assesses opportunities to implement further energy and greenhouse gas emissions improvements. An example action from the energy use review has resulted in the installation of solar photovoltaic energy at the Whytes Gully site. The solar photovoltaic system is now operational. This system was not sighted by Auditors. WCCs Annual Report includes the following text on page 20: <i>"Greenhouse gas emissions reduction projects: This program is helping to reduce Council's greenhouse gas emissions by establishing and delivering an array of projects that provide carbon abatement. Various projects that have the potential to reduce Council's carbon footprint were progressed during the year. The largest project under way was the Whytes Gully landfill gas capture and flaring project which successfully stopped approximately 660 tonnes of methane gas from being released into the atmosphere. Other carbon abatement projects including solar photovoltaic cell installations and high efficiency lighting upgrades were also completed."</i> No review of the plan has been conducted since the LEMP was developed in 2014. WCC did not demonstrate how they have assessed the effectiveness of energy saving measures. Based on the information provided, WCC are not compliant with part c of the Condition. Recommendation: WCC to review the LEMP and sub-plans to: assess the extent of implementation; assess the effectiveness of the landfill gas management system and energy saving measures; and update the plan to address current site practices.	Non-compliant
		This plan must be documented in the Landfill EMP (see Condition 3 in		Documented in LEMP Section 8.5.	

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Schedule 5).					
NOISE					
Noise Limits					
Sch 4	31	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.	Appendix M of the LEMP – Noise Management Plan Whytes Gully New Landfill Construction – Select Civil Noise Monitoring Report dated 25 November 2013 Whytes Gully New Landfill Construction – Select Civil Noise Monitoring Report dated 02/07/2014	Appendix M of the LEMP – Noise Management Plan defines noise mitigation and monitoring required. The Plan does not require noise monitoring to be conducted specifically for operations, however does require Contractors to conduct noise monitoring during construction activities. Noise monitoring assessments were conducted during construction, and noise monitoring reports for construction were provided. The reports indicated that noise criteria were not exceeded for periods of construction. During these periods operations were ongoing, hence it is considered the monitoring is likely to be useful in verifying compliance to this condition.	Compliant
Operating Conditions					
Sch 4	32	The Proponent shall:			
		a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the project;	LEMP Section 9.7 Noise Control and Appendix M Site inspection	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. The Whytes Gully Reference Group Meeting minutes dated 22 November indicated a community representative mentioned <i>"the pitch of the compactor and loaders reversing signals"</i> . WCC indicated this was to be investigated. OFI: Ensure all plant use low frequency reversing alarms.	Compliant OFI
Sch 4	32	b) minimise the noise impacts of the project during adverse meteorological conditions when noise criteria do not apply;	East Cape Contractor Service Maintenance Records and noise monitoring ERTECH Premobilisation Checklist	Construction works only during standard hours. Noise monitoring assessments were conducted during construction contractors. Noise monitoring reports for construction were provided as evidence. It was noted that noise criteria were not exceeded.	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		Plant and equipment inspection records were provided as evidence. No works outside standard hours.	Compliant
		d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this approval.		Noise monitoring has been conducted and selected results provided. No noise complaints have been received during construction. 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	August 2017 Weighbridge hours 18 September	Landfill operations as per the data provided (use of the	Operations –

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		the Director-General.	2017	weighbridge) were within the standard hours between 7:30 and 4:30.	Compliant
				WCC confirmed that no works were conducted outside of standard working hours.	Compliant
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 Director-General. The plan must:	Section 3.4 of CEMPF Section 9.7 LEMP and Appendix M Noise Management Plan		Compliant
		a) be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Director-General;		The plan was prepared by Golders.	
		b) be approved by the Director-General prior to the commencement of construction;		The plan was approved by DPE as part of the LEMP on 11/12/14.	
		c) describe the measures that will be implemented to minimise noise from the construction and operation of the project and ensure: - 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.		Measures are described in the plan. Refer to discussion for Condition 32.	
		d) describe the noise management system;		Described in the plan	
		e) includes a noise monitoring program that: - 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	East Cape Contractor Service Maintenance Records and noise monitoring ERTECH Premobilisation Checklist	Noise monitoring for construction activities were conducted and records of monitoring report were provided to auditor, however, the implementation of the Noise Management Plan (specifically for operations) was not reviewed during this audit. WCC did not provide evidence of "evaluating and reporting on the effectiveness of the noise management system" as required of the condition. OFI: It is recommended that WCC conducts a review of the implementation of the noise management plan for operations and construction to ensure compliance to this condition. OFI: WCC to address the requirement of the condition to "evaluate and report on the effectiveness of the noise management system".	OFI OFI
Sch 4	34	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.	Section 9.7 of LEMP	No non-compliance with the noise limits were identified. No complaints were recorded as having been received regarding	

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		This plan must be documented in the CEMP and Landfill EMP (see Conditions 2 and 3 in Schedule 5).	Section 3.4 of CEMPF	noise. Documented in CEMP and LEMP.	
TRANSPORT					
Traffic Monitoring					
Sch 4	35	The Proponent shall:			
		a) keep accurate records of the volume of waste transported to the site	August 2017 Weighbridge hours 18 September 2017	Volume of waste transported to the site are measured on the Weighbridge and documented in spreadsheets sighted.	Compliant
		b) nominate a haulage route to be used by heavy vehicles accessing the landfill consistent with the traffic assessment in the EA; and	Ertech Stage 2 and 3 Traffic Management Plan	Traffic Management Plan included the haulage route for construction heavy vehicles for deliveries.	
		c) make these records available in its Annual Report.			
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;	August 2017 Weighbridge hours 18 September 2017 Site inspection	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.	Condition 36a and b Not Assessed
		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;		The swept path of the longest vehicle entering the site was not assessed during the audit.	Conditions 36 c to e Not Verified
		c) the project does not result in any vehicles queuing on the public road network;		No queuing of vehicles noted during the site audit, however it was indicated that some waste trucks are likely to queue on the road outside the facility before 7:30 am waiting for the site and weighbridge to be opened. Due to the extra lane on the road adjacent to the entrance to the facility, trucks are able to queue and not obstruct local traffic.	Conditions 36 f and g
		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;			Compliant
		e) all vehicles are wholly contained on site before being required to stop;		During operating hours, there is room for vehicles to queue on site prior to having to stop.	
		f) all loading and unloading of materials is carried out on site; and		Consultation with RMS did not identify any traffic related issues relating to WCC Operations.	
				Auditors did not observe trucks queuing on public roads, and hence were unable to verify from observation the extent and nature of queuing on public roads. Hence auditors were not able to verify if WCC are not compliant with sub conditions c, d and e.	
				Loading and unloading is carried out on site, and traffic management noted to be in good control during site audit, hence compliance was verified with sub-conditions f and g.	
				Recommendation: That WCC confirm with RMS that current arrangements related to trucks parking outside the facility prior to opening is acceptable, and notify DPE	

