

# LAMBERTS NORTH-MT PIPER

## Independent Environmental Audit

### Prepared for:

Energy Australia NSW Pty Ltd  
Purchasing Office  
Mt Piper Power Station  
Locked Bag  
Portland, NSW, 2847

SLR Ref: 630.12587-R01  
Version No: 1  
December 2018



## PREPARED BY

SLR Consulting Australia Pty Ltd  
ABN 29 001 584 612  
10 Kings Road  
New Lambton NSW 2305 Australia  
(PO Box 447 New Lambton NSW 2305 Australia)  
T: +61 2 4037 3200 F: +61 2 4037 3201  
E: newcastleau@slrconsulting.com www.slrconsulting.com

## BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Energy Australia NSW Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

## DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
Draft	7 December 2018	Tracey Ball	Christopher Jones	Tracey Ball
Final	20 December 2018	Tracey Ball	Christopher Jones	Tracey Ball

---

## Contents

<b>1</b>	<b>INTRODUCTION.....</b>	<b>5</b>
1.1	Background to Site.....	5
1.2	Audit Scope.....	5
1.3	Key Site Contacts .....	6
1.4	Audit Methodology.....	6
1.4.1	Introductory and Closeout Meetings	8
1.5	Consultation Requirements .....	9
1.5.1	DPE Comments	10
1.5.2	Resources Regulator	11
1.5.3	Community Consultative Committee	12
<b>2</b>	<b>DOCUMENTS REVIEWED AND REFERENCED .....</b>	<b>13</b>
<b>3</b>	<b>ASSESSMENT OF COMPLIANCE .....</b>	<b>14</b>
<b>4</b>	<b>APPROVALS AND DOCUMENTATION ASSESSED.....</b>	<b>16</b>
4.1	Previous Audit Recommendations .....	16
4.2	Project Approval .....	16
4.3	Environmental Assessment – Statement of Commitments.....	16
4.4	Management Plans and Programs.....	16
4.5	Environment Protection Licence.....	17
4.6	Complaints .....	18
4.7	Incident/Non Compliance Management .....	18
<b>5</b>	<b>AUDIT FINDINGS – SUMMARY OF NON COMPLIANCES .....</b>	<b>19</b>
<b>6</b>	<b>ADDITIONAL RECOMMENDED ACTIONS .....</b>	<b>34</b>
6.1	Other recommendations .....	34
<b>7</b>	<b>CONCLUSION .....</b>	<b>35</b>

---

## CONTENTS

### DOCUMENT REFERENCES

#### TABLES

<b>Table 1</b>	<b>Contact Details for Key Power station Personnel .....</b>	<b>6</b>
<b>Table 2</b>	<b>Meeting Attendees .....</b>	<b>8</b>
<b>Table 3</b>	<b>Stakeholder Consultation for the IEA.....</b>	<b>9</b>
<b>Table 4</b>	<b>DPE Comments Relating to the Lamberts North Ash Repository Independent Environmental Audit.....</b>	<b>10</b>
<b>Table 5</b>	<b>Resource Regulator Comments Relating to the Lamberts North Ash Repository Independent Environmental Audit.....</b>	<b>12</b>
<b>Table 6</b>	<b>Compliance Assessment Criteria .....</b>	<b>14</b>
<b>Table 7</b>	<b>Risk Levels for Non-Compliances .....</b>	<b>14</b>
<b>Table 8</b>	<b>Management Plans.....</b>	<b>17</b>
<b>Table 9</b>	<b>Summary of Non-Compliances .....</b>	<b>19</b>
<b>Table 10</b>	<b>Additional Recommendations for Lambert North Ash Repository .....</b>	<b>34</b>

#### FIGURES

<b>Figure 1</b>	<b>Project Approval Area.....</b>	<b>7</b>
-----------------	-----------------------------------	----------

#### APPENDICES

<b>Appendix A</b>	<b>Photographs</b>
<b>Appendix B</b>	<b>Compliance Spreadsheet</b>
<b>Appendix C</b>	<b>Audit Certification Form</b>
<b>Appendix D</b>	<b>Endorsement of SLR</b>

# 1 Introduction

## 1.1 Background to Site

Energy Australia (EA) owns and operates Mt Piper Power Station, located approximately 17 km northwest of Lithgow (refer to Figure 1). Mt Piper was originally owned by Delta Electricity (Delta). Mt Piper Power station was acquired by EA in 2013 and has been operated by the company since.

Ash generated as a by-product from the operation of Mt Piper Power Station is transported by conveyer from the Station to ash silos at the previously established Mt Piper ash repository (Area 1) as part of the existing approved operations. Ash is then transported by heavy haulage vehicles from the silos to either Area 1 or to Lamberts North ash repository.

Operations at Lamberts North ash repository commenced in 2 September 2013. Approximately 500,000 tonnes of water conditioned ash is placed in the ash repository annually. On delivery to the Lamberts North Ash Repository, the ash is deposited at the working face where bulldozers and rollers are then used to create a stable landform, with drainage.

Capping of the ash repository has been undertaken on a progressive basis, until Lamberts North ash repository reaches the approved design height of 940 m AHD. Progressive revegetation of capped slopes will commence once the final perimeter landform is constructed.

## 1.2 Audit Scope

This Independent Environmental Audit (IEA) covers the period from 4 September 2014 to the 25 October 2018 and assesses compliance with Conditions of Approval, and other licences and approvals that apply to the project. The IEA also assesses the environmental performance of Lambert's North ash repository. The IEA has been undertaken in accordance with Condition E22, Schedule 2 of Project Approval (PA) 09\_0186.

### AUDITING

#### *Independent Environmental Audit*

*E22. Within 12 months of commencement of operation of Lamberts North and Lamberts South and then as may be directed by the Director-General, the Proponent shall commission an independent person or team to undertake an Environmental Audit of the project. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:*

- a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and or Environmental Management Systems Auditing;*
- b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;*
- c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1 of this approval;*
- d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works; and*

e) review the adequacy of the Proponent's response to any complaints made about the project identified in the Complaints Register.

The Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.

The IEA has assessed the site's compliance with key approvals and documentation outlined in Section 4, including:

- PA 09\_0186;
- Statement of Commitments; and
- Environment Protection Licence (EPL) 13007;

The physical boundaries of the IEA are defined by the PA area, which is outlined in **Figure 1**.

### 1.3 Key Site Contacts

Contact details for key personnel at the Lamberts North ash repository are provided in **Table 1** below:

**Table 1 Contact Details for Key Power station Personnel**

Name	Role	Telephone
Wayne Gaynor	Assets External Plant Leader	02 6354 8111
Brett Lowry	State Manager NSW Industrial Resources East Services Lendlease	02 6354 8111

### 1.4 Audit Methodology

The IEA was undertaken on site by Tracey Ball (Lead Auditor) and Samuel McDonald (Assistant Auditor) of SLR Consulting Australia Pty Ltd (SLR), with the site component completed from the 23 to 25 October 2018. The SLR audit team are independent of Lamberts North as defined under Section 3.3 of the NSW Government's (2015) *Independent Audit Guideline*. The IEA was also undertaken in accordance with AS/NZS ISO 19011:2014 *Guidelines for Auditing Management Systems*.

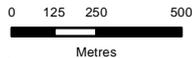
Information was provided by EA prior to, during and following the IEA. SLR also sourced a large amount of information from EA's Lamberts North ash repository website.



Lamberts North  
**Figure E-1 Project Site and Surrounds**

**Legend**

- Road
- Watercourse
- - Former Watercourse
- Project Area - Lamberts North
- Lamberts South
- Ben Bullen State Forest



Data Source:  
 Roads NSW Gvt, 2012, watercourse image ortho-traced, 2012;  
 DCDB by Land & Property Information NSW Govt, 2012;  
 Base Image by Bing Maps.

**DISCLAIMER**  
 CDM Smith has endeavoured to ensure accuracy and completeness of the data. CDM Smith assumes no legal liability or responsibility for any decisions or actions resulting from the information contained within this map.



Job: S12382\_03\_005-R2\_lambertsnth  
 Date: 13/09/2012



The methodology for the IEA consisted of the following key steps:

- Introductory and close out meetings;
- Reviewing key documents provided by EA prior to the IEA;
- Consultation with relevant government agencies and Community Consultation community (CCC) as per the IEA requirements prior to the site component;
- Preparation of draft Audit Tables provided to EA prior to the site audit;
- Site component of the audit – including inspections and discussions with EA operational personnel;
- Review of additional relevant documentation obtained while on site during the inspection or provided by EA after the site inspection; and
- Client review and comment on the draft audit report.

Photographs taken during the site inspections are included in **Appendix A**. A large amount of evidence was viewed and collected as part of the IEA, including monitoring records, reports, and correspondence. While this key evidence has been referenced in **Section 2**, it has not been attached to this audit report.

The IEA has been completed as per the *Independent Environmental Audit Guidelines* (DPE, October 2015).

The audit team assessed the approvals and documentation outlined in **Section 4**.

#### 1.4.1 Introductory and Closeout Meetings

Introductory and close out meetings were held for the IEA. At the opening meeting introductions were made by each of the meeting attendees and EA’s Mt Piper Power Station and Lendlease personnel provided background details regarding the site to SLR. SLR explained the scope of the IEA and auditing process to the meeting attendees. During the close-out meeting a general discussion about compliance and areas for improvement was undertaken. **Table 2** lists those present at these meetings.

**Table 2 Meeting Attendees**

Name	Role	Comment
Premala D Sangarananda	Environment Officer	Present at opening and closing meeting
Dale Hogarth	Acting Head of Mt Piper	Present at the opening and closing meeting
Michelle Blackley	Support Services Leader	Present at opening and closing meeting
Warwick Robinson	Asset Leader	Present at opening and closing meeting
Wayne Gaynor	Assets External Plant Leader	Present at opening and closing meeting
Ben Eastwood	NSW Environment Team Leader	Present at opening and closing meeting
James Teare	Environmental Officer	Present at opening and closing meeting

Name	Role	Comment
April Jewel	Engineer	Present at the closing meeting
Scott Willis	Compliance, Risk and Property Specialist	Present at the opening meeting
Sarah McPhee	Engineer Lendlease	Present at the opening meeting
Brett Lowry	State Manager NSW Industrial Resources East Services Lendlease	Present at opening and closing meeting
Tony Nolan	Senior Environmental Officer	Present at opening and closing meeting
Peter Gray	Operations Leader	Present at the closing meeting
Peter Griffiths	Safety Leader	Present at the opening meeting
Tracey Ball	SLR Lead Auditor	Present at opening and closing meeting
Samuel McDonald	SLR Assistant Auditor	Present at opening and closing meeting

## 1.5 Consultation Requirements

**Table 3** outlines the stakeholder consultation completed for Lambert’s North, undertaken in accordance with the Audit Guidelines.

**Table 3 Stakeholder Consultation for the IEA**

Regulatory Authority	Contact Details	Comment
Department of Planning and Environment (DPE)	Chris Schultz	Email dated 4 October 2018 regarding the IEA. Response email from DPE dated 10 October 2018. See <b>Table 4</b> below for comments and responses.
Environment Protection Authority (EPA)	Darry Clift	Email dated 4 October 2018 regarding the IEA. No response provided to SLR.
Resources Regulator	Greg Kininmonth	Email dated 4 October 2018 regarding the IEA. Response email from Resources Regulator dated 12 October 2018. See <b>Table 5</b> below for comments and responses.
Department of Industry – Water (DOI Water)	Anisul Afsar	Email dated 4 October 2018 regarding the IEA. No response provided to SLR.
Lithgow Shire Council	Andrew Muir	Email dated 4 October 2018 regarding the IEA. No response provided to SLR.
Community Consultative Committee (CCC)	Brendan Blakeley	Email dated 4 October 2018 regarding the IEA. Response email from CCC representative dated 12 October 2018 stated the email would be passed onto CCC members for their views and a reply would be provided following the CCC meeting in early December. A reply was received from one of the CCC members (J. Favell) on 6 December 2018.

### 1.5.1 DPE Comments

**Table 4** outlines the DPE comments relating to the IEA.

**Table 4 DPE Comments Relating to the Lamberts North Ash Repository Independent Environmental Audit**

Aspect	Comment
In addition to the requirements under the approval and the IEA Guideline, the Department requests the following:	-
Are management plans up to date and reflect the current operations at the site?	The adequacy of the management plans have been reviewed as part of the IEA. See <b>Section 4.4</b> and <b>Section 5 and 6</b> for recommendations.
Note: There is a current independent investigation occurring.	Noted
Is the current dust monitoring program adequate?	The adequacy of the dust monitoring program has been reviewed as part of the IEA. See <b>Section 4.4</b> and <b>Section 5 and 6</b> for recommendations.
Is the weather station in an appropriate location to provide reliable information for ash repository management?	<p>A weather station is located on the north-west side of the Area A repository. This is operated by Lendlease. A weather station is also located at the Mt Piper power station, in accordance with EPL 13007. There is no weather station located at the Lamberts North ash repository.</p> <p>A new weather station was installed at Area A during the audit period due the pervious station breaking down. This new weather station was inspected during the site inspection (refer to Appendix A, Photo 17).</p> <p>According to the Operation Environmental Management Plan (OEMP) and monitoring data the weather monitoring station at Mt Piper Power Station is used for the interpretation of monitoring data. This weather station is referred to in the EPL as "EPA ID 4". Use of data from the Area A weather station for interpretation of monitoring data may be more appropriate, given its proximity to the Lambert's North ash repository. However, an EPA Compliance Audit Report dated July 2016 reports that the location of this weather station is not optimal given is proximity to a "lift or mound" and "the location of this station potentially hinders accurate readings of wind direction and speed due to the hilly nature of the terrain and its proximity to the slope."</p> <p><u>Recommendation:</u> Investigate if the weather station at the Area A repository is positioned in accordance with The Australian Standard "AS3580.14:2014 Methods for sampling and analysis of ambient air". If the position of this weather station is found to be in accordance with this guideline, then the data from this weather station should be considered for interpretation of monitoring data, collected at the Lamberts North ash repository.</p>

Aspect	Comment
<p>Is the current internal auditing program adequate?</p>	<p>The 2018 EMS Audit Schedule was provided by EA. The Schedule indicated that a number of internal audits had been undertaken during the year.</p> <p>An Annual Environment Management Report (AEMR) is prepared and submitted to DPE on an annual basis. Each AEMR provides a review of the prior year’s compliance to regulatory requirements and an indication of environmental performance. Internal audits of the Project Approval are also attached to each AEMR.</p> <p>AEMRs report that environmental inspections of the Lamberts North ash repository are undertaken on a regular basis, and that internal audits of the repository are undertaken by EA staff and the contractor operating the site (Lendlease).</p> <p>The Compliance and Tracking Document was downloaded from the Lamberts North ash repository website and reviewed as part of this IEA. It was noted that this Document was last updated over 18 months ago. A recommendation has been made to update the Lamberts North Compliance and Tracking Document on an annual basis.</p>
<p>Is the Ash Placement Strategy still current and are commitments being met?</p>	<p>The adequacy of the ash management strategy has been reviewed as part of the IEA. See <b>Section 5 and 6</b> for recommendations and <b>Appendix B</b> for the complete review of the Strategy.</p>

### 1.5.2 Resources Regulator

**Table 5** outlines the Resources Regulator comments relating to the IEA.

**Table 5 Resource Regulator Comments Relating to the Lamberts North Ash Repository Independent Environmental Audit**

Aspect	Comment
<p>The only issue would be reviewing the process that has been followed in terms of handing over responsibility for the subject area from Centennial Coal to Energy Australia.</p> <p>Has the correct process been followed in terms of the formal hand-over, including any required consultation with government agencies, and approval/sign-off if needed?</p> <p>The associated Mining Lease(s) may be part relinquished as part of this process – has this occurred?</p>	<p>Note: The area that this comment applies to is outside the scope/the area that this IEA applies to.</p> <p>EA are currently in discussions with Centennial Coal regarding the handback areas. There are two handback areas; Handback Area No. 1 and Handback Area No. 2. Handback Area No. 1 covers the area where Dam 1 and Dams A, B and C are located. EA and Centennial Coal signed an Agreement for this area in 2016.</p> <p>EA are still negotiating an agreement with Centennial Coal for Handback Area 2. This handback area is to the east of Handback Area 1.</p> <p>A Compensation Agreement covering both of these handback areas and areas to the south was signed by EA (formerly Delta) and Centennial Coal in 2012.</p> <p>According to site communications EA acknowledge that Centennial Coal hold lease(s) in the Compensation Agreement area and it is their responsibility to relinquish these as part of the handover process.</p>

### 1.5.3 Community Consultative Committee

The issues raised by the CCC member related to visual, groundwater and air quality impacts, land-use incompatibility and stability of the North Lambert ash repository. The member was from the Lithgow Environment Group and the CCC chair noted that the issues she raised “represents her group but not necessarily all of the CCC.” Therefore, these issues have not been addressed here but assessed in other sections of the report, including Appendix B.