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
of the outcomes of this consultation.					
		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.	Princes Highway Reddalls Road Intersection Upgrade design	Princess Highway Reddalls Road Intersection was upgraded as part of the landfill new cell project.	Compliant
Construction Traffic Management					
Scg 4	38	The Proponent shall prepare and implement a Construction Traffic Management Plan for the project, to the satisfaction of the Director-General. 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	a) be prepared in consultation with Council and RMS by a suitably qualified and experienced expert; b) be approved by the Director-General prior to the commencement of construction; c) include a detailed analysis of the impact of the project on the road network during construction; 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; e) detail the access and parking arrangements for the site during construction; f) detail the measures to ensure that the local road network is not utilised by vehicles associated with the project during construction; and g) if necessary, detail procedures for notifying residents of any potential disruptions to routes and access. This plan must be documented in the CEMP (see Condition 2 in Schedule 5).		Auditors are not traffic experts hence did not conduct a full assessment of this condition.	
VISUAL AMENITY					
Lighting					
Sch 4	39	The Proponent shall ensure that the lighting associated with the project: a) complies with the latest version of AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting; and b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.		Lighting or visual amenity management was not included in CEMPF and LEMP. 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.	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 Director-General.	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 Director-General.	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.	LEMP Section 8.2.3	The LEMP (Section 8.2.3) includes an approach to address bushfires. WCC reported that this addresses Condition 42a. Implementation of the Fire Management Strategy as set out in the LEMP was not reviewed during this audit. Auditors are not specialists in bushfire management.	Complaint
		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.			
Sch 4	42	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'.	HAZOP Study	A Hazard and Operability Study (HAZOP) was sighted for the Flare that included gas lines, manifolds, pipelines, condensate return lines, compressed air lines and the existing gas header. WCC stated that the HAZOP independence was ensured by the facilitator being independent from RUN Energy who designed the system. Auditors did not assess the HAZOP to the extent to verify if it was completed in accordance Department of Planning's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'.	Compliant
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	Safety Management Plan SMP dated 2 June 2016 Safety Management Plan SMP Induction TEMPLATE Checklist CURRENT June 2016 Work Health and Safety - Site Specific OHS Procedures - Substance Register Whytes Gully	WCC reported that the Safety Management Plan dated 22 June 2016 addresses the condition to develop an SMS. This audit did not include an assessment of the implementation of the SMS as this was considered beyond	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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.	CURRENT 2015 Example of Minutes Site Safety - Whytes Gully - December 2015 Ertech WORKPLACE HEALTH, SAFETY & ENVIRONMENT MANAGEMENT PLAN	the scope of the IEA. The auditors were not commissioned to assess safety issues or safety compliance.	
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.		Evidence of reporting requirements as per this condition was not sighted or provided to the auditors. Recommendation: That WCC submit to the Department a report detailing compliance with Conditions 42 and 43; or alternatively discuss the requirement with DPE and determine another approach to meet DPE's requirements.	Not Compliant
Pest, Vermin & Noxious Weed Management					
Sch 4	45	The Proponent shall: a) implement suitable measures to manage pests, vermin and declared noxious weeds on site; and b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area. <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>	Whytes Gully New Landfill Cell Vegetation Management Plan Review Project no. 25059 Updated Vegetation Management Plan by Biosis July 2017 Feral Animal Control - Whytes Gully Weed Control Schedule Various emails regarding organising weed control personnel in 2016 and 2017.	During the site inspections, numerous weeds including noxious weeds were evident across the site. Current weed controls appeared limited and was not able to be explained in detail by WCC. Based on site observations, weed controls measures across the site were not adequate or effective. WCC reported that the site is inspected monthly and control undertaken periodically derived from inspection results. Implementation records provided included: 1) a schedule of weed management visits for all of council's sites. This indicated site visits on 7 occasions were scheduled over 2017; 2) emails discussing various weed areas and requesting weed control services during 2016 and 2017; WCC did not demonstrate that a systematic and through approach is taken to management and control of weeds at the site. Biosis Pty Ltd was commissioned by Wollongong City Council to review the existing Whytes Gully New Landfill Cell Vegetation Management Plan (VMP), prepared by Biosis (2013). A field investigation was undertaken on 20 June 2017 by Botanist, Bianca Klein. This report details the results of the field investigation, including vegetation condition assessments and provides recommendations for management of the VMP site. Management actions have been formulated based on the requirement for each management zone, as outlined in Biosis (2013), to satisfy the condition criteria outlined in the VMP to date. These management actions are proposed to be undertaken within a 12-month period, with consideration to the current condition	Non-compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				of the site and the ongoing viability of the site during and after the VMP works. WCC provided a screen shot of records for Wild Dear Operation - Feral Animal Control - Whytes Gully with latest record dated 24, 25, 26 October 2017. Given the extent of weeds across the site, WCC are considered not compliant with this condition. Implementation of the control measures defined by Biosis will go towards addressing compliance issues with this condition. Recommendation: Implement the controls in the program as defined by Biosis for pest, vermin and noxious weeds management.	
Fire Management					
Sch 4	46	The Proponent shall: 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.	LEMP Section 9.9 Firefighting Capacity Emergency Evacuation Wollongong Waste and Resource Recovery Park 25 January 2017 Whytes Gully see Z17/25130	WCC had conducted an emergency evacuation drill on January 2017. The LEMP defined the firefighting management strategy and capacity. WCC indicated that no fire had been reported since 2013. The Auditors are not Fire experts and have not assessed WCC's ability to manage fires at the site or compliance with this condition. OFI: WCC conduct a review of their capability to manage fire risk and maintain adequate fire-fighting capacity on site.	Not Assessed
CONSERVATION					
Heritage					
Sch 4	47	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 Director-General. <i>Note: The location of heritage and archaeological sites on the site are illustrated in Appendix 8 of this approval.</i>	LEMP figure 8 Heritage LEMP Section 2.4 Cultural Heritage	LEMP Figure 8 demonstrated the heritage and archaeological sites are outside the project footprint. LEMP Section 2.4 defined the management requirement for Cultural Heritage. 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.	Compliant
Heritage Management					
Sch 4	48	The Proponent must prepare: a) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) including site identification, protection and	ERTECH Induction attended by auditors.	Auditors attended an Induction by construction personnel that included heritage.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		conservation of Aboriginal and historic heritage; and			
		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.	CEMPF Section 3.10 Archaeological and Heritage Protection Plan	Procedure is defined in the CEMP and LEMP. Implementation not yet triggered as WCC reported that there has been no finds to date. The Heritage items noted in the EA were outside the construction boundary.	Compliant
		These procedures must be documented in the CEMP (see Condition 2 in Schedule 5).	CEMPF Section 3.10 Archaeological and Heritage Protection Plan	Documented in CEMPF Section 3.10 Archaeological and Heritage Protection Plan.	
Vegetation and Biodiversity Management					
Sch 4	49	The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Director-General. This plan must:	CEMP Appendix C Vegetation Management Plan 2013 Updated Vegetation Management Plan July 2017 LEMP Section 11 Vegetation and Biodiversity Management Appendix O of the LEMP		Preparation: Compliant
		a) be prepared by a suitably qualified and experienced expert;		Biosis Pty Ltd was commissioned by Wollongong City Council to review the existing Whytes Gully New Landfill Cell Vegetation Management Plan (VMP), prepared by Biosis (2013).	Implementation: Non-compliant
		b) be approved by the Director-General prior to the commencement of construction;		The initial Vegetation Management Plan was included in the LEMP which was approved by DPE on 11/12/14.	
		c) include a vegetation clearing protocol (see Condition 50 of this Schedule);		The plan included a vegetation clearing protocol.	
		d) must specifically include a Biodiversity Offset Strategy that: - 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); - 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;		Section 4.2 of the Biosis Vegetation Management Plan includes an assessment against the OEH principles. It is assumed that the approach to offsets was adequate as the plan was part of the LEMP approved by DPE. Auditors have not conducted an assessment of the plan against the Principles. In addition, the Vegetation Management Plan describes the following: The recommended management actions have been adjusted according to Councils requirement for each Management Zone to meet the condition targets to date outlined in the VMP (Biosis 2013). Specifically, the management actions outlined in this report align with a more intensive weed control program to achieve the condition targets within a 12 month period. (See discussion and OFI for Condition 45). Regeneration works are to be prioritised in the areas of vegetation in best condition; Management Zones 2 and 3 specifically, as these zones contain highest condition native vegetation remnants, including Illawarra Subtropical Rainforest EEC in Management Zone 2 and Illawarra Lowlands Grassy Woodland in Management Zone 3. Revegetation of Management Zones 5a and 5b should be undertaken using the plants provided in the recommended species lists provided in the VMP (Appendix 1, Biosis 2013). The management actions for each Management Zone are	

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		e) ensure the project maintains suitable buffer distances to nearby waterways in accordance with Wollongong DCP 2009 to protect riparian land; and f) details the site-wide ecological management and monitoring program/s to be implemented for the life of the project.		outlined in Table 3 of the document. Refer to Appendix 3 for the proposed timeline for the recommended scope of works to achieve the performance criteria outlined in Table 3 of the VMP 2017. This audit did not include a detailed assessment of the implementation of the Biodiversity Offset Strategy. Based on the issues related to weeds identified above in Condition 45; and outcomes of the Biosis report where more stringent weed actions are defined to be required, WCC are considered to be Non Compliant with the implementation of the weed controls measures identified in the Vegetation Management Plan. Recommendation: It is recommended WCC implement weed controls as defined in the Vegetation Management Plan. 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. Recommendation: Report progress in implementation of the VMP in Annual Environmental Reports.	
		This plan must be documented in the Landfill EMP and CEMP (see Conditions 2 and 3 in Schedule 5).		The project maintains suitable buffer distance to nearby waterways. In 2017, WCC required an updated assessment of the current condition of the vegetation within the study area and the maintenance required to meet the performance criteria to date as outlined in the VMP (Biosis 2013). Performance criteria 'to date' was based on the assumption that the proposed works program would currently be in year four, if the VMP had been implemented in 2014. A field investigation was undertaken on 20 June 2017 by Botanist, Bianca Klein. This report details the results of the field investigation, including vegetation condition assessments and provides recommendations for management of the VMP site. Management actions have been formulated based on the requirement for each management zone, as outline in Biosis (2013), to satisfy the condition criteria outlined in the VMP to date. These management actions are proposed to be undertaken within a 12 month period, with consideration to the current condition of the site and the ongoing viability of the site during and after the VMP works. Documented in CEMP Appendix C Vegetation Management Plan 2013; LEMP Section 11 Vegetation and Biodiversity Management and Appendix M of the LEMP.	
Sch 4	50	The Vegetation Clearing Protocol must:			

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		a) clearly identify the location and type of vegetation to be retained and to be removed from the site; b) detail measures that would be implemented for vegetation clearing c) ensure vegetation, including trees would not be pushed or felled into any retained bushland areas during the vegetation removal process; d) detail procedures to manage impacts on fauna including translocation of fauna by a suitably qualified ecologist/wildlife rescuer (if appropriate); and e) detail the staging of construction to avoid breeding.	CEMP Appendix C Vegetation Management Plan 2013 Updated Vegetation Management Plan July 2017 Completion of pre-clearance surveys and habitat removal supervision at Whytes Gully Resource Recovery Park, Kembla Grange 2 March 2017	A Vegetation Clearing Protocol was provided in the DPE approved 2013 Vegetation Management Plan. Pre-clearance surveys and habitat removal supervision report by Biosis was provided as evidence of implementation.	Compliant
LANDFILL CLOSURE AND REHABILITATION					
Sch 4	51	The Proponent shall prepare and implement a Rehabilitation Management Plan for the landfill to the satisfaction of the Director-General. This plan must: a) be prepared in consultation with the OEH by a suitably qualified and experienced expert; b) be submitted to the Director-General for approval within six (6) months of the date of this approval; 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; d) specify a time period for the rehabilitation to works to commence and be finalised following cessation of landfill activities; and e) be documented in the Landfill EMP (see Condition 3 in Schedule 5).	Section 10 of LEMP Site Closure Section 10.2 Site capping and revegetation	Rehabilitation Management Plan was defined in Section 10.2 of LEMP as Site Capping and Revegetation. The implementation is not yet triggered as landfilling is ongoing with no areas available to rehabilitate. No rehabilitation works have been conducted to date,	Compliant
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 Director-General. This program must be submitted to the Director-General 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	Community Education Program was prepared as part of the LEMP and is assumed to have been approved as part of the LEMP approval. Implementation was demonstrated by providing brochures to the community and recycling transfer area for small vehicle and community recycling area was built.	Compliant
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 Director-General. The Plan must a) be approved by the Director-General prior to the commencement of construction;	Construction Environmental Management Plan Framework (CEMPF) August 2013 DPE Approval letter dated 20 August 2013	The CEMPF was prepared by Golder Associates in August 2013 and was submitted to DPE for approval on 20 August 2013. The CEMPF satisfy these requirements of the conditions of approval.	Compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		b) identify the statutory consents and approvals that apply to the project;	CEMPF Section 2.1	OFI: The Construction Environmental Management Plan has not been updated since 2013. It is suggested that WCC review and update the plan to ensure its alignment with changes on site; and relevant EPL variations. The ERTECH CEMP was provided as evidence of compliance for construction activities. WCC reported that they conduct a review of the Contractor's CEMP against the requirements of the CEMPF. The Auditors did not assess the ERTECH CEMP for compliance against the CEMPF or sight this review. A Pre-Start Review of the adequacy of Environmental Management Plans – Checklist for ERTECH was conducted on 14/03/17 prior to commencing construction work.	OFI
		c) include a copy of all relevant management plans and monitoring programs required under this approval;	CEMPF Section 2.2 and 2.3		
		d) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the project;	CEMPF Section 3.0 and Appendices		
		e) describe all activities to be undertaken on the site during construction of the project, including a clear indication of construction stages	CEMPF Section 3.0 and Appendices CEMPF Section 4 CQAP		
		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	CEMPF Section 3		
		g) describe of the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the project;	CEMPF Section 1.3		
		h) include arrangements for community consultation and complaints handling procedures during construction and demolition; and	CEMPF Section 9		
		i) be placed on Council's website within 2 weeks of its approval.		The copy of the CEMPF or contractor CEMP were not posted in WCC website. Recommendation: It is recommended that WCC place the CEMPF on the WCC website.	Non-compliant
<i>Note: Construction of the project shall not commence until written approval of this plan has been received from the Director-General.</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 Director-General. This plan must:	LEMP September 2014	The LEMP has been prepared by Golder Associates and was approved by DPE on 11 December 2014.	Compliant
		a) be prepared by suitably qualified and experienced experts whose appointment has been endorsed by the Director-General	Prepared by Golder Associates		
		b) be prepared in consultation with the EPA and other relevant government agencies	LEMP Section 1.3 Consultation	The LEMP was sent to and reviewed by the EPA and other relevant authorities as per Section 1 of LEMP.	Compliant
		c) be approved by the Director-General prior to the commencement of operation;	LEMP Approval letter by DPE on 11 December 2014	The LEMP was approved by DPE on 11 December 2014.	Compliant
		d) describe in detail the management measures that would be implemented to address: the relevant matters referred to in the Environmental	LEMP Section 3.1	Described in Section 3.1	Compliant

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		Guidelines for Solid Waste Landfills; - the conditions of this approval; and - requirements of the EPL;			
		e) include a copy of: - the relevant plans and programs required under this approval; - a quality assurance plan for the design and installation of the leachate 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;	Section 6, 7, 8 LEMP Appendix E Whytes Gully Landfill Surface Water and Leachate Management Plan, 2008 Whytes Gully Landfill Leachate Management Study, 2002	Included relevant plans and programs.	Compliant
		f) describe the procedures that would be implemented to: - keep the local community and relevant agencies informed about the operation and environmental performance of the Project; - receive, handle, respond to, and record complaints; - resolve any disputes that may arise during the course of the Project; and - respond to emergencies	LEMP Section 11 Appendix G Complaints Register Appendix P 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	LEMP Section 4	Structure and Responsibility defined in LEMP Section 4.0	Compliant
Sch 5	3	h) be placed on Council's website within 2 weeks of its approval.		At the time of the audit site inspections (hence for the audit period), the Draft LEMP was posted in DPE website, and the final LEMP was not posted on the WCC website. Recommendation: It is recommended that WCC post the Final LEMP on the WCC website. As of 26 February, the Final LEMP was located on the WCC website.	Non-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:	CEMPF August 2013 Approval Letter from NSW DPI ref 11/19432 LEMP, 11/12/2014 Approval letter from NSW DPE ref 14/19958	The LEMP and CEMPF and their associated sub-plans were developed and approved by DPE. Management plans have been submitted to DPE for review and approval in compliance to these requirements. The plans were approved on the following dates: - CEMPF 20 August 2013 Approval Letter from NSW DPI ref 11/19432 - LEMP, 11/12/2014 Approval letter from NSW DPE ref 14/19958 The auditors have not assessed the plans against this condition and assume that they have been complied with based on the approval from DPE.	Compliant
		a) detailed baseline data;		Detailed baseline data documented in LEMP and CEMPF subplans.	Compliant

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		b) a description of: - 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;		Documented in LEMP and CEMPF	Compliant
		c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;		Documented in LEMP and CEMPF	Compliant
		d) a program to monitor and report on the;		Documented in LEMP and CEMPF	Compliant
		impacts and environmental performance of the Project;		Documented in LEMP and CEMPF	Compliant
		effectiveness of any management measures (see c above);		Documented in LEMP and CEMPF	Compliant
		a contingency plan to manage any unpredicted impacts and their consequences;		Documented in LEMP and CEMPF	Compliant
		a program to investigate and implement ways to improve the environmental performance of the project over time;		Documented in LEMP and CEMPF	Compliant
		e) a protocol for managing and reporting any:		Documented in LEMP and CEMPF	Compliant
		- incidents; - complaints; - non-compliances with statutory requirements; and - exceedances of the relevant limits and/or performance measures / criteria; and		Documented in LEMP and CEMPF	Compliant
		f) a protocol for periodic review of the plan.		The requirement for periodic review is documented in the LEMP and CEMPF. Based on discussions with WCC, annual reviews of the LEMP and CEMPF were not conducted. The latest version of the LEMP and CEMPF were dated 2014. Following issue of the Draft Report, WCC indicated that they consider completing the checklist provided in Section G of the EPL Annual Return as a review of the adequacy of the LEMP and CEMPF. Recommendation: Implement a formal review process for the LEMP and CEMPF. Where relevant and based on the findings of the review, update the LEMP.	Non-compliant
Annual Review					
Sch 5	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;	Whytes Gully WWARRP - Annual Report and Annual Return 29 May 2016 - 28 May 2017	WCC provided Annual Reports that incorporate Annual Returns required under the Environmental Protection Licence for the years 2012-2013 to 2016-2017. The objective of the Annual Report is stated as being required under Condition R1.8 of the EPL which specifies	Non-compliant

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SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		b) analyse the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the - relevant statutory requirements, limits or performance measures/criteria; - monitoring results of previous years; and - relevant predictions in the EA;		that WCC must provide an Annual Report to accompany the Annual return for the site. The objective does not appear to reflect the requirements of this condition with thin the Project Approval. The Annual Report address some of the requirements of the condition, however, these reports do not consider compliance with the Project Approval nor meet all aspects of this condition.	
Sch 5	5	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.		Specifically, the reports do not cover the following aspects of the condition: - 5a) describe the operations that were carried out in the last year; - 5b) third bullet point: Provide a comparison of results against the relevant predictions in the EA; or - 5c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; In summary, WCC are compliant with many aspects of the condition, however, the scope of current reports do not address some aspects of the condition. 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.	
Revision of Plans & Programs					
Sch 5	6	Within 3 months of the submission of an:			
		a) audit under Condition 9 of Schedule 5;		Not yet applicable at this stage. This is the first audit commissioned by WCC.	Not applicable
		b) incident report under Condition 7 of Schedule 5; and		No incident was reported to have occurred to trigger changes or revisions of Plans.	Not applicable
		c) annual review under Condition 5 of Schedule 5, the Proponent shall review, and if necessary revise the plans and programs required under this approval to the satisfaction of the Director-General.		WCC to ensure that revisions of the plans and programs be conducted after the annual review as per above. If the audits and reviews of the plans had been carried out as required of the condition, this condition would have been triggered.	Note
		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		See Recommendations for Conditions 4 and 5 above.	
REPORTING					

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Incident					
Sch 5	7	The Proponent shall notify the Director-General 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 Director-General and any relevant agencies with a detailed report on the incident.	http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017	Incidents and non-compliances reported to EPL are recorded in the Annual Returns and these are kept on Councils publicly accessible website. None of the incidents reported were considered by WCC to comprise "actual or potential significant off-site impacts on people or the biophysical environment", hence no incidents were reported to DPE during the reporting period.	Compliant
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 reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Director-General.	http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	The following regular monitoring and reporting are posted on the WCC website: - 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 August, and after any overflow event caused by rain - Whytes Gully Air Monitoring -Conducted monthly Auditors have not gone through all management plans to ascertain reporting requirements for each plan, and whether they have been included on the website.	Compliant
INDEPENDENT ENVIRONMENTAL AUDIT					
Sch 5	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:	This audit	This audit is the first audit to be commissioned by WCC since Approval for the Project and since Stage 1 operation of new cell commencing in 2014. To comply with this condition an audit was required in 2015. An independent environmental audit was not conducted a year after commencement of operation of Stage 1, hence WCC are non compliant with the timing related to this condition.	Non-compliant
		a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;	Approval letter from DPE dated 2 August 2017.	Auditors for this audit were accepted and approved by DPE as: Michael Woolley – Lead Auditor; and Annabelle Tungol Reyes – Auditor.	Compliant

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		b) include consultation with the relevant agencies;	Records of consultation to be provided by MCW.	Consultation with agencies was conducted by Michael Woolley; Lead Auditor. Evidence of consultation is provided in the main report.	Compliant
		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);		Environmental performance of the project is assessed in this checklist and in the main body of the report. Compliance with the EPL is assessed in a separate Checklist.	Compliant
		d) review the adequacy of any plans or programs required under these approvals; and, if appropriate;		Refer to the Audit Report Section 4. Review of Environmental Management Plans for details	Compliant
		e) recommend measures or actions to improve the environmental performance of the Project, and/or any plan or program required under these approvals; and		Recommendations are provided throughout this checklist and the main report. Section 6 of the main report includes a summary of recommendations.	Compliant
		f) be placed on Council's website within 2 weeks of its completion.		Noted. This is the responsibility of WCC once the audit report is finalised.	Note
		<i>Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Director-General.</i>		Auditors were accredited with Exemplar Global and were accepted and approved by DPE.	Compliant
Sch 5	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.		Noted	Note
ACCESS TO INFORMATION					
Sch 5	11	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:			
		a) a copy of all current statutory approvals;	DPE Website http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4024	Link in WCC website is available to the statutory approvals.	Compliant
			EPA website http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued		
		b) a copy of the current plans and programs required under this approval;	LEMP 2014 CEMPF 2013	The LEMP and CEMPF were not posted on the WCC website at the time of the site inspections and hence WCC are considered as non compliant with this condition. As of 26 February, the documents were sighted on the website.	Non-compliant
		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;	http://www.wollongong.nsw.gov.au/services/houshold/Pages/wastesitesanalyticalmonitoringdata.aspx	Monitoring results were sighted on and downloaded from the WCC website.	Compliant
		d) a complaints register, which is to be updated on a monthly	http://www.wollongong.nsw.gov.au/services/hous	All complaints are logged into Councils Customer Request	Non-compliant

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		basis;	ehold/Pages/wastesitesanalyticalmonitoringdata.aspx	Management System 'Pathways'. Complaints are reported to the community via the annual returns which are published on our website. WCC do not have a register of all complaints posted on the WCC website as required of the Condition. WCC have a complaints form in the LEMP, however, evidence of the use of this form was not provided by WCC and an Environmental Incident Report form was sighted for complaints. Recommendation: It is recommended that a register of complaints, updated monthly, is provided on the WCC website. OFI: Update the LEMP with the form being used by WCC for the recording of complaints.	
	e)	a copy of the Annual Reviews (over the last 5 years);	http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	EPA Annual Returns were posted on the WCC website.	Compliant
	f)	a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and		This is the first IEA. This audit report will need to be posted on the WCC website when finalised.	Note
	g)	any other matter required by the Director-General.		Noted.	Note
APPENDIX 1 PROPONENT'S STATEMENT OF COMMITMENTS					
General		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 and Not Verified conditions have been identified in this report.	Compliant
		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)	WCC is committed by developing this strategy. This commitment is broader than the intent of this audit and has not been reviewed in full as part of this audit.	Compliant
		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	Councillor Briefing Session conducted in March 2015	WCC had conducted Councillor Briefing Session in March 2015. This session included review of alternative waste technologies as identified in the Wollongong City Council's Waste Strategy. This commitment is broader than the intent of this audit and has not been reviewed in full as part of this audit.	Compliant
		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		Refer to Schedule 3; Condition 7.	Non-compliant Refer to Schedule 3; Condition 7.
Waste Management		Wollongong City Council would implement the Project in accordance with the "Wollongong City Council	Wollongong Waste and Resource Recovery Strategy 2022 Action Plan (endorsed 28 July	WCC indicated that ongoing construction and operations are	Compliant

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Strategy		Waste and Resource Recovery Strategy 2012 to 2022" as provided in Appendix B and future updates of this document as relevant to the Project	2014)	based on this strategy.	
		Detailed design of the Project would consider and address constraints and opportunities identified within the EA.	Detailed Design Report	Detailed Design Report noted constraints and opportunities within the EA.	Compliant
Environmental Management Plans		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.	CEMPF 2013	Prepared by Golder Associates in 2013. Refer to CEMPF under condition 2; Schedule 5.	Compliant
		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.	LEMP 2014	Prepared by Golder Associates in 2014. 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.	
		All mobile equipment would be selected to minimise noise emissions. Equipment would be fitted with silencers and be in good working order.		Plant and equipment maintenance checklist and records provided.	Compliant
		Broadband reversing alarms would be used for all site equipment.		Broadband reversing alarms were used as observed during audit inspection.	Compliant
		Construction activities would be limited to the recommended construction hours where feasible and reasonable.		Construction works within standard working hours.	Compliant
		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.		Not triggered.	Not triggered
		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
		Provide a community liaison phone number and permanent site contact so that noise complaints would be received and addressed in a timely manner.		Provided in WCC website.	Compliant
		Submission of a noise impact assessment and associated mitigation measures for Stage 4-2b for		Not applicable	NA