## 2 Documents Reviewed and Referenced

Key documentation reviewed as part of the IEA includes:

- Annual Returns for the audit period;
- Copies of Environmental Management Plans (EMPs) and Management Strategies;
- Meeting minutes from Community Reference Group and CCC meetings;
- Records of communication with regulatory authorities with respect to environmental issues including the EPA, NSW Office of Environment and Heritage (OEH) and the DPE;
- Environmental incidents, complaints and non-compliances register;
- Training records;
- Environmental monitoring data; and
- Copies of AEMRs.

### 3 Assessment of Compliance

The terms used in the IEA to describe the level of compliance of the site with the relevant approval documentation are outlined in **Table 6** and **Table 7**. These are requirements of the DPE *Independent Environmental Audit Guidelines* (October 2015).

**Table 6 Compliance Assessment Criteria**

Assessment	Criteria
<b>Compliant</b>	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.
<b>Not verified</b>	Where the auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification, the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
<b>Non-compliant</b>	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
<b>Administrative non-compliance</b>	A technical non-compliance with a regulatory approval 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 requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval).
<b>Not triggered</b>	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection; therefore, a determination of compliance could not be made.
<b>Observation</b>	Observations are recorded where the audit identified issues of concern which 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.
<b>Note</b>	A statement or fact, where no assessment of compliance is required.

**Table 7 Risk Levels for Non-Compliances**

Risk Level	Colour Code	Description
<b>High</b>		Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
<b>Medium</b>		Non-compliance with: <ul style="list-style-type: none"> <li>• potential for serious environmental consequences, but is unlikely to occur; or</li> <li>• potential for moderate environmental consequences but is likely to occur.</li> </ul>

Risk Level	Colour Code	Description
<b>Low</b>		Non-compliance with: <ul style="list-style-type: none"><li>• potential for moderate environmental consequences, but is unlikely to occur; or</li><li>• potential for low environmental consequences but is likely to occur.</li></ul>
<b>Administrative Non-Compliance</b>		Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

## 4 Approvals and Documentation Assessed

### 4.1 Previous Audit Recommendations

The previous audit was completed by Aurecon in 2014, with the Lamberts North Environmental Audit Report – Operations dated 26 September 2014.

The audit covered the period of 2 September 2013 to 3 September 2014. Actions were reviewed as part of this audit. Recommendations covered some of the following aspects:

- On-line reporting;
- Complaints handling; and
- Updates to Management Plans, including the OEMP;

The recommendations appear to have been completed except for the update to the OEMP. The 2014 Aurecon Audit Report recommended that:

*“It is recommended that the OEMP be updated to reflect the new owners and ensure that all references to Delta Electricity and the previous websites are updated.”*

SLR reviewed the OEMP and noted that it is still labelled a “Delta Electricity” document and references the Delta project webpage.

### 4.2 Project Approval

The conditions relating to Project Approval PA09\_0186 were assessed as part of this Audit. This is the primary approval for the site, with the physical boundary outlined within **Figure 1**. The Project Approval was granted in 16 February 2012.

### 4.3 Environmental Assessment – Statement of Commitments

There is a Statement of Commitments relating to PA09\_0186. There are a number of commitments relating to environmental management, monitoring and reporting.

### 4.4 Management Plans and Programs

The following Management Plans were assessed as part of the IEA. All the management plans reviewed are required according to PA conditions.

**Table 8 Management Plans**

Management Plan	PA 09_0186 Condition	Comment
Ash Transportation Plan	Condition B5 (g)	SLR determined EA are generally compliant with this management plan.
Biodiversity Offset Management Plan (BOMP)	Condition B6	There are some non - compliances relating to the preparation and implementation of this management plan. We have provided some recommendations.
Community Information Plan (CIP)	Condition B13	SLR determined EA are generally compliant with this Plan.
Operational Environmental Management Plan (OEMP)	Condition D2	There are some non - compliances relating to the implementation of this management plan. We have provided some recommendations.
Operational Noise Management Plan (sub-plan of the OEMP)	Condition D3	SLR determined EA are generally compliant with this management plan however we have still provided a recommendation.
Groundwater Management Plan (sub-plan of the OEMP)	Condition D3 (b)	There are some non - compliances relating to the preparation and implementation of this management plan. We have provided some recommendations.
Soil and Surface Water Management Plan (sub-plan of the OEMP)	Condition D3 (c)	There are some non - compliances relating to the preparation and implementation of this management plan. We have provided some recommendations.
Air Quality Management Plan (sub-plan of the OEMP)	Condition D3 (d)	SLR determined EA are generally compliant with this Plan however we have still provided a recommendation.
Landscape/Revegetation Plan (sub-plan of the OEMP)	Condition D3 (e)	SLR determined EA are generally compliant with this Plan however we have still provided a recommendation.
Site Rehabilitation Management Plan (sub-plan of the OEMP)	Condition D3 (f)	SLR determined EA are generally compliant with this Plan.

## 4.5 Environment Protection Licence

Mt Piper operates under EPL 13007, issued under the *Protection of the Environment Operations Act 1997* (POEO Act). The licence has an anniversary date of 1 January. Conditions relate to limit conditions, operating conditions, monitoring and reporting.

## 4.6 Complaints

Complaints were recorded within the AEMRs and the Incidents, Complaints and Non-conformances Register. During the audit period only one complaint was made in regards to Lamberts North ash repository. The complaint was received by EPA from an unknown complainant on 6 August 2018, concerning a dust pollution event associated with the site. The EPA did not investigate further after initial findings discovered the dust pollution was associated with a council truck on Castlereagh Highway rather than the development.

## 4.7 Incident/Non Compliance Management

There were no reportable incidents noted within the audit period, according to documentation provided during the IEA.

Non-compliances are reported in AEMRs. Non-compliances during the audit period included non-compliances with groundwater and surface water criteria. Further details of these and other non-compliances are provided in **Section 5** and **Appendix B**.

## 5 Audit Findings – Summary of Non Compliances

**Table 9** outlines the summary of non - compliances relating to the statutory conditions of Lambert’s North ash repository.