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		approval prior to commencement of construction of Stage 42b.			
		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
		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 Draft 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.	NA
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: - 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. - Erection of silt fences or straw bales at strategic locations (i.e. around stockpiles) to manage the migration of fines - Construction of temporary sediment retention ponds. - Dust suppression as needed. - Reducing the surface area disturbed by construction activities at any one time. - Regular inspection and maintenance of sediment and erosion control structures. - Protecting and retaining vegetation and surface cover where possible - Placement of an erosion protection barrier (e.g. grassing) at the completion of works. - Using designated access roads and paths where possible. - Removing soil adhering to the wheels and undercarriage of trucks (e.g. by wheel wash) prior to departure from the Project site. - Limit both the size of any stockpile footprints and the time between excavation and removal off-site of materials.	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 and related OFIs.	Compliant
				Observations were made of construction of earth bunds and diversion drains upslope and around the perimeter of construction areas.	Compliant
				Silt fence were observed to be installed during audit inspection.	Compliant
				Temporary sediment pond was constructed within the construction works area.	Compliant
				Water cart was in operation for dust suppression.	Compliant
				Generally, disturbed areas were sprayed grass.	Compliant
			Public Works Site Surveillance Inspection ERTECH Inspection records	Inspection checklist records were provided as evidence	Compliant
				Evidence at the site. Vegetation and surface covered retained.	Compliant
				Observed during audit inspection	Compliant
				Designated access road were sealed.	Compliant
				Rumble grid in used at the construction site.	Compliant
				Stockpiles are sprayed grass.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Do not place stockpiles within 30 m of any watercourse.		Stockpile were placed uphill away from waterway.	Compliant
		- 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
		Stabilise all temporary and permanent drainage immediately.		Drainage lined with rock beaching and stabilised.	Compliant
		Maintain all sediments 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
		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
		A monitoring program shall be conducted by throughout the construction period to monitor compliance with the CEMP.		Public Works Surveillance Team conducts regular monitoring of the site controls with respect to construction.	Compliant
		Proposed erosion and sediment control measures that would be applied during operation of the Project are outlined in the draft LEMP (Appendix P).	LEMP 2014 Section 7.2.3 Surface water and sediment controls	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		WCC reported that no acid sulphate soil had been	Not Triggered

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		environment in accordance with appropriate guidance and legislation and as identified in Chapter 12 of the EA.		discovered.	
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		- A Surface Water Management Plan would be developed as part of the CEMP in general accordance with the following control principles: - Bund fuels, oils, paints, and other chemicals onsite to comply with the requirements of relevant legislation - Bunds must be fitted with an impervious floor and must not be fitted with a drain valve. - Remove accidental spills of soil or other materials. - Wollongong City Council would commit to the following key principles in developing the surface water management controls for operation of the Project. - 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. - 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.	ERTECH CEMP	Erosion and Sediment Control Plans and surface water management plan were included in ERTECH WHSE CEMP. This was not assessed by the auditors. See response to condition 2 Schedule 5.	Compliant
			LEMP Appendix E WGL Surface Water and Leachate Management Plan	Surface water management controls for operation were developed as part of the LEMP. Surface water management discussed in response to Condition 18 Schedule 4.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
Groundwater		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 O).	Construction Completion Report for Cell 1A and 1B	Certification of implementation of QAQC system was included in Construction Reports. Refer to response to Condition 13; Schedule 4.	Compliant
		During the operational phase of the Project a number of engineering measures and management strategies would be used to mitigate impacts to groundwater. Further documented within the EA these include	LEMP Appendix E WGL Surface Water and Leachate Management Plan 2008 WGL Leachate Management Study 2002	WCC operates and implement the following controls: - Leachate Barrier System and Leachate Collection System - Leachate Pond - Leachate Treatment Plant - Groundwater separation	Compliant
		Leachate Barrier System and Leachate Collection System			
		Leachate Pond			
		Leachate Treatment Plant			
		Groundwater separation			
		Monitoring			
		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.		The following monitoring and reporting was conducted by WCC. Whytes Gully Groundwater Monitoring -Conducted quarterly in February, May, August and November, and annually in August	
		Groundwater Assessment Program to monitor background concentrations. If a significant change in 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.		Whytes Gully Stage 3 Bores & Surface Water Monitoring - Conducted quarterly in February, May, August and November.	
		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.		Whytes Gully Surface Water Monitoring -Conducted annually in August, and after any overflow event caused by rain	
				Refer to comments and findings for Condition 18 Schedule 4.	
Leachate Management		Wollongong City Council commit to the following with respect to leachate management:	LEMP Appendix E WGL Surface Water and Leachate Management Plan 2008	WCC implements segregation of leachate from surface and groundwater through the installation of rain flaps, drainage system and capping layer.	Compliant
		Segregation of leachate from surface water and groundwater;	WGL Leachate Management Study 2002		
		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.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data	Refer to Conditions 17 and 18; Schedule 4 for discussion of Leachate Management.	
Flora and Fauna		Wollongong City Council commit to the following to ensure the Project maintains or improves the biodiversity values of the region.			

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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.	LEMP Appendix O Vegetation and Biodiversity Management Plan	These commitments are included in the vegetation and biodiversity management plan.	Compliant
		Removal of native vegetation communities and fauna habitats during construction and operation of the Project be avoided and minimised where possible.		Documented in the Biosis Report July 2017	Compliant
		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.	Whytes Gully New Landfill Cell – Terrestrial and Aquatic Flora and Fauna Assessment (May 2013)	WCC provided a Whytes Gully New Landfill Cell – Terrestrial and Aquatic Flora and Fauna Assessment (May 2013). A flora and fauna assessment has been conducted for the Study Area in regard to the proposed Whytes Gully New Landfill Cell. <i>This assessment has recorded one EEC and two threatened fauna species within the Study Area and has concluded an additional seven fauna species were considered likely to occur within the Study Area and may potentially be impacted by The Project. Targeted surveys for the GGBF and APS did not record these species and they were subsequently deemed a low likelihood of occurrence.</i> <i>Assessments of Significance for these EEC and species have concluded that, providing recommended avoidance and mitigation measures are adhered to, The Project is unlikely to have a significant impact on the threatened species or the EEC assessed."</i>	Compliant
		Waterbody removal and associated vegetation removal being undertaken over the spring or summer months when fauna species are most active.		Documented in Biosis Report July 2017	Compliant
		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.		Documented in Biosis Report July 2017	Compliant
		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.		Documented in Biosis Report July 2017	Compliant
		Installation of sediment and erosion controls as required including for potential indirect impacts to the ISTR EEC.		Erosion and sediment controls implemented as required. These are discussed in Condition 18: Schedule 4.	Compliant
		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.		Compliant as per observation during audit inspection.	Compliant
		Logs removed with any vegetation removal would be relocated into areas of retained vegetation, for the purpose of providing fauna habitat.		Documented in Biosis Report July 2017	Compliant
		A weed control program would be undertaken in accordance with the LEMP.		Documented in Biosis Report July 2017. See recommendations made in relation to weed management in response to Condition 45; Schedule 4.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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 Biosis Report July 2017	Compliant
		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 Biosis Report July 2017	Compliant
		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 Biosis Report July 2017	Compliant
		Extend the current water quality monitoring program to include one monitoring location on Dapto Creek, upstream of the discharge point and two locations downstream.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data Annual Report to EPA	Sampling locations on Dapto Creek is implemented.	Compliant
		Biodiversity and habitat values would be maintained and increased where possible by planting a range of indigenous species.	LEMP Appendix O Vegetation and Biodiversity Management Plan	Documented in Vegetation Management Plan.	Complaint
		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			
		Watering of unsealed haul roads and disturbed surfaces (including construction areas).	Documented in LEMP 8.0 Air Quality Management	The following dust management practices were observed on site: Water cart was observed during inspection.	Compliant
		Restricting the size of disturbed areas as much as practicable.	Site inspection		
		Disturbed areas would be rehabilitation progressively in accordance with the Landscape Strategy.	Plant Daily Inspection Matrix Whytes Gully		
		Prevention of truck over-loading and covering dusty loads.	SOP Placement & Compaction of waste		
		Washing down trucks before they leave the site.	Whytes Gully Air Monitoring -Conducted monthly.		
		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			

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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.		 - Exposed area is restricted. Evident during site inspection. - Disturb areas is sprayed grass and will be landscape. - Air monitoring is conducted. - Odouriser was in operation during site audit. - Small tip face to restrict cover material. - Spray grass of Cell 1A. - Loads covered when leaving site. - No wheel washing. - Non-conformance was given to truck that track mud offsite. Other dust management measures are discussed on response to Condition 29; Schedule 4.	
Traffic and Transport		Wollongong City Council commit to: - 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.	LEMP Section 9.8 Traffic Control Princes Highway Reddalls Road Intersection Upgrade design Stage 2 Traffic Management Plan	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. RMS were consulted with respect to WCC operations as part of this IEA by the auditors and did not raise any issues.	Compliant
Heritage		Wollongong City Council commit to the following with regard to heritage (indigenous and non-indigenous):		Location of heritage significant areas within WGRRP were	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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.	LEMP Figure 7 Heritage	identified in Figure 7 of LEMP.	
		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.		WCC noted that the heritage areas are out the current WGL footprint.	
		Monitoring of construction would be completed for the Project where in proximity to listed heritage items (i.e. Glengarry Cottage) to ensure there is no disturbance to heritage significance.		Included in the induction package of ERTECH.	
		A heritage induction including indigenous and non-indigenous heritage is proposed to be incorporated within the general induction during construction of the Project.		Refer to response to Condition 47; Schedule 4.	
		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		Wollongong City Council commit to:	LEMP Appendix L Landscape Strategy	Landscape strategy is documented in LEMP. Refer to Condition 40; Schedule 4.	Compliant
		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	Vegetation Management Plan	Documented in the LEMP.	Compliant
		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.	LEMP Appendix L Landscape Strategy	Landscape strategy is documented in the LEMP.	Compliant
		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.		No planting close to residents.	Not triggered
		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.	Updated Vegetation Management Plan	Documented in the LEMP.	Compliant
		Screen planting with dense tall tree planting on natural ground would be used to block views to the site, particularly from	LEMP Appendix L Landscape Strategy	Landscape strategy is documented in the LEMP.	Non-compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		adjoining residences.		Section 4 of the Landscape Strategy states that "the proposed planting along sections of the site boundary is intended to provide visual screening of the landfill operations from adjoining properties. In order to fulfil this function, the planting will need to be carried out in advance of landfill operations. A minimum of 5 years growth will be required to provide the intended visual screening. WCC did not provide evidence of where trees have been planted for screening purposes. Minutes of the Whytes Gully Reference Group meetings on 24 May and 22 November 2017 indicated questions from members as to why screening trees had not been planted at the boundary of the site. Recommendation: WCC to conduct screen planting with dense tall tree planting on natural ground to block views to the site, particularly from adjoining residences.	
Socio-economic		Wollongong City Council commit to ensuring: - 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.	LEMP Appendix P	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.	Compliant
Hazards and Risks		Wollongong City Council commit to ensuring: - 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.	Safety Management Plan SMP Induction TEMPLATE Checklist CURRENT June 2016 LEMP 2014 CEMPF 2013	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
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.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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) V03, 2017	Emergency Response Plan and PIRMP are available and implemented. WCC had conducted emergency evacuation drill on January 2017.	Compliant
		The site landscaping would not exceed a fuel load of 2 t/ha.	Landscape Strategy	WCC implementation of Landscape Strategy. Site view at the top of the hill. WCC reported that they consider that the current landscape does not exceed a fuel load of 2 t/ha. 	Compliant
		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
		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
		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 fully verified by Auditors.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Wind-blown litter would be managed as outlined in the LEMP.	Extract from Trim (records management system) Community Service Attendance Records - Litter collection	Litter collection is conducted. Refer to Condition 9; Schedule 4 for discussion and OFIs.	Compliant
		Coordination of vegetation planting and removal with bushfire management requirements that include access tracks and fuel management zones.	LEMP Appendix O: Vegetation and Biodiversity Management Plan	Defined in Vegetation and Biodiversity Management Plan. Aspects relating to bushfire management were not assessed during the audit.	Compliant
		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
		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
		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.	LEMP Appendix O Vegetation and Biodiversity Management Plan	Developed and included in LEMP.	Compliant
		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
		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
					