**Table 9 Summary of Non-Compliances**

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
<b>PA 09_0186</b>				
B6	<p>The Proponent shall develop and submit for the approval of the Director-General, a Biodiversity Offset Management Plan. The Biodiversity Offset Management Plan is to be submitted within 12 months of the project approval, unless otherwise agreed to by the Director-General. The Plan shall be developed in consultation with the EPA and shall:</p> <p>a) identify the objectives and outcomes to be met by the Biodiversity Offset Management Plan;</p> <p>b) describe the size and quality of the habitat/vegetation communities of the offset;</p> <p>c) identify biodiversity impacts, including impacts related to the loss of impacted flora and fauna including threatened Capertee Stringybark (<i>Eucalyptus cannonii</i>), nine (9) hectares of remnant vegetation (including, Red Stringy Bark Woodland, Scribbly Gum Woodland, Ribbon Gum Woodland), habitat</p>	Administrative Non-Compliance	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>* Biodiversity Offset Management Plan (BOMP), dated July 2015.</li> <li>* DPE approval letter dated on 24 August 2015.</li> <li>* The BOMP was developed in consultation with EPA (reference WorleyParsons Meeting Record, dated 17 July 2012).</li> <li>a) Objectives and outcomes: Section 3.1, BOMP.</li> <li>b) Habitat/vegetation communities of the offset: Section 3.3.8, BOMP;</li> <li>c) Biodiversity impacts: Sections 1.5 &amp; 2.1, BOMP;</li> <li>d) Decision-making framework &amp; mitigation measures: Section 3.3.1, 3.3.2 and Section 4, BOMP;</li> <li>e) Offset for direct and indirect impacts: Section 3.3, BOMP;</li> <li>f) Mechanisms for securing the biodiversity values: Section 3.3.2, BOMP;</li> <li>* Monitoring regime: Section 4.2.1, BOMP;</li> <li>* Responsibilities: Section 3.2, BOMP;</li> <li>* Timeframes: Section 4.2.3 , BOMP;</li> </ul> <p><b>Admin Non-compliant:</b> The BOMP does not include performance criteria;</p>	<p>Rec 1: Include in the BOMP performance criteria;</p> <p>Rec 2: Include in the BOMP contingency measures;</p> <p>Rec 3: Update section references in Table 4 of the BOMP; and</p> <p>Rec 4: Consult with DPE regarding the annual flora and fauna monitoring commitment in the BOMP. Make amendments to this commitment in accordance with the outcomes of consultation with DPE.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>for microbat and woodland bird species and the 31 ha of rehabilitated vegetation to be removed;</p> <p>d) describe the decision-making framework used in selecting the priority ranking of compensatory habitat options available in the region. Where possible, this should include purchase of land, development of agreements with identified land management authorities (e.g EPA, local Council) for long term management and funding of offsets and mitigation measures, and installation of identified mitigation measures;</p> <p>e) include an offset for direct and indirect impacts of the proposal which maintains or improves biodiversity values;</p> <p>f) identify the mechanisms for securing the biodiversity values of the offset measures in perpetuity and identify a monitoring regime, responsibilities, timeframes and performance criteria; and</p> <p>g) detail contingency measures to be undertaken should monitoring against performance criteria indicate that the offset/ rehabilitation measures have not achieved performance outcomes. Rehabilitation measures are required to be implemented to ensure that the biodiversity impacts are consistent with a maintain or improve biodiversity outcome.</p>		<p>g) <u>Admin Non-compliant</u>: The BOMP does not include contingency measures to be undertaken should monitoring against performance criteria indicate that the offset/ rehabilitation measures have not achieved performance outcomes. The BOMP only mentions in Section 4.2.1 "If the monthly inspections reveal an issue, a basic action plan is to be prepared identifying appropriate recommendations to rectify the issue."                      * Rehabilitation measures: Section 4.1, BOMP;                      * <u>Observation</u>: Some section references in Table 4 of the BOMP are incorrect.</p> <p><u>Implementation</u>:                      * Lamberts North Biodiversity offset Area - Baseline Flora and Fauna Monitoring Report dated 23 March 2016.                      * 2016/2017 AEMR noted "further tree establishment at the biodiversity offset area." as upcoming works in 2017/2018. And further states that contractor engaged for biodiversity plantings in December 2017. Site comms confirmed planting of native trees took place in December 2017.                      *<u>Non-compliant</u>: In accordance with the BOMP "Flora and fauna monitoring is to occur annually in spring for the first five years." A baseline flora and fauna assessment was undertaken in March 2016 and according to site comms monitoring was also undertaken in spring 2018. No biodiversity monitoring was undertaken in 2017.                      According to site comms. EA considers annual monitoring of the biodiversity offset area appears to be too frequent given its small size (5Ha) and non-existent established native vegetation. EA further considers the site would benefit from a focus on upfront plantings and vegetation establishment works rather than biodiversity monitoring.</p>	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
B10	<p>Prior to the construction of the project, the Proponent shall establish and maintain a website for the provision of electronic information associated with the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:</p> <p>a) the documents referred to under condition A1 of this approval;</p> <p>b) this project approval, Environment Protection Licence and any other relevant environmental approval, licence or permit required and obtained in relation to the project;</p> <p>c) all strategies, plans and programs required under this project approval, or details of where this information can be viewed;</p> <p>d) information on construction and operational progress; and</p> <p>e) the outcomes of compliance tracking in accordance with the requirements of this project approval.</p>	Administrative Non-Compliance	<p>* The website was checked on 12 November 2018 and contained:</p> <p>a) Major Project Application 09_0186;</p> <ul style="list-style-type: none"> <li>- Mt Piper Ash Placement (two volumes) – Environmental Assessment (EA), prepared by Sinclair Knight Merz, August 2010;</li> <li>- Mt Piper Ash Placement – Submissions Report, prepared by Sinclair Knight Merz, March 2011;</li> <li>- Delta’s Letter to the Department – Submissions Report Response to the Department and Agency Issues (dated 22 June 2011); and</li> <li>- The conditions of this approval.</li> </ul> <p>b) The project approval &amp; Environment Protection Licence (EPL);</p> <p>c) <u>Admin Non-compliant</u>: The Community Information Plan (CIP) is not included on the website;</p> <p>d) Information on operational progress; and</p> <p>e) Compliance tracking document.</p>	Rec 5: Include on the Lamberts North Ash Repository website the CIP.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
B11	<p>Prior to the construction of the project, the Proponent shall ensure that the following are available for community complaints and enquiries during construction and operation:</p> <p>a) a 24 hour contact number(s) on which complaints and enquiries about construction and operational activities may be registered;</p> <p>b) a postal address to which written complaints and enquiries may be sent; and</p> <p>c) an email address to which electronic complaints and enquiries may be transmitted.</p> <p>The telephone number, postal address and email address shall be published in a newspaper circulating in the local area prior to the commencement of the project. The above details shall also be provided on the website required by condition B11 of this approval.</p>	Administrative Non-Compliance	<p>a) Complaints telephone line is advertised on EA website</p> <p>b) Postal address is advertised on the EA website - A general enquiries form is also provided</p> <p>c) <u>Admin Non-compliant</u>: An email address is not advertised on the EA website</p>	Rec 6: Postal address and email address for lodging complaints for should be included on the Lamberts North website.
D2	<p>The Proponent shall prepare and implement an Operational Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during operation of the project. The Plan shall be prepared in consultation with Lithgow City Council and relevant government agencies, and shall be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR 2004) and shall include, but not necessarily be limited to:</p>	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* OEMP, dated May 2013</li> <li>* Environmental management framework: Section 3, OEMP;</li> <li>* Practices and procedures: Section 6, OEMP;</li> <li>* Consultation: Appendix E, OEMP;</li> <li>* Generally consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR 2004);</li> </ul> <p>a) Statutory and other obligations: Section 4, OEMP;</p> <p>b) Roles and responsibilities: Section 3.2, OEMP;</p>	<p>Rec 7: All hazardous chemicals should be stored in designated covered storage areas outside Lamberts North ash repository. If hazardous materials are to be stored at the Lamberts North ash repository they should be placed in a designated storage area that is contained or banded.</p> <p>Rec 8: Update the OEMP, following the completion of the independent</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all approvals, licences, approvals and consultations;</p> <p>b) a description of the roles and responsibilities for all relevant employees (including contractors) involved in the operation of the project;</p> <p>c) overall environmental policies and principles to be applied to the operation of the project;</p> <p>d) standards and performance measures to be applied to the project, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</p> <p>e) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;</p> <p>f) the environmental monitoring requirements outlined under conditions E12 to E18 inclusive;</p> <p>g) details of waste management including reuse and/or recycling of waste material, to minimise the need for treatment or disposal of those materials outside the site;</p> <p>h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(b) and A1(d) of this approval; and</p>		<p>c) Overall environmental policies and principles: Section 3.1, OEMP. Energy Australia also have a Health, Safety, Security and Environment (HSSE) Policy;</p> <p>d) Standards and performance measures &amp; review of environmental performance: Section 6.1, OEMP,</p> <p>e) OEMP refers to EMS for management policies. EA have an overarching EMS (not a site specific document);</p> <p>f) Environmental monitoring requirements: Sections 5, 6.3, 6.4, 6.5, 6.6, 6.7 and 6.8, OEMP;</p> <p>g) Details of waste management: Section 6.8, OEMP;</p> <p>h) Consideration of Conditions A1(b) and A1(d): Section 1.3 and throughout the OEMP; and</p> <p>i) Throughout the OEMP.</p> <p>* Approval letter from DPE dated 2 May 2013.</p> <p>* <u>Observation</u>: The OEMP reflects the old owners of the site (Delta Electricity). According to site comms. EA has communicated to regulators and DPE has acknowledged that the OEMP is to be updated following the completion of the independent groundwater investigation</p> <p><u>Implementation</u>:</p> <p>* Environmental monitoring undertaken at the site, including; dust, noise, groundwater and surface water (see PHOTOS 2 to 9).</p> <p>* According to site comms. no waste generated at the site and no waste seen at the site during the site inspection.</p> <p>* Environmental mitigation measures implemented at the site, including dust management and also surface water management (see PHOTOS 10, 11 and 12).</p> <p>* <u>Non-compliant</u>: During the site inspection a jerry can was noted as being stored next to the office at the Lendlease laydown area (see PHOTO 13). It was not in a designated storage area that was contained or banded.</p>	<p>groundwater investigation, such that it reflects the new owners of the site (EA).</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>i) the additional requirements of this approval.</p> <p>The Plan shall be submitted for the approval of the Director-General no later than four weeks prior to the commencement of operation of the project, unless otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General.</p> <p>Nothing in this approval precludes the Proponent from incorporating the requirements of the Operational Environmental Management Plan into existing environmental management systems and plans administered by the Proponent.</p>		<p>The OEMP states All hazardous chemicals shall be stored in designated covered storage areas outside Lamberts North, underlain with concrete floor and away from concentrated stormwater flow. They should also be appropriately banded or contained in accordance with AS 1940-2004 Storage and handling of flammable and combustible liquids."</p>	
D3	<p>b) a <b>Groundwater Management Plan</b> to detail measures to mitigate and manage groundwater impacts. The Plan shall be prepared in consultation with the NOW and the SCA and include, but not necessarily be limited to:</p> <p>i) consideration of the revised updated groundwater model as per condition B2;                      ii) baseline data on groundwater quality (including Huons Creek), location of groundwater monitoring wells, depth and available flow of groundwater in the project area;                      iii) identification of potential sources of water pollutants and management measures;                      iv) groundwater assessment criteria including trigger levels for remedial measures;                      v) a contingency plan for events that have the potential to pollute or contaminate groundwater sources of</p>	Non-Compliant (Low Risk)	<p><u>Preparation:</u>                      * Groundwater Management Plan incorporated in Section 6.4 of the OEMP.                      b) Mitigate and manage groundwater impacts, Section 6.4.2, OEMP;                      * The Plan was prepared in consultation with DPI Water (formerly NOW) &amp; SCA: Appendix E, OEMP:                      * <u>Observation:</u> As detailed in Appendix E, DPI Water (formerly NOW) did not respond to consultation correspondence within the consultation time period.                      i) Groundwater model: Section 6.4.1.2, OEMP                      * <u>Admin Non-compliant:</u> The updated groundwater model for Lamberts North ash repository, per condition B2, is not referred to;                      ii) Baseline data on groundwater quality: Appendix E, OEMP;                      * Location of groundwater monitoring wells: Table 7-4 &amp;</p>	<p>Rec 9: Include DPI Water response in Appendix E (Stakeholder Consultation) of the OEMP.</p> <p>Rec 10: Update the Groundwater Management Plan following the completion of the independent groundwater investigation.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>water. The plan shall include remediation actions and communication strategies (including notification of potentially affected nearby bore users) for the effective management of such an event to prevent discharge of these pollutants from all sources within the project area;</p> <p>vi) a monitoring program as per condition E15 for groundwater connectivity, water levels, groundwater flow and water quality over the short and long term that includes upstream and downstream locations. The program shall continue for a minimum of five years following final capping and landscaping;</p> <p>vii) a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria; and</p> <p>viii) provisions for periodic reporting of results to the SCA as per condition B8.</p>		<p>Figure 7-2, OEMP;</p> <p>* Groundwater depth: Table 7-4, OEMP;</p> <p>* Available flow of groundwater: Table 7-4, OEMP;</p> <p>iii) Sources of water pollutants: Section 6.4.2, OEMP;</p> <p>Management measures: Table 6-11, OEMP;</p> <p>iv) Groundwater assessment criteria: Section 6.4.3.2, and Appendix B Table 7-3, OEMP;</p> <p>v) Contingency plan: Section 6.4.1.4 and Table 6-15, OEMP;</p> <p>Remediation actions: Table 6-16, OEMP;</p> <p>Communication strategies: Table 6-17, OEMP;</p> <p>vi) Monitoring program: Section 5 &amp; Section 6.4.3, OEMP;</p> <p>vii) Investigation Protocol: Table 6-16, OEMP; and</p> <p>viii) Periodic reporting: Table 6-17, OEMP.</p> <p><u>Implementation:</u></p> <p>* Groundwater monitoring points sighted during the site inspection (see PHOTOS 6 and 7).</p> <p>* Groundwater monitoring results reported in AEMRs.</p> <p>* <u>Non-compliant:</u> AEMRs indicate groundwater trigger levels and environmental goals have been exceeded for some analytes in several bores.</p> <p>- Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, reports chloride and trace metals concentrations exceed background limits at a number of the groundwater bores.</p> <p>* Groundwater investigation currently being undertaken by EA.</p> <p>* <u>Observation:</u> The Groundwater Management Plan does not reflect the current program of works being undertaken at the site. EA has communicated to regulators and DPE has acknowledged that the Groundwater Management Plan (in the OEMP) is to be updated following the completion of the independent</p>	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
			groundwater investigation.	
D3	<p>c) a <b>Soil and Surface Water Management Plan</b> to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/or waters throughout the life of the project. The Plan shall be based on best environmental practice and shall be prepared in consultation with the NOW and the SCA and DPI (Fisheries). The Plan shall include, but not necessarily be limited to:</p> <p>i) baseline data on the surface water quality and available flow in Neubecks Creek and Lamberts Gully Creek;</p> <p>ii) water quality objectives and impact assessment criteria for Neubecks Creek and Lamberts Gully Creek;</p> <p>iii) identification of the operation activities that could cause soil erosion or discharge sediment or water pollutants from the site;</p> <p>iv) a description of the management controls to minimise soil erosion or discharge of sediment or water pollutants from the site, including a strategy to minimise the area of bare surfaces, stabilise disturbed areas and minimise bank erosion;</p> <p>v) demonstration that the proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004);</p> <p>vi) details of the water management system including separation of clean and contaminated/polluted water flows, provisions for the treatment, recycling/reuse and/or discharge of flows;</p>	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <p>* Soil and Surface Water Management Plan incorporated as Section 6.5 of the OEMP.</p> <p>c) Outline measures to manage water, minimise soil erosion and discharge of sediments and other pollutants: Section 6.5, OEMP;</p> <p>* Best environmental practice: Section 6.5.3.5, OEMP;</p> <p>* Consultation with NOW, SCA and DPI (Fisheries): Appendix E, OEMP;</p> <p>* The Plan:</p> <p>i) Baseline data: Table 7-5, OEMP;</p> <p>* N/A for Lamberts Gully Creek as "no longer represents a 'natural' hydrological system": Section 6.5.1, OEMP.</p> <p>ii) Water quality objectives and impact assessment criteria for Neubecks Creek: Table 7-5, OEMP;</p> <p>* N/A for Lamberts Gully Creek as "no longer represents a 'natural' hydrological system": Section 6.5.1, OEMP;</p> <p>iii) Operation activities: Section 6.5.2 &amp; Section 6.5.3, OEMP;</p> <p>iv) Management controls: Table 6-20, OEMP;</p> <p>v) Erosion &amp; sediment control measures conform with requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004): Table 6-20, OEMP;</p> <p>vi) Water management system: Section 6.5.3, OEMP;</p> <p>vii) <u>Admin Non-Compliant</u>: A site water balance is not included in the OEMP;</p> <p>viii) Lining details: Section 6.5.3.2 and Table 6-20, OEMP;</p> <p>ix) Minimise surface water infiltration                      n: Section 6.5.3.3, OEMP;</p> <p>x) Flow &amp; water quality monitoring program for Neubecks Creek: Table 6-21;</p> <p>* N/A for Lamberts Gully Creek as "no longer represents a</p>	<p>Rec 11: Include a site water balance in the OEMP.</p> <p>Rec 12: Undertake further assessment and an independent investigation of surface water in the vicinity of the Lamberts North ash repository.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>vii) site water balance including water usage for ash placement, sources of water and quantity of run-off generated;</p> <p>viii) details of the lining for the surface water collection ponds;</p> <p>ix) measures to minimise potential surface water infiltration;</p> <p>x) a flow and water quality monitoring program for Neubecks Creek and Lamberts Gully Creek that includes discharge points, upstream and downstream locations as per condition E16 and limits for identified pollutants;</p> <p>xi) specified remedial actions and contingency plans to mitigate any water quality exceedances on receiving waters including identified trigger levels for remedial measures or the activation of contingency plans; and</p> <p>xii) provisions for periodic reporting of results to the DPI (Fisheries) and the SCA as per condition B8.</p>		<p>'natural' hydrological system": Section 6.5.1, OEMP.</p> <p>xi) Remedial actions &amp; contingency plans: Table 6-23 and Section 6.5.3.5 OEMP; and</p> <p>xii) Periodic reporting to DPI (Fisheries) and SCA: Table 6-22, OEMP.</p> <p><u>Implementation:</u></p> <p>* <u>Non-compliant:</u> The 2018/2019 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22 , but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</p> <p>* Site inspection noted that clean and dirty water is kept separate (see PHOTOS 12, 14, 15 and 16).</p> <p>* Site inspection confirmed all water is retained on site, with no surface water discharges (see PHOTOS 12, 15 and 16).</p>	
E12	<p>The Proponent shall prepare and implement an Operational Noise Monitoring Program to assess compliance against the operational noise criteria stipulated in condition E7 of this approval, throughout the life of the project. The noise monitoring program shall be prepared in consultation with the EPA and must include the proposed frequency of monitoring and as a minimum must include monitoring when there are any significant changes in work locations or processes.</p> <p>The noise monitoring program shall be prepared in accordance with the requirements of the New South Wales Industrial Noise Policy (EPA, 2000) and shall include, but not be limited to:</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <p>Operational Noise Monitoring Program incorporated in Section 6.3.5 of the OEMP.</p> <p>* Assess compliance against the operational noise criteria: Section 6.3.5.4, OEMP.</p> <p>* Prepared in consultation with the EPA: Appendix E, OEMP.</p> <p>* Frequency of monitoring: Table 6-5, OEMP.</p> <p>* Monitoring when there are any significant changes in work locations or processes: Table 6-5, OEMP.</p> <p>* Prepared in accordance with the <i>NSW Industrial Noise Policy</i> (EPA, 2000): Section 6.3.5.1, OEMP.</p> <p>* <u>Observation:</u> The OEMP refers to the superseded version of the NSW Industrial Noise Policy (2000 edition).</p> <p>a) Monitoring at Lamberts North during ash placement</p>	<p>Rec 13: Update the OEMP such that it refers to Noise Policy for Industry (2017), instead of the NSW Industrial Noise Policy (EPA, 2000).</p> <p>Rec 14: Ensure the Noise Management and Monitoring Program is reviewed every 3 years to determine effectiveness of mitigation measures and the monitoring commitments.</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>a) monitoring at Lamberts North, Lamberts South and Blackmans Flat during ash placement activities; and</p> <p>b) monitoring of the effectiveness of any noise mitigation measures implemented under condition D3(a) of this approval, against the noise criteria specified in condition E7 of this approval.</p> <p>The Proponent shall forward to the EPA and the Director-General a report containing the results of any non-compliance within 14 days of conducting a noise assessment. The monitoring program shall form part of the Operational Noise Management Plan referred to in condition D3 (a) of this approval.</p>		<p>activities: Section 6.3.5.5, OEMP.</p> <p>b) Monitoring effectiveness of noise mitigation measures against the noise criteria: Section 6.3.5.5, OEMP.</p> <p>* N/A - No reportable noise non-compliances during the audit period.</p> <p>* Monitoring forms part of the Operational Noise Management Plan, in the OEMP.</p> <p>* <u>Admin Non-compliant</u>: 2016/2017 AEMR reported that the Noise Management and Monitoring Program was not reviewed after 3 years of operation, in accordance with Section 6.3.5.5 of the Noise Management Monitoring Program.</p> <p><u>Implementation</u>:</p> <p>* Results from noise monitoring included in AEMRs</p> <p>* November 2017 and September 2018 Noise Assessments</p> <p>* Visited noise monitoring Location 1, during site inspection (see PHOTO 3).</p>	
E22	<p>Within 12 months of commencement of operation of Lamberts North and Lamberts South and then as may be directed by the Director-General, the Proponent shall commission an independent person or team to undertake an Environmental Audit of the project. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:</p> <p>a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and or Environmental Management Systems Auditing;</p> <p>b) assess compliance with the requirements of this</p>	Administrative Non-Compliance	<p>* This IEA was requested by DPE.</p> <p>* Audit team approval letter dated 25 October 2018.</p> <p>* Lamberts North Environmental Audit Report - Operations, dated 26 September 2014.</p> <p>- Meets all the requirements of the condition, in terms of scope and detail</p> <p>- <u>Admin non-compliant</u>: DPE audit report submission letter dated 29 April 2015. IEA not submitted within the required timeframe.</p>	Rec 15: Ensure future IEA reports are submitted within required timeframes.

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>approval, and other licences and approvals that apply to the project;</p> <p>c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1 of this approval;</p> <p>d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works; and</p> <p>e) review the adequacy of the Proponent's response to any complaints made about the project identified in the Complaints Register.</p> <p>The Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.</p>			
<b>PA 09_0186 Statement of Commitments</b>				
1	<p>An Operational Environmental Management Plan (OEMP) would be prepared and implemented to guide operational activities. It would include:</p> <p>Environmental Management</p> <ul style="list-style-type: none"> <li>* Air Quality</li> <li>* Hydrology and Water Quality</li> <li>* Noise &amp; Vibration</li> </ul>	<p><b>Non-Compliant</b> (Low Risk)</p>	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Operational Environmental Management Plan (OEMP), dated May 2013</li> <li>* Air Quality - Section 6.6;</li> <li>* Hydrology and Water Quality - Section 6.4 &amp; 6.5;</li> <li>* Noise &amp; Vibration - Section 6.3;</li> <li>* Landscape - Section 6.7;</li> <li>* Waste Management - Section 6.8;</li> </ul>	Rec 7

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<ul style="list-style-type: none"> <li>* Landscape</li> <li>* Waste Management</li> <li>* Community Liaison</li> </ul> <p>All plans and strategies would be developed in consultation with the relevant agencies.</p>		<p>* Community Liaison - Section 3.3.2.2;                      Developed in consultation with the relevant agencies: Appendix E.</p> <p><u>Implementation:</u>                      * Environmental monitoring undertaken at the site, including; dust, noise, groundwater and surface water (see PHOTOS 2 to 9).                      * According to site comms. no waste generated at the site and no waste seen at the site during the site inspection (see PHOTO 13).                      * Environmental mitigation measures implemented at the site, including dust management and also surface water management, as seen during the site inspection (see PHOTOS 10 to 12 and 14 to 16).                      * <u>Non-compliant:</u> During the site inspection a jerry can was noted as being stored next to the office at the Lendlease laydown area (see PHOTO 13). It was not in a designated storage area that was contained or bunded. The OEMP states "All hazardous chemicals shall be stored in designated covered storage areas outside Lamberts North, underlain with concrete floor and away from concentrated stormwater flow. They should also be appropriately bunded or contained in accordance with AS 1940-2004 Storage and handling of flammable and combustible liquids."</p>	
4	<p>Manage water quality runoff by development of water management systems which:</p> <ul style="list-style-type: none"> <li>- separate clean water from undisturbed catchments and clean water on the site</li> <li>- Manage water generated on site using dirty water area and sedimentation dams</li> </ul>	Non-Compliant (Low Risk)	<p>* Water management system noted in the Soil and Surface Water Management Plan (in the OEMP)                      * Site inspection noted:- Separate clean and dirty water system (see PHOTOS 12, 14, 15 and 16)- Dirty water ponds (Dam 1, 2, A &amp; B) (see PHOTOS 12, 15 and 16)* No releases of dirty water (see PHOTOS 12, 15 and 16)* AEMRs did not mention any controlled releases from the</p>	<p>Rec 16: Include Dams 1 &amp; 2 and A, B &amp; C in the OEMP.                      Rec 12</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<ul style="list-style-type: none"> <li>- Allowing no regular controlled releases</li> <li>- Using water generated on site for rehabilitation and dust control</li> <li>- Allowing releases from sedimentation dams only in large rainfall events following treatment in dams</li> <li>Manage groundwater quality by:                             <ul style="list-style-type: none"> <li>- Design of ash placement areas to provide buffer to groundwater and to place brine treated ash more than 30m above groundwater</li> <li>- Undertaking borehole water quality monitoring program through a Water Monitoring program and provide annual monitoring report</li> <li>- Monitor receiving water quality through a Water Monitoring program and provision of an annual monitoring report.</li> </ul> </li> </ul>		<p>site</p> <ul style="list-style-type: none"> <li>* Surface Water Management Plan (in the OEMP) states "clean water".... "will be collected in a strategically located pond and either utilised for dust suppression and/or released to Neubecks Creek when required"*</li> <li><u>Observation:</u> Soil and Surface Water Management Plan (in the OEMP) does not reference Dam 1, Dam 2, Dam A or B and Dam C (to be built).</li> <li>* 2016/2017 AEMR indicates brine placement above 960.0 RL at the adjacent Area 1. Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, shows groundwater level at North Lamberts is between 911.9 and 917.1 RL. Buffer larger than 30m.</li> <li>* Groundwater and surface water monitoring program included in Sections 6.4 &amp; 6.5 of the OEMP, respectively.</li> <li>* Surface and groundwater monitoring points sighted during the site inspection (see PHOTOS 6 to 9). * Surface and groundwater monitoring results reported in AEMRs.</li> <li>* <u>Non-compliant:</u> The 2018/2019 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22 , but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</li> <li>* <u>Non-compliant:</u> AEMRs indicate groundwater trigger levels and environmental goals have been exceeded for some analytes in several bores.</li> <li>- Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, reports chloride and trace metals concentrations exceed background limits at a number of the groundwater bores.</li> </ul>	

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
7	<p>A Visual Impact Assessment will be undertaken for concept approval sites. Consideration will be given to:</p> <ul style="list-style-type: none"> <li>- Maximising the use of surrounding topography as a visual shield</li> <li>- The use of screening vegetation to protect views from sensitive viewpoints.</li> </ul> <p>A Landscape Management Plan (LMP) will be prepared during detailed design of the project and implemented during and after the ash placement period. The plan would include:</p> <ul style="list-style-type: none"> <li>- Processes for the management of on-site weeds</li> <li>- Use of native vegetation for rehabilitation of the sites once ash placement is finished</li> <li>- Monitoring of vegetation to ensure it becomes established and to identify any further management requirements</li> <li>- Use of screening vegetation to protect views from sensitive viewpoints</li> </ul>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Landscape/Revegetation Plan incorporated in Section 6.7 of the OEMP.</li> <li>- <u>Admin Non-compliant:</u> Landscape/Revegetation Plan does not include processes for the management of on-site weeds</li> <li>- Use of native vegetation for rehabilitation of the sites (Section 6.7.2.2)</li> <li>- Monitoring of vegetation (Section 6.7.2.3)</li> <li>- Use of screening vegetation (Section 6.7.2.3)</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Progressive capping being undertaken at the site, verified by the site inspection and AEMRs.</li> <li>* Vegetation screen in place to minimise visual impacts on nearby residents and highway traffic (see PHOTO 5).</li> <li>* <u>Observation:</u> Presence of weeds on-site, although some weed management has been undertaken (see PHOTO 18).</li> </ul>	<p>Rec 17: Include in the Landscape/Revegetation Plan processes for the management of onsite weeds.</p> <p>Rec 18: Undertake further weed management work at the site.</p>
<b>EPL 13007</b>				
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> <li>1. a Statement of Compliance,</li> <li>2. a Monitoring and Complaints Summary,</li> <li>3. a Statement of Compliance - Licence Conditions,</li> <li>4. a Statement of Compliance - Load based Fee,</li> <li>5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,</li> <li>6. a Statement of Compliance - Requirement to Publish</li> </ol>	Administrative Non-Compliance	<ul style="list-style-type: none"> <li>* 2014, 2015, 2016 &amp; 2017 Annual Returns sighted</li> <li>* <u>Admin Non-compliant:</u> A Statement of Compliance - Environmental Management Systems and Practices is missing from the 2014 Annual Return</li> </ul>	<p>Rec 19: Include a A Statement of Compliance - Environmental Management Systems and Practices in future Annual Returns</p>

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation
	<p>Pollution Monitoring Data; and</p> <p>7. a Statement of Compliance - Environmental Management Systems and Practices.</p> <p>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.</p>			
G2.1	<p>The location of EPA point number(s) 1 to 4 must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practicable to the point.</p>	<p><b>Administrative Non-Compliance</b></p>	<p>* EPA points numbers 2 to 4 not relevant to site.</p> <p>* <u>Admin Non-compliant</u>: During the site inspection noted EPA point number 1 was not labelled</p>	<p>Rec 20: Label EPA point number 1.</p>

## 6 Additional Recommended Actions

### 6.1 Other recommendations

Additional recommendations relating to compliant conditions are outlined in **Table 10**.

**Table 10 Additional Recommendations for Lambert North Ash Repository**

Aspect	Recommendation
Internal auditing	Update the Lamberts North Compliance and Tracking Document annually.
Management Plan	Remove incorrect sensitive receptors from Figure 6-1 , Figure 6-4 and Figure 6-5, in the OEMP.
Noise	Implement noise mitigation measures included in the OEMP to manage cumulative operational noise
Weather station	Ensure continuous meteorological monitoring data is recorded at Mt Piper power station.
Air Quality Monitoring Program	Update the Air Quality Monitoring Program to include monitoring during final rehabilitation and stabilisation of the site.
Air Quality Monitoring Program	Include dust monitoring points on Figure 5-1, in the OEMP.
Waste	Clarify with EPA whether or not stainless steel clips and mild steel caps are permitted to be disposed of at Lamberts North ash repository.
EPA contact details	Include the EPA's environment service telephone number in the OEMP's Environment Incident Response Procedure.
Weather station	Investigate if the weather station at the Area A repository is positioned in accordance with The Australian Standard "AS3580.14:2014 Methods for sampling and analysis of ambient air". If the position of this weather station is found to be in accordance with this guideline, then the data from this weather station should be considered for interpretation of monitoring data, collected at the Lamberts North ash repository.

---

## 7 Conclusion

Areas of improvement are included within **Section 5 and 6** of this report.

The following areas of good performance were noted during the IEA:

- Based on the site inspection the water management system appears to be effective. All water is kept on site, with no discharges off-site. Clean and dirty water are kept separate;
- Long staff retention rates have translated to good site knowledge and management of the site;
- Ponds 2, A and B are lined. EA intend to double line pond 2;
- Progressive capping of Lamberts North ash repository has been undertaken;
- Compliance with air quality and noise criteria;
- There was only one complaint during the audit period which was determined to be not associated with the site;
- Training and toolbox talks incorporate an environmental component;
- Site is actively controlling dust by watering North Lambert's ash repository, using a system of sprinklers and water trucks;
- Weather monitoring informs watering regimes;
- Vegetation screens are in place at the site to minimise visual impacts;
- Lendlease installed a new weather station during the audit period to replace the faulty station at Area A repository;
- Internal audits have been taken place to improve environmental management of the site; and
- The last two CCC meetings have taken place in accordance with DPE requirements.

# APPENDIX A

## Photographs



**Photo 1 – Haul truck, roller, loader and light vehicle at the Lamberts North ash repository.**



**Photo 2 – Dust Gauge 7**



**Photo 3 – Dust Gauge 19 and the location where noise monitoring is undertaken**



**Photo 4 – Air Quality Monitoring Station (AQMS)**



**Photo 5 – Dust monitoring station - Tapered Element Oscillating Microbalance (TEOM) with vegetation screen in background**