		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: - Development of a final landform that integrates with the surrounding landscape and environment. - 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	LEMP Section 10 Site Closure	LEMP Section 10 Site Closure outlines the proposed approach for site and rehabilitation. Implementation of the LEMP and SOP for Placement and Compaction of waste was observed during the site audit. Final landform rehabilitation is yet to be implemented.	Compliant

Whytes Gully Landfill Extension Project Minister's Condition of Approval 11_0094					
SCH#	No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		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.			
Stakeholder Engagement		Wollongong City Council commit to ongoing regular consultation with the community on the Project through:			
		Community Consultative Committee for the Whytes Gully RRP.	http://www.wollongong.nsw.gov.au/council/haveyoursay/Pages/default.aspx http://www.wollongong.nsw.gov.au/council/meetings/Pages/default.aspx	WCC provided minutes of the Whytes Gully Reference Group for 22 November 2017; 24 May 2017; 23 November 2016; and 20 May 2015.	Compliant
		Phone line to communicate issues to Whytes Gully RRP management.	http://www.wollongong.nsw.gov.au/customerserviceonline/feedback/Pages/default.aspx	A general complaints line is available on the WCC website. This is not specific to the Whytes Gully RRP. Often for facilities such as landfills; a site specific complaints line is required. OFI: It is suggested WCC consider better advising of the complaints line to Council on Whytes Gully related web pages and other media, to make it more transparent how complaints to the facility can be made.	Compliant
		Complaints management process (as provided in the draft LEMP).	Extract from Pathways (one of records management system) - Air Pollution Complaints for Whytes Gully	WCC reported that all complaints/correspondence lodged with Council or via EPA are logged in databases Pathway and/or Trim.	Compliant
		Clear signage at construction sites during construction.		Clear signage of construction site was observed. Construction area is fenced.	Compliant.
		Stakeholder satisfaction surveys and feedback forms (as part of wider Wollongong City Council activity).	http://www.wollongong.nsw.gov.au/customerserviceonline/feedback/Pages/default.aspx	Available on the WCC website.	Compliant
		Ongoing use of interactive web-based activities including updates of the Project website.	http://www.wollongong.nsw.gov.au/services/majorprojects/Pages/WhytesGullyLandfillProject.aspx	WCC website available with project updates.	Compliant

Appendix B

Compliance Table – EPL 5862

Appendix B

Environmental Protection License (5862) Whytes Gully Landfill Extension Project

Table B: Whytes Gully Landfill Extension Project Environmental Protection License (5862), Licence Version date 5 July 2017

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			Noted						
A1.1	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. 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.			Noted						
	<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			Noted						
A2.1	The licence applies to the following premises:			Noted						
	<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				
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A3	Information supplied to the EPA			Noted						
A3.1	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. In this condition, the reference to "the licence application" includes a reference to: 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; and b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Annual Return Reports http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued Whytes Gully tonnage data - waste and recycling MONITORING LANDFILL SITES MASTER Whytes Gully analytical data Whytes Gully Recycling and Waste Data	Based on the interview with the WCC Operations Manager, annual returns reports to EPA and records provided to the auditor (i.e. monitoring data, weigh bridge data), design reports, construction QAQC reports and inspection at the site, works and activities at the Whytes Gully Landfill have been carried out in accordance with the proposal contained in the license application. This checklist provides an assessment of compliance against each of the conditions below.	Compliant						

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		117625003-317-R-Rev0 - Whytes Gully P1A Completion Report 137625004-261-R-Rev0-Completion Report P1B		
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			Noted
2 Discharges to Air and Water and Applications to Land				
P1	Location of monitoring/discharge points and areas	Monitoring Landfill Sites Master Whytes Gully Analytical Data	The location of monitoring/discharge points and areas in the EPL were defined in the Monitoring Landfill Sites Master Whytes Gully Analytical Data Register 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 Returns 2014 to 2016		
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.	http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued		
3 Limit Conditions				
L1 Pollution of waters				
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.	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Based on the Annual Returns and analytical monitoring data penalty notices, non-compliances against the EPL 5862 were reported from 2014 up to the date of this audit 27 November 2017 as stated in above condition A3.1. However, WCC noted that there was no material harm to the environment reported during the occurrence of the non-compliances against L2.1 and L2.4.	Compliant
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). 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.	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Based on the Annual Returns and analytical monitoring data there were no reported non-compliance of this condition.	Compliant
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). 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.	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Prior to the landfill upgrade (and this audit period), following heavy periods of rain, there were overflows of leachate to the storm water dam in June 2007, November 2007, December 2007 & February 2008. Appropriate Actions were taken by licensee. (4 occurrences). There was no reported breaches against this condition since the	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	upgrade of the landfill from 2014 and up to the date of last audit inspection 27 November 2017. WCC stated that there was no breach of this condition.	
L2 Concentration limits				
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.	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Based on the monthly reports posted in WCC council and annual returns to EPA, there were 3 occurrences of non-compliances reported to EPA since 2013 against this condition: - L2.1/L2.4 - Exceed TSS Concentration Limit at LDP1 (x1, minor) after heavy rainfall event on 25/08/2015 (approximately 150mm over 24hours). Action taken by licensee. EPA has written to licensee regarding non-compliance and relevant action. (1 occurrence); - L2.1/L2.4 -Exceed limit for TSS at LDP 1 (minor) on 2 occasions due to high intensity rainfall events in June and July 2016. The licensee is addressing non-compliances. EPA has written to licensee regarding non-compliance and relevant action. (2 occurrences). Review of water quality monitoring spreadsheets provided by WCC also indicated exceedences of the criteria at LDP1 on 2 occasions in August 2014; and one occasion in March 2016. WCC consider these are historic results and that it has implemented amended controls to eliminate recurrence. WCC consider that controls implemented are performing as designed. Specifically, 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. Since the implementation of the new work instruction, there were no further reported elevated TSS discharges. There was no reported exceedance to the water/land concentration limits since July 2016. Based on the exceedences of the criteria as reported, WCC is assessed as Non compliant with this condition. Review of water quality monitoring spreadsheets provided by WCC also indicated exceedences of the criteria at LDP1 on 2 occasions in August 2014; and one occasion in March 2016. It was not evident that these events were reported to the EPA based on documents sighted. 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.	Non-compliant
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Based on the Annual Returns and analytical monitoring data, there were no reported breaches of pH criteria during the 2014 to 2017 monitoring.	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		cence&prp=no&status=Issued		
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\.	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Analytical monitoring data provided by WCC indicates that analysis is also conducted on samples from LDP1 for the following analytes: Alkalinity (as Calcium Carbonate), Ammonia, Calcium, Chloride, Conductivity, Dissolved Oxygen, Filterable Iron, Fluoride, Magnesium, Nitrate, Potassium, Sodium, Sulfate, Temperature, Total Phenolics, and Total Organic Carbon. Water is also sampled and analysed at upstream and downstream locations (EPA points 33 and 34). On the basis of this additional sampling results, WCC are considered compliant with this condition, however Auditors did not review the data provided to assess whether pollution may be occurring for pollutants other than those specified in the table\.	Compliant
L2.4	Water and/or Land Concentration Limits (for LDP1).	Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Refer to L2.1	Refer to L2.1
L3 Waste				
L3.1	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. 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. 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. This condition does not limit any other conditions in this licence.	Whytes Gully tonnage data- waste and recycling SOP - Weighbridge Procedure Accepting eWaste under the product stewardship program Procedure ewaste, mattresses and tyres, storage and removal – WWRRP Whytes Gully Weighbridge Cash Handling procedures Compliance checklist Whytes Gully Waste Depot weighbridge cash handling procedures Acceptance of VENM at Landfill Asbestos Detection & Treatment at Whytes Gully Safe Operating Procedure TEMPLATE Daily Inspection -Tip Face - Whytes Gully Waste Depot CURRENT Capture Training Records	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. The procedures were provided to the auditor as follows: ○ SOP - Weighbridge Procedure ○ Accepting eWaste under the product stewardship program ○ Procedure ewaste, mattresses and tyres, storage and removal – WWRRP ○ Whytes Gully Weighbridge Cash Handling procedures ○ Compliance checklist Whytes Gully Waste Depot weighbridge cash handling procedures ○ Acceptance of VENM at Landfill ○ Asbestos Detection & Treatment at Whytes Gully Safe Operating Procedure The following records were also provided as evidence to fulfil this condition: • Whytes Gully tonnage data- waste and recycling • Annual Returns 2016-2017 • Brochure or Flyer given to community defining which wastes are acceptable including fees and charges. • Capture Training Records • Example record of rejected loads report from September 2016 - September 2017	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		Annual Return 2016-2017 http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	Based on the document and records provided above, specifically the record of rejected wastes, WCC demonstrate compliance in assessing and acceptance of waste at the landfill. However, it is noted during audit inspection that by the nature of enclosed vehicles entering the site, there is always a potential for wastes to be inadvertently received that is not allowed at site. The auditors did not undertake any reviews of the waste to verify full compliance with this condition.	
L3.2	The licensee must not dispose of any tyres on the premises which; a) have a diameter of less than 1.2 metres; and b) are delivered at the premises in a load containing more than 5 whole tyres; and c) became waste in the Sydney Metropolitan Area. Note: This condition does not apply where: i) The tyres received comply with the EPA Tyre Disposal Specifications; or ii) The premises have the capacity, at the time of unloading the tyres, to comply with the EPA Tyre Disposal Specifications; or 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.	Whytes Gully tonnage data-waste and recycling Brochure or Flyer given to community defining which wastes are acceptable including fees and charges.	As per the brochure provided by the WCC to the community and as per the waste and recycling data, the landfill accepts tyres. The specifications of tyres and cost are noted in the brochure. Large plant and tractor tyres are not accepted in the premise. 	Compliant
L3.3	Tyres stockpiled on the premises must: a) not exceed fifty (50) tonnes of tyres at any one time; and 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.	Site inspection	No tyres were observed during the site audit inspection. There was a recycling area set up at the site for the tyres to be stored. Based on the waste and recycling tonnage data there was less than a tonne of tyres accepted in calendar year 2016. 	Compliant
L4 Potentially offensive odour				
L4.1	The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.	Site inspection Complaints Records	During the first audit inspection on 11 September 2017, a deodouriser was in operation at the time of the first site inspection for this audit adjacent to the tipping face. No offensive odour beyond the site	Not Verified

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation

Odour Compliant Investigation Report for 7 March 2017

boundary was observed during this site inspection. In most areas of the site, odour was not considered offensive.