**Photo 6 – Groundwater Bore D10 (existing bore)**



**Photo 7 – Groundwater Bore D109 (new)**



**Photo 8 – Surface Water Monitoring Location (NC01)**



**Photo 9 – Monitoring Point WX22**



**Photo 10 – Sprinklers and filter bags being disposed of at the ash repository**



**Photo 11 – Ash repository being compacted and sprayed by water truck**



**Photo 12 – Dam 2**



**Photo 13 – Jerry can at the Lendlease laydown area. No visible waste or waste bins.**



**Photo 14 – Clean water drain**



**Photo 15 – Dam 1**



**Photo 16 – Dam A and Dam B**



**Photo 17 – Weather monitoring station at Area 1 repository**



**Photo 18 – Presence of weeds on site**

# APPENDIX B

## Compliance Spreadsheet

Project Approval (PA) 09\_0186 - Dated 16 February 2012

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>PART A - Administrative Conditions</b>				
<b>Terms of Approval</b>				
A1	The Proponent shall carry out the project generally in accordance with the: (a) Major Project Application 09_0186; (b) Mt Piper Ash Placement (two volumes) – Environmental Assessment (EA), prepared by Sinclair Knight Merz, August 2010; (c) Mt Piper Ash Placement – Submissions Report, prepared by Sinclair Knight Merz, March 2011; (d) Delta's Letter to the Department – Submissions Report Response to the Department and Agency Issues (dated 22 June 2011); and (e) the conditions of this approval.	Compliant	* Energy Australia (EA) carries out the project generally in accordance with the project documentation listed and the conditions of this approval. * Where there is any non-compliance against the approval conditions this is listed below.	
A2	In the event of an inconsistency between: (a) the conditions of this approval and any document listed from condition A1(a) to A1(d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and (b) any of the documents listed from conditions A1(a) to A1(d) inclusive, the most recent document shall prevail to the extent of inconsistency.	Noted	Conditions noted	
A3	The Proponent shall comply with the reasonable requirements of the Director-General arising from the Department's assessment of: (a) any reports, plans or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these reports, plans or correspondence.	Compliant	(a) Annual Environmental Management Reports (AEMRs) refer to actions required from previous AEMR review * Letter from the Department of Planning and Environment (DPE) dated 17 January 2018 regarding dust exceedance - EA responded to DPE letter via letter dated 8 February 2018 b) The implementation of actions/measures contained in reports and plans is mentioned in relevant conditions below.	
A4	The Proponent shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this approval, and general consistency with the documents listed under condition A1 of this approval.	Compliant	* The implementation of measures is referred to in conditions that apply to Management Plans and Strategies. * The operation of Lamberts North is generally consistent with the: (a) Project Application 09_0186; (b) Mt Piper Ash Placement (two volumes) – Environmental Assessment, prepared by Sinclair Knight Merz, August 2010; (c) Mt Piper Ash Placement – Submissions Report, prepared by Sinclair Knight Merz, March 2011; (d) Delta's Letter to the Department – Submissions Report Response to the Department and Agency Issues (dated 22 June 2011); and (e) the conditions of this approval.	
<b>Limits of Approval</b>				
A5	This approval shall lapse five years after the date on which it is granted, unless the works that are the subject of this approval are physically commenced on or before that time.	Compliant	* Aurecon Lamberts North Environmental Audit Report - Operations, dated September 2014, states construction started at the site in January 2013 and the site commenced operations in September 2013.	
<b>Statutory Requirements</b>				
A6	The Proponent shall ensure that all licences, permits and approvals are updated and/or obtained as required by law and maintained as required with respect to the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals.	Compliant	* According to site comms, no licences, permits were updated and/or obtained for the project by Energy Australia. * According to Appendix A of the 2015, 2016 & 2017 AEMRs licences, permits and approvals not currently updated and/or obtained during the audit period by Energy Australia * <u>Noted</u> : Obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals,	
<b>Staging</b>				
A7	Where the Proponent intends to construct and operate the project in discrete stages (i.e Lamberts North and Lamberts South) it may comply with the requirements in conditions B4, B5, D2, D3 and D4 separately for each stage.	Compliant	* The project has been constructed and operated in discrete stages. * B4 & B5 - N/A. Outside of the audit period i.e. construction completed. * D2 & D3 - Refer to conditions. * D4 - Refer to condition.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>PART B - Prior to Construction</b>				
<b>Environmental Representative</b>				
B1	<p>c the Proponent shall nominate for the approval of the Director- General a suitably qualified and experienced Environmental Representative(s). The Proponent shall engage the Environmental Representative(s) during any construction activities, and throughout the life of the project, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:</p> <p>(a) oversee the implementation of all environmental management plans and monitoring programs required under this approval, and advise the Proponent upon the achievement of these plans/programs;</p> <p>(b) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and the Statement of Commitments; and</p> <p>(c) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur.</p>	Compliant	<ul style="list-style-type: none"> <li>* Letters to DPE from EA, dated 5 April 2018 and 29 April 2015, regarding Lamberts North Ash Repository Project Environmental Representative</li> <li>- Response letter from DPE to EA, dated 23 April 2018, regarding Lamberts North Ash Repository Project Environmental Representative.</li> <li>* Senior Environment Officer Position Description dated 1 March 2018.</li> </ul>	
<b>Groundwater Modelling</b>				
B2	<p>The Proponent shall undertake groundwater modelling by either adapting the existing UTS (2007) groundwater model to Lamberts North or developing a new groundwater model for Lamberts North. The updated model should be calibrated to site-specific data. In either case, the model shall incorporate the findings of groundwater monitoring of the existing ash placement areas. The Proponent shall consult with the SCA in the preparation of the groundwater model and the model shall be provided to the SCA within five months of project approval, unless otherwise agreed by the Director-General. The model shall address but not necessarily be limited to the following:</p> <p>(a) the findings of the groundwater monitoring of existing ash placement areas and be based on average groundwater quality data;</p> <p>(b) updated predictions of the long term behaviour, fate and impacts of ash placement, in particular for water quality parameters such as sulphates, chlorides, boron, manganese, nickel, zinc, molybdenum copper, arsenic and barium;</p> <p>(c) updated risk assessment for ground and surface water quality impacts under a range of rainfall events of differing duration and intensities (including up to a 100 year ARI event);</p> <p>(d) calibration to site-specific data; and</p> <p>(e) identification of appropriate surface and groundwater management measures required in order to achieve a neutral or beneficial effect on water quality.</p> <p>Prior to construction of Lamberts South, the Lamberts North groundwater model is to be updated as set out above in items (a) - (e) in consultation with the SCA, to apply to Lamberts South.</p>	Compliant	<ul style="list-style-type: none"> <li>* Lamberts North Ash Placement Project - Groundwater Modelling Report by CDM Smith, dated 22 November 2012.</li> <li>- Section 9 - Development new model using the MODFLOW 2000 modelling code.</li> <li>- The Sydney Catchment Authority (SCA) was consulted during the preparation of the groundwater model.</li> <li>- N/A - Outside audit period.</li> <li>(a) Section 8.1 - The findings of the groundwater monitoring</li> <li>(b) Section 9.11 - Updated predictions.</li> <li>(c) Section 9.10</li> <li>(d) Section 9 - Calibration to site-specific data; and</li> <li>(e) Section 10.2 - Identification of appropriate surface and groundwater management measures.</li> </ul>	
B3	<p>Baseline groundwater monitoring data, including groundwater quality, location of groundwater monitoring wells, depth and flow of groundwater in the project area should be obtained for a minimum of two sampling events prior to construction and a minimum of two sampling events after construction and prior to ash placement commencing. The baseline monitoring data along with the modelling predictions in B2 should be used in the consideration of the design of the ash placement facilities. The location of groundwater monitoring wells and parameters to be monitored should be undertaken in consultation with the SCA.</p> <p>Prior to construction of Lamberts South the Proponent shall conduct baseline groundwater data collection as set out above, and use the results and the modelling predictions in B2 in the consideration of the design of the ash placement facilities.</p>	Compliant	<ul style="list-style-type: none"> <li>* Ash placement commenced on September 2013, according to Section 1.1.3 of Aurecon's Lamberts North Environment Audit Report, dated September 2014</li> <li>* N/A - Condition is outside of the audit period</li> <li>* Operation Environmental Management Plan (OEMP) (Appendix B): Baseline groundwater monitoring data.</li> <li>* Lamberts North Ash Placement Project - Groundwater Modelling Report by CDM Smith, dated 22 November 2012.</li> <li>- Section 11: Baseline monitoring data &amp; modelling predictions used in the consideration of the design of the ash placement facilities.</li> <li>* OEMP (Appendix E): SCA were consulted during the preparation of the Groundwater Management &amp; Monitoring Plan sub-plan.</li> <li>* OEMP (Groundwater Management &amp; Monitoring Plan sub-plan, Figure 6-2 &amp; Section 6.4.3): Location of groundwater monitoring wells &amp; parameters to be monitored.</li> <li>* N/A - Construction of Lamberts South has not commenced.</li> </ul>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Construction Environmental Management Plan</b>				
B4	<p>The Proponent shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be prepared in consultation with Lithgow City Council and relevant government agencies, and be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004 or its latest revision) and shall include, but not necessarily be limited to:</p> <p>(a) a description of all relevant activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;</p> <p>(b) identification of the potential for cumulative impacts with other construction activities occurring in the vicinity and how such impacts would be managed;</p> <p>(c) details of any site compounds and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;</p> <p>(d) statutory and other obligations that the Proponent is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>(e) evidence of consultation with relevant government agencies required under this condition and how issues raised by the agencies have been addressed in the plan;</p> <p>(f) a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and subcontractors are aware of their environmental and compliance obligations under these conditions of approval;</p> <p>(g) details of how the environmental performance of construction will be managed and monitored, and what actions will be taken to address identified potential adverse environmental impacts;</p> <p>(h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(b) and A1(d);</p> <p>(i) a complaints handling procedure during construction;</p> <p>(j) emergency management measures including measures to control bushfires;</p> <p>(k) details of waste management including reuse and/or recycling of waste material, to minimise the need for treatment or disposal of those materials outside the site; and</p> <p>(l) the additional requirements of this approval.</p> <p>The CEMP for the project (or any stage of the project) shall be submitted to the Director-General for approval at least four weeks prior to the commencement of any construction work associated with the project (or stage as relevant), unless otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
	<p>As part of the CEMP for the project, the Proponent shall prepare and implement the following plans:</p> <p>a) a Construction Noise Management Plan to detail how construction noise impacts would be minimised and managed. The Plan shall be developed in consultation with the EPA and shall include, but not necessarily be limited to:</p> <p>i) details of construction activities and an indicative schedule for construction works;</p> <p>ii) identification of construction activities that have the potential to generate noise impacts on sensitive receivers;</p> <p>iii) identification of noise criteria and procedures for assessing noise levels at sensitive receivers;</p> <p>iv) details of reasonable and feasible actions and measures to be implemented to minimise noise impacts;</p> <p>v) details of noise monitoring and if any noise exceedance is detected, how any non-compliance would be rectified; and</p> <p>vi) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise amenity.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
	<p>b) a <b>Groundwater Management Plan</b> to detail measures to manage groundwater impacts. The Plan shall be prepared in consultation with the NOW and the SCA and include, but not necessarily be limited to:</p> <p>i) identification of the construction activities that could affect groundwater at the site, including groundwater interference and impacts to groundwater users and dependent species;</p> <p>ii) a description of the management controls to minimise impacts to groundwater during construction;</p> <p>iii) methods for monitoring groundwater during construction including a program to monitor groundwater flows and groundwater quality in the project area;</p> <p>iv) a response program to address identified exceedances of existing groundwater quality criteria approved for Area 1 (the existing ash placement area); and</p> <p>v) provisions for periodic reporting of results to the SCA during construction.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
	<p>c) a <b>Soil and Surface Water Management Plan</b> to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/or waters throughout the construction period. The Plan shall be based on best environmental practice and shall be prepared in consultation with the SCA and the NOW and any other relevant government agency. The Plan shall include, but not necessarily be limited to:</p> <p>i) baseline data on the water quality and available flow data in Huons Creek, Lamberts Gully Creek and Neubecks Creek;</p> <p>ii) water quality objectives and impact assessment criteria for Huons Creek, Lamberts Gully Creek and Neubecks Creek;</p> <p>iii) a geomorphic assessment of the capacity of Lamberts Gully Creek to accommodate additional flow under a range of rainfall events and duration, prior to commencement of construction works;</p> <p>iv) identification of the construction activities that could cause soil erosion or discharge sediment or water pollutants from the site;</p> <p>v) description of stockpile locations and disposal methods;</p> <p>vi) a description of the management methods to minimise soil erosion or discharge of sediment or water pollutants from the site, including a strategy to minimise the area of bare surfaces, stabilise disturbed areas, and minimise bank erosion;</p> <p>vii) demonstration that the proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004);</p> <p>viii) a site water management strategy identifying drainage design including the separation of clean and dirty water areas for the project, details of the lining of surface water collection ponds and the associated water management measures including erosion and sediment controls and provisions for recycling/reuse of water and the procedures for decommissioning water management structures on the site and consideration to the treatment of water prior to discharge to the environment;</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
B5	<p>ix) measures to monitor and manage soil and water impacts in consultation with NOW and DPI (Fisheries) including: control measures for works close to or involving waterway crossings (including rehabilitation measures following disturbance and monitoring measures and completion criteria to determine rehabilitation success);</p> <p>x) measures to monitor and manage flood impacts in consultation with NOW and shall include, but not necessarily be limited to a flood model for predicted water levels and contingency measures for the site during potential floods;</p> <p>xi) a program to monitor surface water quality, including Lamberts Gully Creek and Neubecks Creek;</p> <p>xii) a protocol for the investigation of identified exceedances in the impact assessment criteria;</p> <p>xiii) a response plan to address potential adverse surface water quality exceedances; and</p> <p>xiv) provisions for periodic reporting of results to the DPI (Fisheries), NOW and the SCA as per condition B8.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	<p>d) a <b>Air Quality Management Plan</b>, to provide details of dust control measures to be implemented during the construction of the project. The Plan shall be prepared in consultation with the EPA and should include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i) identification of sources of dust deposition including, truck movements, regrading, backfilling, stockpiles and other exposed surfaces;</li> <li>ii) identification of criteria, monitoring and mitigation measures for the above sources; and</li> <li>iii) a reactive management programme detailing how and when construction operations are to be modified to minimise the potential for dust emissions, should emissions exceed the relevant criteria.</li> </ul>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
	<p>e) a <b>Flora and Fauna Management Plan</b>, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of the project. The Plan shall be prepared in consultation with the EPA and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i) plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations of threatened flora and fauna and areas to be cleared. The plans shall also identify vegetation adjoining the site where this contains important habitat areas and/or threatened species, populations or ecological communities;</li> <li>ii) procedures to accurately determine the total area, type and condition of vegetation community to be cleared;</li> <li>iii) methods to manage impacts on flora and fauna species and their habitat which may be directly or indirectly affected by the project, procedures for vegetation clearing or soil removal/stockpiling and procedures for identifying and re-locating hollows, installing nesting boxes and managing weeds; and</li> <li>iv) a procedure to review management methods where they are found to be ineffective.</li> </ul>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
	<p>f) an <b>Aboriginal Heritage Plan</b> to monitor and manage Aboriginal heritage impacts in consultation with registered Aboriginal stakeholders and prepared in consultation with the EPA. The plan should include but not necessarily limited to:</p> <ul style="list-style-type: none"> <li>i) an updated Cultural Heritage Management Plan to cover the protection of sites previously recorded in the 2005 Aboriginal heritage assessment;</li> <li>ii) procedures for the management of unidentified objects and/or human remains, including ceasing work;</li> <li>iii) Aboriginal cultural heritage induction processes for construction personnel; and</li> <li>iv) procedures for ongoing Aboriginal consultation and involvement should Aboriginal heritage sites or objects be found during construction.</li> </ul>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
	<p>g) an Ash Transportation Plan to provide details on the preferred option for the transportation of ash from the Mt Piper Power Station to the ash placement areas. The Plan shall include but not necessarily limited to:</p> <ul style="list-style-type: none"> <li>i) justification of the proposed option for ash transportation (either haulage access roads and/or conveyor) for ash transportation;</li> <li>ii) details of the proposed option, including construction requirements, impacts and mitigation measures;</li> <li>iii) plans showing the location of the chosen option; and</li> <li>iv) provision of mitigation measures should the conveyor breakdown.</li> </ul>	Compliant	<p><u>Preparation:</u>  Ash Transportation Plan by CDM Smith dated 27 August 2012.  g) Preferred option: Ash Transportation Plan, Section 3.5.  <u>The Plan:</u>  i) Justification: Ash Transportation Plan, Section 3.4.  ii) Construction requirements: Section 4.1, Impacts and mitigation measures: Section 4.2;  iii) Figure 4-7;  iv) Section 3.2.  <u>Implementation:</u>  * Ash is currently being transported to the site by conveyor belt and truck (see PHOTO 1).</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Biodiversity Offsets</b>				
B6	<p>The Proponent shall develop and submit for the approval of the Director-General, a Biodiversity Offset Management Plan. The Biodiversity Offset Management Plan is to be submitted within 12 months of the project approval, unless otherwise agreed to by the Director-General. The Plan shall be developed in consultation with the EPA and shall:</p> <p>a) identify the objectives and outcomes to be met by the Biodiversity Offset Management Plan;</p> <p>b) describe the size and quality of the habitat/vegetation communities of the offset;</p> <p>c) identify biodiversity impacts, including impacts related to the loss of impacted flora and fauna including threatened Capertee Stringybark (Eucalyptus cannonii), nine (9) hectares of remnant vegetation (including, Red Stringy Bark Woodland, Scribbly Gum Woodland, Ribbon Gum Woodland), habitat for microbat and woodland bird species and the 31 ha of rehabilitated vegetation to be removed;</p> <p>d) describe the decision-making framework used in selecting the priority ranking of compensatory habitat options available in the region. Where possible, this should include purchase of land, development of agreements with identified land management authorities (e.g EPA, local Council) for long term management and funding of offsets and mitigation measures, and installation of identified mitigation measures;</p> <p>e) include an offset for direct and indirect impacts of the proposal which maintains or improves biodiversity values;</p> <p>f) identify the mechanisms for securing the biodiversity values of the offset measures in perpetuity and identify a monitoring regime, responsibilities, timeframes and performance criteria; and</p> <p>g) detail contingency measures to be undertaken should monitoring against performance criteria indicate that the offset/ rehabilitation measures have not achieved performance outcomes. Rehabilitation measures are required to be implemented to ensure that the biodiversity impacts are consistent with a maintain or improve biodiversity outcome.</p>	Administrative Non-Compliance	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Biodiversity Offset Management Plan (BOMP), dated July 2015.</li> <li>* DPE approval letter dated on 24 August 2015.</li> <li>* The BOMP was developed in consultation with EPA (reference WorleyParsons Meeting Record, dated 17 July 2012).</li> <li>a) Objectives and outcomes: Section 3.1, BOMP;</li> <li>b) Habitat/vegetation communities of the offset: Section 3.3.8, BOMP;</li> <li>c) Biodiversity impacts: Sections 1.5 &amp; 2.1, BOMP;</li> <li>d) Decision-making framework &amp; mitigation measures: Section 3.3.1, 3.3.2 and Section 4, BOMP;</li> <li>e) Offset for direct and indirect impacts: Section 3.3, BOMP;</li> <li>f) Mechanisms for securing the biodiversity values: Section 3.3.2, BOMP;</li> <li>* Monitoring regime: Section 4.2.1, BOMP;</li> <li>* Responsibilities: Section 3.2, BOMP;</li> <li>* Timeframes: Section 4.2.3, BOMP;</li> <li><u>Admin Non-compliant:</u> The BOMP does not include performance criteria;</li> <li>g) <u>Admin Non-compliant:</u> The BOMP does not include contingency measures to be undertaken should monitoring against performance criteria indicate that the offset/ rehabilitation measures have not achieved performance outcomes. The BOMP only mentions in Section 4.2.1 "If the monthly inspections reveal an issue, a basic action plan is to be prepared identifying appropriate recommendations to rectify the issue."</li> <li>* Rehabilitation measures: Section 4.1, BOMP;</li> <li>* <u>Observation:</u> Some section references in Table 4 of the BOMP are incorrect.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Lamberts North Biodiversity offset Area - Baseline Flora and Fauna Monitoring Report dated 23 March 2016.</li> <li>* 2016/2017 AEMR noted "further tree establishment at the biodiversity offset area," as upcoming works in 2017/2018. And further states that contractor engaged for biodiversity plantings in December 2017. Site comms confirmed planting of native trees took place in December 2017.</li> <li><u>Non-compliant:</u> In accordance with the BOMP "Flora and fauna monitoring is to occur annually in spring for the first five years." A baseline flora and fauna assessment was undertaken in March 2016 and according to site comms monitoring was also undertaken in spring 2018. No biodiversity monitoring was undertaken in 2017. According to site comms. EA considers annual monitoring of the biodiversity offset area appears to be too frequent given its small size (5Ha) and non-existent established native vegetation. EA further considers the site would benefit from a focus on upfront plantings and vegetation establishment works rather than biodiversity monitoring.</li> </ul>	<ul style="list-style-type: none"> <li>* Include in the BOMP performance criteria;</li> <li>* Include in the BOMP contingency measures;</li> <li>* Update section references in Table 4 of the BOMP; and</li> <li>* Consult with DPE regarding the annual flora and fauna monitoring commitment in the BOMP. Make amendments to this commitment in accordance with the outcomes of consultation with DPE.</li> </ul>
<b>Ecological Monitoring Program</b>				
B7	<p>The Proponent shall prepare and implement an Ecological Monitoring Program prior to construction, in consultation with the NOW and the DPI (Fisheries), to monitor and quantify the impacts on the ecology of Neubecks Creek and the associated riparian environment. The Program shall include, but not necessarily be limited to:</p> <p>a) a sampling, data collection and assessment regime to establish baseline ecological health and for ongoing monitoring of ecological health of the instream environment during construction and throughout the life of the project (including operation);</p> <p>b) at least one in-stream sampling period prior to ash placement at Neubecks Creek and at least two (2) sampling periods following ash placement at each of Lamberts North and Lamberts South;</p> <p>c) an assessment regime for monitoring the ecological health of the riparian environment for a period of at least five (5) years after final capping; and</p> <p>d) management measures to address any adverse ecological impacts.</p>	Compliant	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Ecological Monitoring Program dated November 2012</li> <li>* The Program meets all the requirements of the condition.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Neubecks Creek Ecological Monitoring Program - Neubecks Creek EMP 2012 to Autumn 2018</li> <li>- Indicates monitoring undertaken from 2012 - 2018</li> <li>- Baseline established</li> <li>- Two sampling periods undertaken before construction.</li> </ul>	
<b>Compliance Monitoring and Tracking</b>				
B8	<p>The Proponent shall develop and implement a Compliance Tracking Program for the project, prior to commencing construction, to track compliance with the requirements of this approval and shall include, but not necessarily be limited to:</p> <p>a) provisions for periodic review of the compliance status of the project against the requirements of this approval and the Statement of Commitments detailed in the document referred to in condition A1c) of this approval;</p> <p>b) provisions for periodic reporting of the compliance status to the Director-General;</p> <p>c) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>d) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;</p> <p>e) mechanisms for recording environmental incidents and actions taken in response to those incidents;</p> <p>f) provisions for reporting environmental incidents to the Director-General during construction and operation; and</p> <p>g) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.</p> <p>The Compliance Tracking Program shall be implemented prior to construction of the project with a copy submitted to the Director-General for approval at least four weeks prior to the commencement of the project, unless otherwise agreed by the Director-General.</p>	Compliant	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Compliance Tracking Program: Lamberts North Compliance and Tracking Document, dated 30 March 2017, with entries going back to 2010.</li> <li>a) The provisions of the requirements of this approval and the Statement of Commitments: The Lamberts North Compliance and Tracking Document.</li> <li>b) Provisions for periodic reporting of the compliance status: AEMR and Independent Environmental Audit (IEA) Report.</li> <li>c) A program for independent environmental auditing: Sighted Environment Management Strategy (EMS) Audit Schedule.</li> <li>d) Procedures for rectifying any non-compliance identified: Delta EMS Procedure #14: Environmental Management System Administrative Procedure for Nonconformity, Corrective and Preventative Action.</li> <li>e) Mechanisms for recording environmental incidents and actions taken in response to those incidents: Delta EMS Procedure #14: Environmental Management System Administrative Procedure for Nonconformity, Corrective and Preventative Action;</li> <li>f) Provisions for reporting environmental incidents to the Director-General during operation; Delta EMS procedure #14: Environmental Management System Administrative Procedure for Nonconformity, Corrective and Preventative Action;</li> <li>g) Ensuring all employees, contractors &amp; sub-contractors are aware of the conditions of this approval: Lendlease Services Induction "Ash and Dust Repository Safety &amp; Environmental Induction" incorporates requirements of conditions of this approval.</li> <li>* N/A - Outside of audit period.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* <u>Observation:</u> Lamberts North Compliance and Tracking Document was last updated over 18 months ago.</li> <li>* Lamberts North Compliance and Tracking Document prepared and completed</li> <li>* 2015, 2016 &amp; 2017 AEMRs prepared</li> <li>* 2014 IEA Report, dated September 2014</li> </ul>	<ul style="list-style-type: none"> <li>* Update the Lamberts North Compliance and Tracking Document annually.</li> </ul>
B9	Nothing in this approval restricts the Proponent from utilising any existing compliance tracking programs administered by the Proponent to satisfy the requirements of condition B8. In doing so, the Proponent must demonstrate to the Director-General how these systems address the requirements and/or have been amended to comply with the requirements of the condition.	Noted		
<b>Community Information and Complaints Management Provision of Information</b>				
B10	<p>Prior to the construction of the project, the Proponent shall establish and maintain a website for the provision of electronic information associated with the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:</p> <p>a) the documents referred to under condition A1 of this approval;</p> <p>b) this project approval, Environment Protection Licence and any other relevant environmental approval, licence or permit required and obtained in relation to the project;</p> <p>c) all strategies, plans and programs required under this project approval, or details of where this information can be viewed;</p> <p>d) information on construction and operational progress; and</p> <p>e) the outcomes of compliance tracking in accordance with the requirements of this project approval.</p>	Administrative Non-Compliance	<ul style="list-style-type: none"> <li>* The website was checked on 12 November 2018 and contained: <ul style="list-style-type: none"> <li>a) Major Project Application 09_0186;</li> <li>- Mt Piper Ash Placement (two volumes) – Environmental Assessment (EA), prepared by Sinclair Knight Merz, August 2010;</li> <li>- Mt Piper Ash Placement – Submissions Report, prepared by Sinclair Knight Merz, March 2011;</li> <li>- Delta's Letter to the Department – Submissions Report Response to the Department and Agency Issues (dated 22 June 2011); and</li> <li>- The conditions of this approval.</li> </ul> </li> <li>b) The project approval &amp; Environment Protection Licence (EPL);</li> <li>c) <u>Admin Non-compliant:</u> The Community Information Plan (CIP) is not included on the website;</li> <li>d) information on operational progress; and</li> <li>e) Compliance tracking document.</li> </ul>	<ul style="list-style-type: none"> <li>* Include on the Lamberts North Ash Repository website the CIP.</li> </ul>