Refer to recommendations made in the MCoA Checklist for Conditions 23 and 26; Schedule 4.



However, during the second visit on 27 November 2017, the odouriser was not in operation and odour was noted at the eastern gully area. It was also noted that a larger (bit still relatively contained) tip face was observed during this day. See photo below.



Based on the latest site inspection (27 November 2017) it was concluded that the odouriser is not being used all the time.
Minutes of the Whytes Gully Reference Group meeting on 24 May 2017

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			indicated that one member “<i>mentioned the smell in the morning when the lids are lifted. It was advised that the deodoriser trailer is turned on prior to site start up to minimise odour generated. Another member mentioned that sometimes the smell is as late as 10:00am.</i>” No mention of odour was made in the Minutes of the Whytes Gully Reference Group meeting on 22 November 2017. Selected incident reports were provided by WCC for odour complaints on 24 November 2016 (1 complaint); 6 March 2017 (4 complaints); and 17 March 2017 (4 complaints). The reports showed that complaints are followed up with weather data and other factors documented. The EPA issued a letter to WCC dated 30 March 2017 responding to a letter from WCC dated 21 March 2017 in relation to odour complaints made in March 2017. The EPA noted that the identified the cause of the complaints relates to a premises not under the control of WCC. Refer to recommendations made in the MCoA Checklist for Conditions 23 and 26; Schedule 4.	
4 Operating Condition				
O1 Activities must be carried out in a competent manner				
O1.1	Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	LEMP SOP Placement & Compaction of waste EPL 5862 WHYTES GULLY Volumetric survey - June 2017 - Email 21 July 2017 SOP - Weighbridge Procedure Accepting eWaste under the product stewardship program Procedure eWaste, mattresses and tyres, storage and removal – WWRRP Whytes Gully Weighbridge Cash Handling procedures Compliance checklist Whytes Gully Waste Depot weighbridge cash handling procedures Acceptance of VENM at Landfill Asbestos Detection & Treatment at Whytes Gully Safe Operating Procedure TEMPLATE Daily Inspection -Tip Face - Whytes Gully Waste Depot CURRENT Annual Returns	The operational processes for the landfill are defined in the LEMP and various WCC procedures. Implementation of these procedures was observed during the site inspection at the time of this audit such as: • Weigh Bridge entry and exit with dockets • Trucks entering landfill • Trucks unloading wastes • Excavator compacting waste • Excavator covering waste with acceptable material • Odouriser in operation • Recycling area activities 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 are generally compliant with this condition.	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
		http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued		
O2 Maintenance of plant and equipment				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Plant Daily inspection Matrix Whytes Gully Waste Asset Maintenance Records Register John Deer Loader Maintenance	The assessment of compliance to this condition was limited to the following records provided to the auditor: - Plant Daily Inspection Matrix Whytes Gully - John Deer Loader Maintenance - Waste Asset Maintenance Records Register included the following maintenance of waste facility assets: - AE79SP Komatsu PC 220-7 (P94401) - IVECO STRALIS 8x4 Hook truck (93701) - BG91EH Caterpillar Loader 950H (P95212) - Caterpillar Compactor 836H SERIES (P94242) - John Deere Tool Carrier R/T Loader 544K - BP02TI - Water pump at Whytes Gully Tip 94/95 year - Water pump at Whytes Gully Tip 05/06 year 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 are generally compliant with this condition. The maintenance of the newly constructed assets and water treatment facility were not covered in this review.	Compliant
O3 Dust				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	LEMP	The process for dust control is defined in LEMP.	Compliant
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.	SOP use of water truck Site Inspection Dust Monitoring Monitoring Landfill Sites Master Whytes Gully Analytical Data Annual Returns http://app.epa.nsw.gov.au/prpoeoapp/Detail.aspx?instid=5862&id=5862&option=licence&searchrange=licence&range=POEO%20licence&prp=no&status=Issued	There was no visual dust observed during the site inspections for this audit. Examples of dust mitigation measures included: - The haul road is sealed, - The water cart is used on unsealed haul roads. There are 5 dust monitoring gauges (DDG1-DDG5) installed around the site and monitored on a monthly basis with the following analytes: - Ash Content - Combustible Matter - Total insoluble matter Based on the results from March- July 2017, there was no noted significant increase on the concentration. There is no dust criteria set in the EPL. Water cart in operation:	

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			 Discussion on dust management is also covered under Conditions 24-26; Schedule 4 of the MCoA.	
O4 Emergency response				
O4.1	The licensee must extinguish fires at the premises as soon as possible.	LEMP Pollution Incident Response Management Plan	The firefighting capacity is defined in the LEMP. A Pollution Incident Response Management Plan is in place and defines the emergency response to extinguish fires at the premise as soon as possible. Fire extinguishers and fire hydrants are in place and maintained. No fires were observed during site inspections for the audit. See discussion of fires in the MCoA Checklist.	Compliant
O5 Processes and management				
O5.1	The licensee must take all practicable steps to control entry to the premises.	LEMP Site inspection Daily Inspection Checklist	The site security process of the site is defined in LEMP. 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. 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.	Compliant
O5.2	The licensee must ensure that all gates are locked whenever the premises is unattended.	LEMP Appendix H End of day closure and security procedure.	The end of day closure and security procedure is defined in LEMP. Gates are locked outside business hours as witness during site audit.	Compliant
O6 Waste management				
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.	LEMP Section 5.0 Example rejected loads report Sep 2016 - Sep 2017	The LEMP Section 5 defined the gatehouse operations that included the following: • Waste screening • Waste measurement and recording • Recycling • Trye management	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			- Waste transfer station - Cleaning of vehicles. However, the full implementation of each procedure were not assessed during this audit. Record of example rejected loads report from Sep 2016 - Sep 2017 were presented as evidence to this condition that the landfill only accepts waste that are specified within the license. E.g. rejection of construction waste, soil, builders waste, green waste, plaster etc. Further discussion is provided for Condition 4; Schedule 4 of the MCoA.	
O6.2	The licensee must ensure that the local amenity is not degraded by litter from the premises.	LEMP 9.3 Litter Control Extract from Trim (records management system) Community Service Attendance Records - Litter collection SOP - Wind blown litter collection – Whytes Gully	The LEMP defined the process for litter control. Generation of litter is primarily through wind at the tipping face. Litter fences are located at the perimeter of the landfill around northern, eastern and western sides of the active filling area. WCC reported that litter patrols operate on a weekly basis, however, significant amounts of litter were observed on the litter fences and in areas on site. Evidence of attendance of litter collection was provided. Access was not available to areas adjacent the site outside the site boundary, hence the extent of litter impacts outside of the site were not assessed. Litter was not observed at the entrances to the site. See discussion at Condition 9, Schedule 4 of the MCoA. During the site inspection significant quantities of litter was observed on site, generally caught in obstructions such as shrubs, trees and fences. Off site areas were not accessible to inspect. Minutes of the 2017 Whytes Gully reference group (22 November 2017) indicated that residents advised “that there is a lot of rubbish around, In particular in Reddalls Road, from the corner of the tip to the car yard. One member also mentioned that the area near where he lives there are plastic bags up in the trees.” On the basis of site observations during both site inspections, and the feedback from community representatives at the November Whytes Gully reference group, that WCC are not compliant with this condition and that there is significant opportunity to reduce the amount and extent of litter at the site (and off site) through better controls or through more frequent litter reduction campaigns. While litter was sighted on site and by residents off site (as discussed above), it was not determined this was to the extent to degrade the local amenity. The recommendations as stated at Condition 9, Schedule 4 of the MCoA apply.	Compliant See recommendations as stated at Condition 9, Schedule 4 of the MCoA.
O6.3	The licensee must only dispose of waste in the Upper Eastern Gully Tipping Face, Cell 1A or Cell 1B.	LEMP Annual Returns	The tipping face area is defined in the LEMP Section 6.3 Filling plan /contours. The tipping area was observed to be within Upper Eastern Gully Tipping Face, Cell 1A or Cell 1B as shown in the photo below.	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
				
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	Based on the site inspection, there was no ponding water on the tip face. The tip face was compacted, regraded and temporary covered. 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. 	Compliant
O6.5	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. 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. 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. 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	LEMP Covering of Waste SOP Placement & Compaction of waste EPL 5862 WHYTES GULLY Volumetric survey - June 2017 - Email 21 July 2017 Acceptance of VENM at Landfill Whytes Gully tonnage data - waste and recycling Annual Return Report SOP Placement & Compaction of	The procedure for covering the landfill is defined in the LEMP. The SOP for Placement and Compaction of waste was developed and included the covering requirement of the landfill waste with daily cover of approximately 150 mm. WCC also reported use of steel plates or lids to be placed as cover overnight. Stockpile of cover material was stored onsite and these materials have been tested and classified as VENM. An example of certification of VENM materials and soil classification records were provided as evidence for this requirement. Records provided by WCC as sample of compliance to this condition were: IW - Major Projects - Environment - Fowl~for the Acceptance	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	alternatively a cover stockpile may be maintained adjacent to the tip face. 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).	waste	and Disposal. - IW - Major Projects - Environment - Fowl~fication Virgin Excavated Natural Material - IW - Major Projects - Environment - Fowl~VENM at WWRRP - Soil Classification for Stage 1A.	
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 EPL 5862 WHYTES GULLY Volumetric survey - June 2017 - Email 21 July 2017 Acceptance of VENM at Landfill Whytes Gully tonnage data - waste and recycling Annual Return Report	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. The following procedure and records were provided as evidence of compliance to this condition: - SOP Placement & Compaction of waste - EPL 5862 WHYTES GULLY Volumetric survey - June 2017 - Email 21 July 2017 - Acceptance of VENM at Landfill - Whytes Gully tonnage data - waste and recycling - Annual Return 2016-2017 	Compliant
O6.7	Vehicles leaving the premises must not track materials to external surfaces.	LEMP Section 5.6	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	Compliant