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Complaints and Enquiries Procedure</b>				
B11	<p>Prior to the construction of the project, the Proponent shall ensure that the following are available for community complaints and enquiries during construction and operation:</p> <p>a) a 24 hour contact number(s) on which complaints and enquiries about construction and operational activities may be registered;</p> <p>b) a postal address to which written complaints and enquiries may be sent; and</p> <p>c) an email address to which electronic complaints and enquiries may be transmitted.</p> <p>The telephone number, postal address and email address shall be published in a newspaper circulating in the local area prior to the commencement of the project. The above details shall also be provided on the website required by condition B11 of this approval.</p>	Administrative Non-Compliance	<p>a) Complaints telephone line is advertised on EA website</p> <p>b) Postal address is advertised on the EA website</p> <p>- A general enquiries form is also provided</p> <p>c) <u>Admin Non-compliant</u>: An email address is not advertised on the EA website</p>	* Postal address and email address for lodging complaints for should be included on the Lamberts North website.
B12	<p>The Proponent shall record the details of complaints received through the means listed under condition B11 of this approval in a Complaints Register. The Register shall record, but not necessarily be limited to:</p> <p>a) the date and time of the complaint;</p> <p>b) the means by which the complaint was made (e.g. telephone, email, mail, in person);</p> <p>c) any personal details of the complainant that were provided, or if no details were provided a note to that effect;</p> <p>d) the nature of the complaint;</p> <p>e) the time taken to respond to the complaint;</p> <p>f) any investigations and actions taken by the Proponent in relation to the complaint;</p> <p>g) any follow-up contact with, and feedback from, the complainant; and</p> <p>h) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.</p> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>	Compliant	<p>* Incidents, Complaints &amp; Non-conformances Register sighted</p> <p>* All required details included in the register.</p> <p>* Complaints also discussed in the AEMRs.</p>	
<b>Community Information Plan</b>				
B13	<p>Prior to the commencement of construction of the project, the Proponent shall prepare and implement a Community Information Plan which sets out the community communications and consultation processes to be undertaken during construction and operation of the project. The Plan shall include but not be limited to:</p> <p>a) measures for disseminating information on the development status of the project and methods for actively engaging with surrounding landowners, including Forests NSW and affected stakeholders regarding issues that would be of interest/ concern to them during the construction and operation of the project; and</p> <p>b) procedures to inform the community where work has been approved to be undertaken outside the normal Construction hours, in particular noisy activities.</p> <p>A copy of the Plan shall be provided to the Director-General one month prior to the commencement of construction.</p>	Compliant	<p><u>Preparation:</u></p> <p>* Community and Stakeholder Communications Section 3.3.2.2 of the OEMP.</p> <p>* Community Information Plan (CIP), dated September 2012.</p> <p><u>Implementation:</u></p> <p>* Complaints telephone line is advertised on the EA website</p> <p>* Minutes and presentations from community meetings</p> <p>* Information posted on the Lamberts North ash repository website</p>	
<b>Design</b>				
B14	The ash placement areas shall be designed by a suitably qualified expert to ensure structural stability of the ash placement areas.	Not Triggered	<p>* Pre-construction condition</p> <p>* Not within the scope of the audit</p>	
<b>PART C - During Construction</b>				
<b>Environmental Incident Reporting</b>				
C1	The Proponent shall notify the Director-General of any environmental incident within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within seven days of the date on which the incident occurred.	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
C2	The Proponent shall meet the requirements of the Director-General to address the cause or impact of any environmental incident, as it relates to this approval, reported in accordance with condition C1 of this approval, within such period as the Director-General may require.	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
<b>Construction Hours</b>				
C3	<p>Construction activities associated with the project shall only be undertaken during the following hours:</p> <p>a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;</p> <p>b) 8:00 am to 1:00 pm on Saturdays; and</p> <p>c) at no time on Sundays or public holidays.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
C4	<p>Construction outside the hours stipulated in condition C3 of this approval is permitted in the following circumstances:</p> <p>a) where construction works do not cause audible noise at any sensitive receiver; or</p> <p>b) for the delivery of materials required outside these hours by the Police or other authorities for safety reasons; or</p> <p>c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
C5	<p>The hours of construction activities specified under condition C3 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction specified under condition C3 shall be:</p> <p>a) considered on a case-by-case basis;</p> <p>b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and</p> <p>c) accompanied by information necessary for the Director-General to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of sensitive receivers in the vicinity of the site.</p>	Not Triggered	* Construction was not undertaken during the audit period, only operations.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action						
<b>Construction Noise</b>										
C6	<p>The construction noise objective for the project is to manage noise from construction activities (as measured by LAeq (15 minute) descriptor) so as not to exceed:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day (<math>L_{Aeq}</math> (15 minute)) dB(A)</th> </tr> </thead> <tbody> <tr> <td>All private receivers within the township of Blackmans Flat</td> <td>46</td> </tr> <tr> <td>All other residences</td> <td>43</td> </tr> </tbody> </table> <p>The Proponent shall implement reasonable and feasible noise mitigation measures with the aim of achieving the construction noise objective consistent with the requirements of the Interim Construction Noise Guideline (DECC, July 2009), including noise generated by heavy vehicle haulage and other construction traffic associated with the project. Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the Construction Noise Management Plan (as referred to under condition B5a) of this approval.</p>	Location	Day ( $L_{Aeq}$ (15 minute)) dB(A)	All private receivers within the township of Blackmans Flat	46	All other residences	43	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
Location	Day ( $L_{Aeq}$ (15 minute)) dB(A)									
All private receivers within the township of Blackmans Flat	46									
All other residences	43									
<b>Dust Generation</b>										
C7	The Proponent shall construct the project in a manner that minimises dust emissions from the site, including wind-blown from earth works and stockpiles and traffic generated dust. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	Not Triggered	* Construction was not undertaken during the audit period, only operations.							
<b>Heritage Impacts</b>										
C8	If during the course of construction the Proponent becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the EPA (OEH) informed in accordance with the National Parks and Wildlife Act 1974. In addition, registered Aboriginal stakeholders shall be informed of the finds. Works shall not recommence until an appropriate strategy for managing the objects has been determined in consultation with the EPA (OEH) and the registered Aboriginal stakeholders and written authorisation from the EPA (OEH) is received by the Proponent.	Not Triggered	* Construction was not undertaken during the audit period, only operations.							
C9	If during the course of construction the Proponent becomes aware of any unexpected historical relic(s), all work likely to affect the relic(s) shall cease immediately and the EPA (OEH (Heritage Branch)) notified in accordance with the Heritage Act 1977. Works shall not recommence until the Proponent receives written authorisation from the EPA (OEH (Heritage Branch)).	Not Triggered	* Construction was not undertaken during the audit period, only operations.							
<b>Soil and Water Quality Impacts</b>										
C10	The Proponent shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.	Not Triggered	* Construction was not undertaken during the audit period, only operations.							
C11	Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities, in accordance with: (a) Managing Urban Stormwater: Soils and Conservation (Landcom, 2004); (b) Managing Stormwater: Urban Soils and Construction 2A Installation of Services (DECC 2008); and (c) Managing Stormwater: Urban Soils and Construction Vol 2C Unsealed Roads (DECC 2008).	Not Triggered	* Construction was not undertaken during the audit period, only operations.							
C12	During construction, the Proponent shall maintain a buffer of 50 metres from the construction work to Neubecks Creek.	Not Triggered	* Construction was not undertaken during the audit period, only operations.							
C13	Surface water drainage must be appropriately engineered and stabilised to convey run off without collapse or erosion. Surface water run off collection ponds are to be lined.	Not Triggered	* Construction was not undertaken during the audit period, only operations.							

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Waste Generation and Management</b>				
C14	All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
C15	The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997, if such a licence is required in relation to that waste.	Not Triggered	* Construction was not undertaken during the audit period, only operations.	
C16	The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with the Waste Classification Guidelines (DECC, 2008), or any future guideline that may supersede that document.	Not Triggered	* Construction was not undertaken during the audit period, only operations.	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>PART D - Prior to Operation</b>				
<b>Ash Management</b>				
D1	The Proponent shall prepare a long-term ash management strategy including a program for investigation and assessment of alternative ash management measures with a goal of 40% reuse of ash by 31 December 2020. The report shall be submitted to the Director-General six months prior to the commencement of operations. The Proponent shall report on the status and outcomes of its investigations to the Director-General every two years from the commencement of the operation of the project, unless otherwise agreed by the Director-General.	Compliant	<ul style="list-style-type: none"> <li>* Ash Management Strategy, dated July 2012, approved by the Department of Planning and Infrastructure (DPI) 30 July 2012</li> <li>* Ash Management Strategy, dated Oct 2018, approved by DPE on 13 November 2018</li> <li>* A program for investigation and assessment of alternative ash management measures: Section 3;</li> <li>* Goal of 40% reuse of ash by 31 December 2020; Section 1.</li> <li>* The 2018 Ash Management Strategy meets all the requirements of the condition.</li> <li>* Mt Piper Ash Management Strategy Update dated 5 May 2016 reports on the status and outcomes EA's investigations into alternative ash management measures</li> </ul>	
<b>Operational Environmental Management Plan</b>				
D2	<p>The Proponent shall prepare and implement an Operational Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during operation of the project. The Plan shall be prepared in consultation with Lithgow City Council and relevant government agencies, and shall be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR 2004) and shall include, but not necessarily be limited to:</p> <p>a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all approvals, licences, approvals and consultations;</p> <p>b) a description of the roles and responsibilities for all relevant employees (including contractors) involved in the operation of the project;</p> <p>c) overall environmental policies and principles to be applied to the operation of the project;</p> <p>d) standards and performance measures to be applied to the project, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</p> <p>e) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;</p> <p>f) the environmental monitoring requirements outlined under conditions E12 to E18 inclusive;</p> <p>g) details of waste management including reuse and/or recycling of waste material, to minimise the need for treatment or disposal of those materials outside the site;</p> <p>h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(b) and A1(d) of this approval; and</p> <p>i) the additional requirements of this approval.</p> <p>The Plan shall be submitted for the approval of the Director-General no later than four weeks prior to the commencement of operation of the project, unless otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General.</p> <p>Nothing in this approval precludes the Proponent from incorporating the requirements of the Operational Environmental Management Plan into existing environmental management systems and plans administered by the Proponent.</p>	Non-Compliant (Low Risk)	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>* OEMP, dated May 2013</li> <li>* Environmental management framework: Section 3, OEMP;</li> <li>* Practices and procedures: Section 6, OEMP;</li> <li>* Consultation: Appendix E, OEMP;</li> <li>* Generally consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR 2004);</li> <li>a) Statutory and other obligations: Section 4, OEMP;</li> <li>b) Roles and responsibilities: Section 3.2, OEMP;</li> <li>c) Overall environmental policies and principles: Section 3.1, OEMP. Energy Australia also have a Health, Safety, Security and Environment (HSSE) Policy;</li> <li>d) Standards and performance measures &amp; review of environmental performance: Section 6.1, OEMP;</li> <li>e) OEMP refers to EMS for management policies. EA have an overarching EMS (not a site specific document);</li> <li>f) Environmental monitoring requirements: Sections 5, 6.3, 6.4, 6.5, 6.6, 6.7 and 6.8, OEMP;</li> <li>g) Details of waste management: Section 6.8, OEMP;</li> <li>h) Consideration of Conditions A1(b) and A1(d): Section 1.3 and throughout the OEMP; and</li> <li>i) Throughout the OEMP.</li> <li>* Approval letter from DPE dated 2 May 2013.</li> <li>* Observation: The OEMP reflects the old owners of the site (Delta Electricity). According to site comms. EA has communicated to regulators and DPE has acknowledged that the OEMP is to be updated following the completion of the independent groundwater investigation</li> </ul> <p><b>Implementation:</b></p> <ul style="list-style-type: none"> <li>* Environmental monitoring undertaken at the site, including; dust, noise, groundwater and surface water (see PHOTOS 2 to 9).</li> <li>* According to site comms. no waste generated at the site and no waste seen at the site during the site inspection.</li> <li>* Environmental mitigation measures implemented at the site, including dust management and also surface water management (see PHOTOS 10, 11 and 12).</li> <li>* Non-compliant: During the site inspection a jerry can was noted as being stored next to the office at the Lendlease laydown area (see PHOTO 13). It was not in a designated storage area that was contained or banded. The OEMP states "All hazardous chemicals shall be stored in designated covered storage areas outside Lamberts North, underlain with concrete floor and away from concentrated stormwater flow. They should also be appropriately banded or contained in accordance with AS 1940-2004 Storage and handling of flammable and combustible liquids."</li> </ul>	<ul style="list-style-type: none"> <li>* All hazardous chemicals should be stored in designated covered storage areas outside Lamberts North ash repository. If hazardous materials are to be stored at the Lamberts North ash repository they should be placed in a designated storage area that is contained or banded.</li> <li>* Update the OEMP, following the completion of the independent groundwater investigation, such that it reflects the new owners of the site (EA).</li> </ul>
	As part of the OEMP for the project, required under condition D2 of this approval, the Proponent shall prepare and implement the following Management Plans:	Compliant	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>* Operational Noise Management Plan incorporated in Section 6.3 of the OEMP.</li> <li>a) Mitigate and manage noise: Section 6.3, OEMP;</li> <li>* Prepared in consultation with the EPA: Appendix E, OEMP;</li> <li>i) Noise generating activities: Section 6.3.3, OEMP;</li> <li>ii) Identification of sensitive receivers and applicable criteria: Table 6-4, Section 6.3.2 and Figure 6-1, OEMP;</li> <li>iii) Noise monitoring procedures: Table 6-5 and Table 6-6, OEMP;</li> <li>iv) Details of all management methods and procedures: Table 6-3 and Table 6-8, OEMP;</li> <li>v) Procedures, noise mitigation measures and corrective actions: Table 6-3 and Table 6-8, OEMP; and</li> <li>vi) Provisions for periodic reporting of results: Table 6-7, OEMP.</li> </ul> <p><b>Implementation:</b></p> <ul style="list-style-type: none"> <li>* Minimal noise heard during the site inspection</li> <li>* No noise complaints during the audit period</li> <li>* AEMRs indicate that noise levels were within required limits</li> <li>* November 2017 &amp; September 2018 noise monitoring reports state "noise resulting from the operation of equipment and mobile plant at the Lamberts North site comply with the Lamberts North Ash Placement Project – Operational Environmental Management Plan (May 2013)"</li> </ul>	<ul style="list-style-type: none"> <li>* Remove incorrect sensitive receptors from Figure 6-1, Figure 6-4 and Figure 6-5, in the OEMP.</li> </ul>
D3	<p>b) a <b>Groundwater Management Plan</b> to detail measures to mitigate and manage groundwater impacts. The Plan shall be prepared in consultation with the NOW and the SCA and include, but not necessarily be limited to:</p> <p>i) consideration of the revised updated groundwater model as per condition B2;</p> <p>ii) baseline data on groundwater quality (including Huons Creek), location of groundwater monitoring wells, depth and available flow of groundwater in the project area;</p> <p>iii) identification of potential sources of water pollutants and management measures;</p> <p>iv) groundwater assessment criteria including trigger levels for remedial measures;</p> <p>v) a contingency plan for events that have the potential to pollute or contaminate groundwater sources of water. The plan shall include remediation actions and communication strategies (including notification of potentially affected nearby bore users) for the effective management of such an event to prevent discharge of these pollutants from all sources within the project area;</p> <p>vi) a monitoring program as per condition E15 for groundwater connectivity, water levels, groundwater flow and water quality over the short and long term that includes upstream and downstream locations. The program shall continue for a minimum of five years following final capping and landscaping;</p> <p>vii) a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria; and</p> <p>viii) provisions for periodic reporting of results to the SCA as per condition B8.</p>	Non-Compliant (Low Risk)	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>* Groundwater Management Plan incorporated in Section 6.4 of the OEMP.</li> <li>b) Mitigate and manage groundwater impacts, Section 6.4.2, OEMP;</li> <li>* The Plan was prepared in consultation with DPI Water (formerly NOW) &amp; SCA: Appendix E, OEMP;</li> <li>* <b>Observation:</b> As detailed in Appendix E, DPI Water (formerly NOW) did not respond to consultation correspondence within the consultation time period.</li> <li>i) Groundwater model: Section 6.4.1.2, OEMP</li> <li>* <b>Admin Non-compliant:</b> The updated groundwater model for Lamberts North ash repository, per condition B2, is not referred to;</li> <li>ii) Baseline data on groundwater quality: Appendix E, OEMP;</li> <li>* Location of groundwater monitoring wells: Table 7-4 &amp; Figure 7-2, OEMP;</li> <li>* Groundwater depth: Table 7-4, OEMP;</li> <li>* Available flow of groundwater: Table 7-4, OEMP;</li> <li>iii) Sources of water pollutants: Section 6.4.2, OEMP;</li> <li>Management measures: Table 6-11, OEMP;</li> <li>iv) Groundwater assessment criteria: Section 6.4.3.2, and Appendix B Table 7-3, OEMP;</li> <li>v) Contingency plan: Section 6.4.1.4 and Table 6-15, OEMP;</li> <li>Remediation actions: Table 6-16, OEMP;</li> <li>Communication strategies: Table 6-17, OEMP;</li> <li>vi) Monitoring program: Section 5 &amp; Section 6.4.3, OEMP;</li> <li>vii) Investigation Protocol: Table 6-16, OEMP; and</li> <li>viii) Periodic reporting: Table 6-17, OEMP.</li> </ul> <p><b>Implementation:</b></p> <ul style="list-style-type: none"> <li>* Groundwater monitoring points sighted during the site inspection (see PHOTOS 6 and 7).</li> <li>* Groundwater monitoring results reported in AEMRs.</li> <li>* <b>Non-compliant:</b> AEMRs indicate groundwater trigger levels and environmental goals have been exceeded for some analytes in several bores.</li> <li>- Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, reports chloride and trace metals concentrations exceed background limits at a number of the groundwater bores.</li> <li>* Groundwater investigation currently being undertaken by EA.</li> <li>* <b>Observation:</b> The Groundwater Management Plan does not reflect the current program of works being undertaken at the site. EA has communicated to regulators and DPE has acknowledged that the Groundwater Management Plan (in the OEMP) is to be updated following the completion of the independent groundwater investigation.</li> </ul>	<ul style="list-style-type: none"> <li>* Include DPI Water response in Appendix E (Stakeholder Consultation) of the OEMP.</li> <li>* Update the Groundwater Management Plan following the completion of the independent groundwater investigation.</li> </ul>