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			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. 	
O6.8	The licensee must not exhume any landfilled waste unless approved in writing by the EPA.	Removal of Rainflap on Cell 1B – Excavation and Exhuming Waste	The process of exhumation of the landfill is defined in the LEMP. Two-2 Penalty Notices (1521880 and 1521881) were raised on 22 May 2014 regarding exhumation of waste: o O6.4 -Non-compliance with Condition O6.4 - The licensee must not exhume any landfilled waste unless approved in writing by the EPA. Penalty Notice issued. WCC consider this to be an historic incident for which Council has implemented amended controls to eliminate recurrence. Controls implemented are performing as designed. WCC has not exhumed any landfilled waste unless approved in writing by the EPA since this event in 2014. An approval for exhumation of waste for the removal of rainflap was granted in October 2017. Given the events in 2014, WCC were not compliant with this condition at this time. Since May 2014 it is considered that WCC has been compliant with the condition hence no recommendation is made.	Non-compliant
O6.9	The licensee must obtain approval from the EPA prior to constructing any landfill cells at the premises.		The EPL has had several variations applied to it in recent years. Approvals prior to construction of any landfill cells or facilities are defined in the licence such as the following: • Removal of requirement to monitor redundant or removed environment monitoring points MP2, MP6, MP7 & MP8 on 22 June 2017. • Approval to construct Package 2 & 3 Landfill Cells/Deep Leachate Drainage System 20 January 2017. • Approval granted to construct and operate the new contingency leachate pond 23 November 2016. • Approval to reinstate cover material descriptions and allow specific material types. • Additional conditions regarding the management of onsite sediment basin/s at the premises. • Streamline, add and update waste management conditions 14 October 2016. • Approval granted to dispose of waste in Cell 1B on 01 September 2015	Compliant

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			- Approval granted to dispose of waste in Cell 1A on 28 October 2014. - Site boundaries updated to excise the previous Solid Waste to Energy Recovery Facility from the landfill licence to allow Visy to gain their own licence for the retrofit of the building as a Materials Recovery Facility. Also, addition of a Potential Offensive Odour clause and analytical unit measures amended on 08 July 2014. - Wording amendments and consolidation of various clauses as well as monitoring point updates in 23 August 2013.	
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 must include details on a QA/QC program which can demonstrate that the cell was constructed to meet its design specifications.	1528284-086-R-Rev0 CQA Plan for Package 2 and 3 117625003-317-R-Rev0 - Whytes Gully P1A Completion Report 117625003-317-R-Rev0 - Whytes Gully P1A Completion Report	The Completion reports for Package 1, 2 and 3 were provided to the auditors. These completion report included design, construction, operation and rehabilitation of any new landfill cell as well as the QAQC report. Letters of submission to EPA were also provided as evidence.	Compliant
O6.11	The licensee is permitted to construct the Package 2 and Package 3 Landfill Cells in accordance with the following documents, drawings and requirements: a) "Preliminary Design Report", Golder Associates, April 2012; b) "Whytes Gully Resource Recovery Park - Detailed Design Report Tender Packages 1, 2 and 3", Golder Associates, June 2013; and c) "Whytes Gully Landfill Detailed Design Report Update - Tender Package 2 and 3 Landfill Cells", Golder Associates, October 2016. The most recent document, drawing and requirement supersedes any conflict between older documentation, drawings and requirements.	1528284-086-R-Rev0 CQA Plan for Package 2 and 3	Ongoing construction of Package 2 and 3 Landfill Cells was observed during the site inspections for this audit.	Compliant
O6.12	Prior to disposing of any waste in the Package 2 and Package 3 Landfill Cells, the licensee must submit to the EPA a Construction Quality Assurance (CQA) Report providing work as-executed documentation and the results of the implementation of the CQA Plan detailed in the "Construction Quality Assurance Plan Package 2 and 3 Landfill Cells", Golder Associates, 20 December 2016 and Appendix B of the "Whytes Gully Landfill Detailed Design Report Update - Tender Package 2 and 3 Landfill Cells", Golder Associates, 5 October 2016.		Not yet applicable at this stage. Cells were being constructed and no wastes were placed in these cells at the time of audit.	Noted
O6.13	The licensee is permitted to construct the Deep Leachate Drainage System in accordance with the following documents, drawings and requirements: a) "Henry & Hymas Detailed Design Report - Project Name: Western Gully Deep Leachate Drainage System - Whytes Gully Landfill", H&H Consulting Engineers Pty Ltd, December 2016.	WWARRP Western Gully Deep Leachate Drainage Works Completion Report	Ongoing construction of the Deep Leachate Drainage System was occurring at the time of audit.	Noted
O6.14	Within 1 month of the completion of construction of the new Deep Leachate Drainage System permitted by condition O6.13, the licensee must provide the EPA with a copy of a QA/QC report detailed in Section 6 of the document "Henry & Hymas Detailed Design Report - Project Name: Western Gully Deep Leachate Drainage System - Whytes Gully Landfill", H&H Consulting Engineers Pty Ltd, December 2016	WWARRP Western Gully Deep Leachate Drainage Works Completion Report	Ongoing construction of the Deep Leachate Drainage System was occurring at the time of audit. As it was not completed, the condition had not been triggered.	Not Triggered

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O6.15	The licensee is permitted to construct the New Leachate Pond in accordance with the following documents, drawings and requirements: a) "Design Report - Whytes Gully Landfill - New Leachate Pond", Golder Associates Ptd Ltd, July 2016; and b) "Technical Specifications - Whytes Gully Landfill - New Leachate Pond", Golder Associates Pty Ltd, July 2016. The most recent document, drawing or requirement supersedes any conflict between older documentation, drawings and requirements		Ongoing construction of the New Leachate Pond was occurring at the time of audit. The Completion Report for the New Leachate Pond was still to be prepared and submitted to the EPA.	Not Triggered
O6.16	Within 1 month of the completion of construction of the new leachate pond permitted by condition O6.15, the licensee must provide the EPA with a copy of a QA/QC report detailed in Section 3.15 of the document "Technical Specifications, Whytes Gully Landfill, New Leachate Pond", Golder Associates Pty Ltd, July 2016		Ongoing construction of the New Leachate Pond was occurring at the time of audit. As it was not completed, the condition had not been triggered.	Not Triggered
O6.17	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.		Not yet applicable at this stage.	Not Triggered
O7	Other operating conditions			
O7.1	Drainage from areas not subject to waste disposal activities must be directed away from the existing leachate collection pond(s).		Drainage from areas not subject to waste disposal activities were directed away from the leachate ponds and to the sediment pond. Drainage or swale were lined with gravel.  A Rainflap was also used to redirect surface water away from active landfill areas. 	Compliant

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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.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data	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. It is noted that the maintenance records of the leachate pond was not covered during this audit. The compliance assessment was based purely on the leachate monitoring results and trade waste effluent results that demonstrate the treatment of the leachate prior to disposal to sewer as per the requirements of Sydney Water Trade Waste Agreement 11205. The auditors have not assessed compliance with the Trade Waste Agreement. 	Compliant
O7.3	Disturbed areas must be provided with separate water quality controls for the treatment of runoff containing suspended or turbid pollutants.	Site controls Whytes Gully Inspection November 2017	During the audit inspections, it was observed that generally disturbed areas within the operation facilities were spray grassed or covered with geofabric. Swales or drainage were generally lined with gravel, and sand bags or check dams were also place within the swales. However, limited erosion and sedimentation controls were noted within the construction areas of cells 2 and 3 and at the newly constructed leachate pond (see photos below). The lack of controls in these areas was reported by WCC to have been from recent construction activities conducted in and adjacent to the drainage line. Issues on this area were also noted in the Whytes Gully Inspection November 2017 Report prepared by the WCC surveillance officer from the public works division. Photo below was taken at the outlet of stormwater swale from the construction of Cell 2 & 3. Note that there was no sediment control prior to the entry to the culvert.	Non-compliant

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Photo below was taken at the new leachate pond noting the scouring along the toe of the embankment.



WCC noted that since the site inspection, it has and continues to address these issues with the construction contractor on the site. A stop work order was issued in October 2017 and rectification implemented before work could recommence. Performance management of the contractor is ongoing.

Recommendation: That WCC and its contractors review the processes for installation of ERS&D controls in construction areas and ensure that controls are effective and placed promptly after

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			works are completed.	
5 Monitoring and Recording Conditions				
M1 Monitoring records				
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 LANDFILL SITES MASTER Whytes Gully analytical data http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	Results of all monitoring required were presented in the MONITORING LANDFILL SITES MASTER Whytes Gully analytical data register. Monitoring Reports are posted on the council website. Whytes Gully Groundwater Monitoring – is conducted quarterly in February, May, August and November, and annually in August. Whytes Gully Stage 3 Bores & Surface Water Monitoring – is conducted quarterly in February, May, August and November Whytes Gully Surface Water Monitoring – is conducted annually in August, and after any overflow event caused by rain Whytes Gully Air Monitoring – is conducted monthly.	Compliant
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.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data	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 the latest month results.	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 d) the name of the person who collected the sample.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	All required Monitoring Reports are posted in council website. The monitoring reports included the following records: 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 d) the name of the person who collected the sample	Compliant
M2 Requirement to monitor concentration of pollutants discharged				
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:	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	Monitoring requirements, sampling locations and analytical test results were presented and maintained in MONITORING LANDFILL SITES MASTER Whytes Gully analytical data as well as on the WCC website. Whytes Gully Stage 3 Bores & Surface Water Monitoring – is conducted quarterly in February, May, August and November Whytes Gully Surface Water Monitoring – is conducted annually in August, and after any overflow event caused by rain.	Compliant
M2.2	Air Monitoring Requirements		Landfill gas monitoring is conducted monthly as reported in the MONITORING LANDFILL SITES MASTER Whytes Gully analytical data.	
M2.3	Water and/ or Land Monitoring Requirements			
M3 Testing methods - concentration limits				

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M3.1	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. 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".	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area was conducted in accordance with the Approved Methods Publication, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW. The register MONITORING LANDFILL SITES MASTER Whytes Gully analytical data include method of testing. Laboratory results posted in the website included the approved method of testing used for analysis of samples.	Compliant
M3.2	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or 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 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.	MONITORING LANDFILL SITES MASTER Whytes Gully analytical data http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	The monitoring for the concentration of pollutant emitted to the air is done in accordance with the Environmental Guidelines Solid Waste landfills 2016 or z15/32402 for remedial actions and EPA reporting requirements.	
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.	Council Record System – TRIM Annual Return 2016-2017	Extract from Pathways (one of records management system) - Air Pollution Complaints for Whytes Gully. Waste Operations Manager noted that all complaints/ correspondence lodged with Council or via EPA are logged in Pathway and/or TRIM.	Complaint
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.	LEMP Section 4.3 Complaint Register Annual Returns Environmental Incident Reports for complaints received on 24 November 2016; 6 March 2017; and 17 March 2017. http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx Councils Customer Request Management System 'Pathways'	The process of recording complaints is defined in the LEMP. Records are kept in the Council system TRIM. WCC reported that complaints are logged into Councils Customer Request Management System 'Pathways'. Summaries of complaints data are reported to the community via the EPA Annual Returns which are published on WCC website. The EPA receive investigation reports. Auditors were provided with Environmental Incident Reports for complaints received on 24 November 2016; 6 March 2017; and 17 March 2017. These detailed a description of the complaint(s) for 6 complaints; time of the complaint(s); weather at time of the complaint and other incident details. Further, Annual Reports and Annual Returns to EPA provide a summary of the complaints received for the period. WCC did not provide to auditors the detailed complaint data for each complaint, hence auditors were unable to verify that an Environmental Incident Report is completed for all complaints.	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 Councils Customer Request	Records are available when requested and go back at least four years. All complaints are logged into Councils Customer Request Management System 'Pathways'. Complaints are reported to the	Compliant

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		Management System 'Pathways'	community via the annual returns which are published on WCC website. The EPA receive investigation reports	
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017	WCC reported that records are made available if and when requested by the EPA.	Compliant
M5 Telephone complaints line				
M5.1	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 stated that when entering "Wollongong City Council Complaint" into a search engine, the user is directed to a 'Contact Council' web page which provides a variety of ways to contact Council including after hours. This was verified and does include a link to make pollution complaints. However, when following the website links to make a complaint, there is no category for the Whytes Gully Landfill; and if you follow the links for a large industrial facility with an Environmental Protection Licence, you are directed to the EPA. 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. OFI: It is recommended that WCC review the on line complaints process on the WCC website to specifically include a means of making a complaint for Whytes Gully direct to WCC, rather than the EPA. OFI: It is recommended that WCC improve signage at the site to better advertise the complaints line telephone number so that the impacted community knows how to make a complaint.	Compliant
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				
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.	22. Whytes Gully tonnage data - waste and recycling Example rejected loads report Sep 2016 - Sep 2017	Records of waste received at the recycling area and wastes that were disposed offsite are recorded in the register Whytes Gully tonnage data - waste and recycling.	Compliant
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 WWARRP - Annual Return 29 May 2016 - 28 May 2017	The Annual Reports are publicly available and searchable on the WCC website and on the EPA website. The Annual Report 2016-2017 was available in the WCC website and the EPA website. This also included reporting of leachate monitoring.	Compliant
6 Reporting Conditions				

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R1 Annual return documents				
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: 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. 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.	Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx.	The annual return for 2016-2017 was completed and provided to EPA comprising the approved form and required content as per this condition.	Compliant
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below. 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.	Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017	The annual return was completed with respect of each reporting period.	Compliant
R1.3	Where this licence is transferred from the licensee to a new licensee: 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 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. Note: An application to transfer a licence must be made in the approved form for this purpose.	http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx.	WCC reported that the licence has not been transferred during the audit period.	Not Triggered
R1.4	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: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.		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').	Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017	The annual return was supplied to EPA in July 2017 not later than 60 days from the time of licence anniversary date which 29 May.	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.	Whytes Gully Waste Disposal Facility Annual Report Period 01 June 2012 – 31 May 2013 Reference Z13/131625	The annual returns since 1999 were recorded in EPA website. WCC also kept the annual returns and searchable in the WCC website. Annual Return 2012 -2013 which was 4 years old was still saved in WCC website and available to the public.	Compliant

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R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	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 Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017. The statement of compliance is signed by the General Manager (David Farmer) on 27/07/17.	Compliant
R1.8	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: a) tabulated results of all monitoring data required to be collected by this licence; 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; c) an analysis and interpretation of all monitoring data; d) an analysis of and response to any complaints received; 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 f) recommendations on improving the environmental performance of the facility.	Whytes Gully WWARRP - Annual Return 29 May 2016 - 28 May 2017 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx .	The Annual Returns sighted for the audit period included an assessment of environmental performance and generally addressed the sub-conditions a to f. The 2013-2014 Annual Return indicated that two penalty notices were issued. Auditors did not sight these penalty notices. It is not clear as to which EPL conditions they the Penalty Notices related. The Annual Return stated: <i>"Both penalty notices issued were associated with processes that Council did not undertake in accordance with the Whytes Gully Environment Protection Licence conditions. The first penalty notice was associated with excavating into waste to dispose of large flood related debris. Any waste excavation requires EPA preapproval.</i> <i>The second penalty notice was associated with a major construction contractor not complying with the defined approved odour management plan for the works undertaken. Specifically, the maximum trench distance for the installation of a gas drainage pipe was exceeded. Both of these circumstances have been identified by the EPA as generating odour."</i> An Official Caution was received by WCC from the EPA for failing to identify the 2013-14 Penalty Notice within the Statement of Compliance section of 2013-2014 Annual Return. On the basis of these events WCC are considered non compliant with this condition for the relevant period. Since this period WCC has been compliant with the condition. There is no corresponding recommendation for this non compliance.	Non Compliant (for 2013 – 2014 Report only)
R2 Notification of environmental harm				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555. 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.	LEMP Section 11 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	The process of reporting incidents and environmental harm to EPA is defined in the LEMP Section 11. All incidents are recorded in the Annual Returns for the site and these are kept on Councils publicly accessible website.	Compliant
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.	LEMP Section 11 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx MONITORING LANDFILL SITES MASTER Whytes Gully analytical data	The process of reporting incidents and environmental harm to EPA is defined in the LEMP Section 11. Records of not notifiable incidents were recorded in VAULT which is a WHS records management system. All incidents are recorded in the Annual Returns for the site and these are kept on Councils publicly accessible website. As per the waste operations manager all incidents are notified to EPA through calls within 24 hours then followed up by the incident report within 7 days. The assessment of compliance this condition is based on	Compliant

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No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
			the waste operations manager confirmation and environmental incident register that included date of incident date reported to EPA. Individual incident reports were not provided to the auditors.	
R2.3	The licensee must notify the EPA within 24 hours in accordance with condition R2.1 if surface monitoring detects methane above 1.25% (v/v), and increase the frequency of monitoring to daily, until the EPA determines otherwise.	LEMP Section 11 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx IW - Project Management - Safety and Environmental - 13853 - 170922 - INC07 - Damaged Pipe MONITORING LANDFILL SITES MASTER Whytes Gully analytical data IW - Project Management - Safety and Environmental - 13853 - 170922 - INC07 - Damaged Pip	The process in reporting incidents and environmental harm to EPA is defined in the LEMP Section 11. Environmental incidents are recorded in the Annual Returns for the site and these are kept on Councils publicly accessible website. One example of construction incident report was provided to auditors relating to damage to a leachate pipe resulting in a leak of leachate. Investigation of the incident was conducted, and an incident report was provided to the EPA. As stated by the waste Operations Manager, all incidents are notified to EPA through calls within 24 hours then followed up by the incident report within 7 days. The assessment of compliance this condition is based on the waste operations manager confirmation and environmental incident register that included date of incident date reported to EPA. Individual incident reports were not provided to the auditors.	Compliant
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	LEMP Section 11 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	There were two-2 Penalty Notices 1521880 and 1521881 both raised on 22 May 2014 from the EPA: O6.4 -Non-compliance with Condition O6.4 - The licensee must not exhume any landfilled waste unless approved in writing by the EPA. Penalty Notice issued Other than these notices, WCC did not report that an EPA Officer had made requests relevant under this condition.	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 R3.2.	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; 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.		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
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.	LEMP Section 11 http://www.wollongong.nsw.gov.au/services/household/Pages/wastesitesanalyticalmonitoringdata.aspx	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				
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.	VAULT extract (WHS records management system) Whytes Gully 2013 to 2017	Two fires were recorded in the WHS records management system. Register of events were provided for WGRRP from 2013 to 2017. The fires occurred on 31-7-2013 and 21-8-2013. The system did not report fires after this event. The system indicated that the first fire was reported to the EPA, and a separate email indicated that the second fire was also reported to the EPA. The data provided to auditors did not address all of the requirements of the conditions a to h. As such, Auditors were not able to verify compliance with this condition. 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.	Not Verified
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.	VAULT extract (WHS records management system) Whytes Gully 2013 to 2017	See response to above condition R4.1.	Not Verified
7 General Conditions				
G1 Copy of licence kept at the premises or plant				
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	EPL 5862	The copy of the license is available at the premise.	Compliant
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)				
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	LEMP and CEMPF Placement and Handling of Special Waste - Whytes Gully Waste Services Example rejected loads report Sep 2016 - Sep 2017	The process for managing spill and clean up of any leaks is defined in the LEMP and CEMPF. An SOP for Placement and Handling of Special Waste - Whytes Gully Waste Services was developed and implemented. As reported in the Rejected Loads report from Sep 2016 to Sep 2017, wastes that are not acceptable at the landfill gets rejected and sent offsite. Reference is made to the relevant conditions of the MCoA and	Compliant

Whytes Gully Landfill Extension Project Environmental Protection License (5862)				
No.	Condition	Evidence Source	Comment / Finding	Compliance Status & Recommendation
	by the EPA.		responses to these conditions.	
E1.2	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: a) make all efforts to contain all firewater on the licensee's premises, b) make all efforts to control air pollution from the licensee's premises, c) make all efforts to contain any discharge, spill or run-off from the licensee's premises, d) make all efforts to prevent flood water entering the licensee's premises, e) remediate and rehabilitate any exposed areas of soil and/or waste, f) lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of, g) at the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises, h) at the request of the EPA monitor surface water leaving the licensee's premises; and i) ensure the licensee's premises is secure.	Flood Emergency and Evacuation Plan	The Flood Emergency and Evacuation Plan was developed to manage some of these emergency events. No pollution events as described in the condition were reported to have occurred by WCC during the audit period.	Not Triggered
E1.3	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: a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.	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

Audit Team DP&E Approval

Ms Jacinta McMahon
Principal Environmental Engineer
Golder Associates Pty Ltd
PO Box 1302
Crows Nest NSW 1585

jmcmahon@golder.com.au

**Whytes Gully Landfill Extension Project (11_0094)
Auditor Endorsement - Independent Environment Audit 2017**

Dear Ms McMahon,

I refer to your email correspondence dated 27 July 2017 seeking approval for MCW Environmental Consulting Pty Ltd (MCW) to undertake the Independent Environmental Audit (IEA) for the Whytes Gully Landfill Extension Project, as required under Condition 9 of Schedule 5 of the project approval (11_0094). The Department understands that a team consisting of Mr Michael Woolley, Ms Annabelle Tungol Reyes and Ms Alice Pryke of MCW is proposed to undertake the audit.

Having reviewed the audit team's CVs submitted with your correspondence, the Department is satisfied with the audit team's suitability to conduct the audit. This approval is conditional upon the audit team's independence from the project.

In preparing the IEA, the audit team must ensure the audit:

- is conducted in accordance with AS/NZS ISO 19011:2003 *Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing*;
- includes a compliance table indicating the compliance status of each condition of consent (and any other statutory instrument required to be audited);
- avoids terms such as "partial compliance". An audit is to make findings of either "compliance", "non-compliance" or "inability to be determined";
- includes recommended actions in response to non-compliances; and
- identifies opportunities for improved environmental management and performance.

Please ensure that the audit team is advised of these requirements. The Department also requests that you submit an action plan with the audit report(s) detailing your response to the auditor's recommendations and timeframes to implement any adopted recommendations.

Should you have any enquiries, please contact Mr Kelly McNicol on the above details.

Yours sincerely



Chris Ritchie
Director
Industry Assessments
As the Secretary's nominee

2/8/17