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
	<p>c) a <b>Soil and Surface Water Management Plan</b> to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/or waters throughout the life of the project. The Plan shall be based on best environmental practice and shall be prepared in consultation with the NOW and the SCA and DPI (Fisheries). The Plan shall include, but not necessarily be limited to:</p> <p>i) baseline data on the surface water quality and available flow in Neubecks Creek and Lamberts Gully Creek;</p> <p>ii) water quality objectives and impact assessment criteria for Neubecks Creek and Lamberts Gully Creek;</p> <p>iii) identification of the operation activities that could cause soil erosion or discharge sediment or water pollutants from the site;</p> <p>iv) a description of the management controls to minimise soil erosion or discharge of sediment or water pollutants from the site, including a strategy to minimise the area of bare surfaces, stabilise disturbed areas and minimise bank erosion;</p> <p>v) demonstration that the proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004);</p> <p>vi) details of the water management system including separation of clean and contaminated/polluted water flows, provisions for the treatment, recycling/reuse and/or discharge of flows;</p> <p>vii) site water balance including water usage for ash placement, sources of water and quantity of run-off generated;</p> <p>viii) details of the lining for the surface water collection ponds;</p> <p>ix) measures to minimise potential surface water infiltration;</p> <p>x) a flow and water quality monitoring program for Neubecks Creek and Lamberts Gully Creek that includes discharge points, upstream and downstream locations as per condition E16 and limits for identified pollutants;</p> <p>xi) specified remedial actions and contingency plans to mitigate any water quality exceedances on receiving waters including identified trigger levels for remedial measures or the activation of contingency plans; and</p> <p>xii) provisions for periodic reporting of results to the DPI (Fisheries) and the SCA as per condition B8.</p>	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <p>* Soil and Surface Water Management Plan incorporated as Section 6.5 of the OEMP.</p> <p>c) Outline measures to manage water, minimise soil erosion and discharge of sediments and other pollutants: Section 6.5, OEMP;</p> <p>* Best environmental practice: Section 6.5.3.5, OEMP;</p> <p>* Consultation with NOW, SCA and DPI (Fisheries): Appendix E, OEMP;</p> <p>* The Plan:</p> <p>i) Baseline data: Table 7-5, OEMP;</p> <p>* N/A for Lamberts Gully Creek as "no longer represents a 'natural' hydrological system": Section 6.5.1, OEMP.</p> <p>ii) Water quality objectives and impact assessment criteria for Neubecks Creek: Table 7-5, OEMP;</p> <p>* N/A for Lamberts Gully Creek as "no longer represents a 'natural' hydrological system": Section 6.5.1, OEMP;</p> <p>iii) Operation activities: Section 6.5.2 &amp; Section 6.5.3, OEMP;</p> <p>iv) Management controls: Table 6-20, OEMP;</p> <p>v) Erosion &amp; sediment control measures conform with requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004): Table 6-20, OEMP;</p> <p>vi) Water management system: Section 6.5.3, OEMP;</p> <p>vii) <u>Admin Non-Compliant:</u> A site water balance is not included in the OEMP;</p> <p>viii) Lining details: Section 6.5.3.2 and Table 6-20, OEMP;</p> <p>ix) Minimise surface water infiltration</p> <p>n: Section 6.5.3.3, OEMP;</p> <p>x) Flow &amp; water quality monitoring program for Neubecks Creek: Table 6-21;</p> <p>* N/A for Lamberts Gully Creek as "no longer represents a 'natural' hydrological system": Section 6.5.1, OEMP.</p> <p>xi) Remedial actions &amp; contingency plans: Table 6-23 and Section 6.5.3.5 OEMP; and</p> <p>xii) Periodic reporting to DPI (Fisheries) and SCA: Table 6-22, OEMP.</p> <p><u>Implementation:</u></p> <p>* Non-compliant: The 2018/2019 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22, but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</p> <p>* Site inspection noted that clean and dirty water is kept separate (see PHOTOS 12, 14, 15 and 16).</p> <p>* Site inspection confirmed all water is retained on site, with no surface water discharges (see PHOTOS 12, 15 and 16).</p>	<p>* Include a site water balance in the OEMP</p> <p>* Undertake further assessment and an independent investigation of surface water in the vicinity of the Lamberts North ash repository.</p>
	<p>d) a <b>Air Quality Management Plan</b> to outline measures to minimise impacts from the project on local air quality. The Plan shall be prepared in consultation with NSW Health and the EPA and include, but not necessarily be limited to:</p> <p>i) baseline data on dust deposition levels;</p> <p>ii) air quality objectives and impact assessment criteria;</p> <p>iii) an assessment of alternative methods of ash placement to minimise the exposure of active placement areas to prevailing winds;</p> <p>iv) mitigation measures to be incorporated during ash placement activities, haulage, etc;</p> <p>v) an operating protocol for the ash placement irrigation system including activation rates, application rates and area of coverage and means of dealing with water shortages;</p> <p>vi) detail how ash placement moisture levels will be maintained;</p> <p>vii) a contingency plan to deal with high winds and dust suppression;</p> <p>viii) a protocol for the investigation of visible emissions from the ash placement area;</p> <p>ix) a response plan to address exceedances in visible emissions including PM10, TSP and deposited dust from the ash placement areas; and</p> <p>x) an air quality monitoring program as referred to in condition E18 of this approval including identified air quality monitoring locations (including monitoring at sensitive receivers) and meteorological monitoring to predict high wind speed events;</p> <p>xi) provisions for periodic reporting of results to the EPA as per condition B8; and</p> <p>xii) a protocol for suppressing dust emissions within licence limits under normal and adverse weather conditions at all stages of the ash placement process.</p>	Compliant	<p><u>Preparation:</u></p> <p>* Air Quality Management Plan incorporated in Section 6.6 of the OEMP.</p> <p>d) Measures to minimise impacts: Section 6.6.4, OEMP;</p> <p>* Consultation with NSW Health &amp; EPA: Appendix E, OEMP;</p> <p>i) Baseline data: Section 6.6.6.1, OEMP;</p> <p>ii) Air quality objectives &amp; impact assessment criteria: Section 6.6.6.1, OEMP;</p> <p>iii) Alternative methods of ash placement: Table 6-29, OEMP;</p> <p>iv) Mitigation measures: Table 6-25, OEMP;</p> <p>v) Ash placement irrigation system protocol: Section 6.6.4.2 and Table 6-26, OEMP;</p> <p>vi) Ash placement moisture levels: Section 6.6.4.1 &amp; Table 6-25, OEMP;</p> <p>vii) Contingency plan: Table 6-25 &amp; Table 6-29, OEMP;</p> <p>viii) Protocol: Table 6-25 &amp; Table 6-29, OEMP;</p> <p>ix) Response plan: Table 6-29, OEMP; and</p> <p>x) Air quality monitoring program: Section 6.6.6, Figure 6-4 &amp; Table 6-28 OEMP;</p> <p>xi) Periodic reporting: Table 6-30, OEMP; and</p> <p>xii) Protocol for suppressing dust emissions: Table 6-26, OEMP.</p> <p><u>Implementation:</u></p> <p>* Minimal dust observed at Lamberts North ash repository during the site inspection (see PHOTOS 1, 10 and 11)</p> <p>* Water cart and sprinklers operating during the site inspection (see PHOTOS 10 and 11)</p> <p>* A dust complaint was received on 6 August 2015 when an unknown complainant took a photo of a truck dumping on the ash repository and sent it to the EPA. EPA came to site, discussed the complaint with EA and viewed the ash repository from the point the photo was taken and observed a water cart in use. EPA was not concerned and did not intend to take the matter further.</p> <p>* AEMRs indicate dust levels at Lamberts within criteria, except for a number of instances in 2015 and 2016 where elevated dust levels were deemed the result of dust from other sources and not from the operations at the site.</p> <p>* <u>Observation:</u> Continuous meteorological monitoring data was not recorded for Mt Piper power station. Monitoring records indicate that some results are missing.</p> <p>* According to site comms, the old weather station at Area 1 repository was replaced due to it breaking down. The new weather station was sighted during the site inspection (see PHOTO 17).</p>	<p>* Ensure continuous meteorological monitoring data is recorded at Mt Piper power station.</p>
	<p>e) a <b>Landscape/Revegetation Plan</b> to outline measures to minimise the visual impacts of the ash placement areas and ensure the long-term stabilisation of the site and compatibility with the surrounding landscape and land use. The Plan shall include, but not necessarily be limited to:</p> <p>i) identification of design objectives and standards based on local environmental values, vistas, and land uses;</p> <p>ii) identification of the timing and progressive implementation of revegetation works for ash placement areas as they are completed, including short-term and long term goals including landscape plans;</p> <p>iii) a schedule of species to be used in revegetation, including the use of local native species in revegetation works selected by a qualified expert to ensure the rehabilitation works do not compromise the long term integrity of the capping; and</p> <p>iv) procedures and methods to monitor and maintain revegetated areas during the establishment phase and long-term.</p>	Compliant	<p><u>Preparation:</u></p> <p>* Landscape/Revegetation Plan incorporated in Section 6.7 of the OEMP.</p> <p>e) Measures to minimise visual impacts, stabilisation &amp; compatibility: Section 6.7, OEMP;</p> <p>i) Design objectives and standards: Section 6.7.2 &amp; Table 6-33, OEMP;</p> <p>ii) Timing and progressive implementation of revegetation works: Section 6.7.4.1. &amp; Table 6-34;</p> <p>iii) Schedule of species: Section 6.7.4.2, OEMP; and</p> <p>iv) Monitor and maintain revegetated areas: Sections 6.7.5 &amp; 6.7.4.3.</p> <p><u>Implementation:</u></p> <p>* Progressive capping being undertaken at the site, verified by the site inspection and AEMRs.</p> <p>* Vegetation screen in place to minimise visual impacts on nearby residents and highway traffic (see PHOTO 5).</p> <p>* <u>Observation:</u> Presence of weeds on-site, although some weed management has been undertaken (see PHOTO 18).</p>	<p>* Undertake further weed management work at the site.</p>
	<p>f) a <b>Site Rehabilitation Management Plan</b> to outline measures to stabilise and rehabilitate the site following project completion. The Plan shall be prepared in consultation with the SCA. The Plan shall include, but not necessarily be limited to:</p> <p>i) reinstatement of geomorphologic stable drainage lines on the rehabilitated areas and a timeframe for rehabilitation;</p> <p>ii) restoration, rehabilitation and revegetation of the project's site;</p> <p>iii) measures to control water pollutants from rehabilitated areas; and</p> <p>iv) a program and timeframe for monitoring rehabilitated areas.</p>	Compliant	<p><u>Preparation:</u></p> <p>Site Rehabilitation Management Plan incorporated in Section 6.7 of the OEMP.</p> <p>f) Measures to stabilise &amp; rehabilitate following project completion: Section 6.7.3.1, OEMP</p> <p>Prepared in consultation with the Sydney Catchment Authority (SCA): Table 3-3 and Appendix E, OEMP</p> <p>The Plan includes:</p> <p>i) Reinstatement of geomorphologic stable drainage lines on the rehabilitated areas: Sections 6.7.2.1 &amp; 6.7.3.1, OEMP.</p> <p>* Timeframe for rehabilitation: 6.7.3.1, OEMP.</p> <p>ii) Restoration, rehabilitation and revegetation of the project's site: Sections 6.7.3 &amp; 6.7.4, and Table 6-34, OEMP.</p> <p>iii) Measures to control water pollutants from rehabilitated areas: Sections 6.7.4 &amp; Table 6-33.</p> <p>iv) A program and timeframe for monitoring rehabilitated areas: Sections 6.7.5.</p> <p><u>Implementation:</u></p> <p>* Dirty and clean water management on-site (see PHOTOS 12, 14, 15 and 16).</p> <p>* Water is contained on-site, with no discharges from the site (see PHOTOS 12, 15 and 16).</p> <p>* Progressive capping being undertaken at the site, verified by the site inspection and AEMRs.</p> <p>* AEMRs report on revegetation status</p>	
<b>Groundwater Quality and Geotechnical Impacts</b>				
D4	Prior to commencement of operation the Proponent shall submit a geotechnical report prepared by a suitably qualified expert that demonstrates the site has been engineered as being suitable for ash placement. The report must also provide an evaluation of groundwater levels once re-profiling has been completed.	Compliant	* Lamberts North Ash Placement Project - Groundwater Modelling Report by CDM Smith, dated 22 November 2012.	
<b>PART E - During Operations</b>				
<b>Operational Hours</b>				
E1	Operational activities associated with the project shall only be undertaken from 6.00 am to 8.00 pm Monday to Friday and 6.00am to 5.00pm Saturday and Sunday.	Compliant	* According to site comms no operations have been undertaken outside permitted hours.	* AEMRs state "No operating conditions have occurred at the Lamberts North ash repository outside the normal operating hours during the reporting period."

Condition Number	Condition	Compliance Status	Evidence	Recommended Action												
E2	<p>Operations outside the hours stipulated in condition E1 of this approval are only permitted in the following emergency situations:</p> <p>a) where it is required to avoid the loss of lives, property and/or to prevent environmental harm; or</p> <p>b) breakdown of plant and/or equipment at the ash placement areas or the Mt Piper Power Station and the proposed Mt Piper Power Station Extension project with the effect of limiting or preventing ash storage at the power station outside the operating hours defined in condition E1; or</p> <p>c) a breakdown of an ash haulage truck(s) or the conveyor preventing haulage during the operating hours stipulated in condition E1 combined with insufficient storage capacity at the Mt Piper Power Station including the proposed Mt Piper Power Station Extension to store ash outside of the project operating hours; or</p> <p>d) in the event that the Australian Energy Market Operator (AEMO), or a person authorised by AEMO, directs the Proponent (as a licensee) under the National Electricity Rules to maintain, increase or be available to increase power generation for system security and there is insufficient ash storage capacity at the Mt Piper Power Station to allow for the ash to be stored.</p> <p>In the event of conditions E2b) or E2c) arising, the Proponent is to take all reasonable and feasible measures to repair the breakdown in the shortest time possible.</p>	Not Triggered	<p>* According to site comms no operations been undertaken outside permitted hours.</p> <p>* AEMRs state "No operating conditions have occurred at the Lamberts North ash repository outside the normal operating hours during the reporting period."</p>													
E3	<p>In the event that an emergency situation as referred to under condition E2b) or E2c) occurs more than once in any two month period, the Proponent shall prepare and submit to the Director-General for approval a report including, but not limited to:</p> <p>a) the dates and a description of the emergency situations;</p> <p>b) an assessment of all reasonable and feasible mitigation measures to avoid recurrence of the emergency situations;</p> <p>c) identification of a preferred mitigation measure(s); and</p> <p>d) timing and responsibility for implementation of the mitigation measure(s).</p> <p>The report is to be submitted to the Director-General within 60 days of the second emergency situation occurring. The Proponent shall implement all reasonable and feasible mitigation measures in accordance with the requirements of the Director-General.</p>	Not Triggered	<p>* Neither E2b) or E2c) has occurred at site (as above)</p>													
E4	The Proponent shall notify the EPA prior to undertaking any emergency ash haulage or placement operations outside of the hours of operation stipulated in condition E1 of this approval and keep a log of such operations.	Not Triggered	<p>* AEMRs state that there has not been any emergency ash haulage or placement operations outside of the hours of operation.</p>													
E5	The Proponent shall notify the Director-General in writing within seven days of undertaking any emergency ash haulage or placement operations outside of the hours of operation stipulated in condition E1 of this approval.	Not Triggered	<p>* AEMRs state that there has not been any emergency ash haulage or placement operations outside of the hours of operation.</p>													
E6	The Proponent shall notify nearby sensitive receivers (as defined in the Operational Noise Management Plan required under condition D3(a) of this approval) prior to 8.00 pm where it is known that emergency ash haulage or placement operations will be required outside of the hours of operation stipulated in condition E1 of this approval.	Not Triggered	<p>* AEMRs state that there has not been any emergency ash haulage or placement operations outside of the hours of operation.</p>													
<b>Operational Noise</b>																
E7	<p>The cumulative operational noise from the ash placement area and ash haulage activity shall not exceed the following LAeq(15 minute) dB(A):</p> <table border="1" data-bbox="320 993 976 1110"> <thead> <tr> <th>Location</th> <th>Day (7am to 6pm)</th> <th>Evening (6pm to 10pm)</th> <th>Night (10pm to 7am)</th> </tr> </thead> <tbody> <tr> <td>All private sensitive receivers within the township of Blackmans Flat</td> <td>42</td> <td>38</td> <td>35</td> </tr> <tr> <td>All other sensitive receivers</td> <td>42</td> <td>38</td> <td>35</td> </tr> </tbody> </table> <p>This noise criteria set out above applies under all meteorological conditions except for any of the following:</p> <p>(a) wind speed greater than 3 metres/second at 10 metres above ground level;</p> <p>(b) stability category F temperature inversion conditions and wind speed greater than 2 metres/second at 10 metres above ground level; and</p> <p>(c) stability category G temperature inversion conditions.</p> <p>This criteria does not apply where the Proponent and an affected landowner have reached a negotiated agreement in regard to noise, and a copy of the agreement has been forwarded to the Director-General and the EPA.</p>	Location	Day (7am to 6pm)	Evening (6pm to 10pm)	Night (10pm to 7am)	All private sensitive receivers within the township of Blackmans Flat	42	38	35	All other sensitive receivers	42	38	35	Compliant	<p>* AEMRs indicate cumulative operational noise within limits.</p> <p>* November 2017 and September 2018 Noise Assessments determined "ambient noise levels measured at Locations 1 and 2 exceed the 42 dBA day time noise target however not possible to conclusively determine the noise contribution from the operational ash placement activities at Lamberts North and activities including surrounding coal mines, road traffic, insects, etc. Based on the worst case noise modelling predictions undertaken, the noise resulting from the operation of equipment and mobile plant at the Lamberts North site comply with the Lamberts North Ash Placement Project – Operational Environmental Management Plan (May 2013) at the representative residential receivers Location 1 and Location 2."</p>	<p>* Implement noise mitigation measures included in the OEMP to manage cumulative operational noise</p>
Location	Day (7am to 6pm)	Evening (6pm to 10pm)	Night (10pm to 7am)													
All private sensitive receivers within the township of Blackmans Flat	42	38	35													
All other sensitive receivers	42	38	35													
E8	<p>To determine compliance with the LAeq(15 minute) noise limits, the noise monitoring equipment must be located at the most affected point:</p> <p>a) within 30 metres of a dwelling façade where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises; or</p> <p>b) approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises.</p>	Compliant	<p>* Section 6.3.5.4 of the OEMP</p> <p>* November 2017 and September 2018 Noise Assessments reference the OEMP</p>													

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E9	<p>For the purposes of monitoring noise from the premises to determine compliance with the noise limits:</p> <p>a) Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1- 2004 and ASIEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used;</p> <p>b) the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment;</p> <p>c) the meteorological data to be used for determining meteorological conditions is the data recorded by the meteorological weather station at the premises; and</p> <p>d) stability category temperature inversion conditions are to be determined by the sigma method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.</p>	Compliant	<p>* Section 6.3.5.4 of the OEMP</p> <p>* November 2017 and September 2018 Noise Assessments reference the OEMP</p> <p>* <u>Observation</u>: Continuous meteorological monitoring data was not recorded at Mt Piper power station. Monitoring records indicate that some results are missing.</p> <p>* According to site comms, the old weather station at Area 1 repository was replaced due to it breaking down. The new weather station was sighted during the site inspection (see PHOTO 17).</p>	* Ensure continuous meteorological monitoring data is recorded at Mt Piper power station
E10	<p>The Proponent shall implement measures to ensure noise attenuation of trucks. These measures may include, but are not necessarily limited to, installation of residential class mufflers, engine shrouds, body dampening, speed limiting, fitting of rubber stoppers to tail gates, limiting the use of compression braking, and ensuring trucks operate in a one-way system at the ash placement areas where feasible.</p>	Compliant	<p>* NMP (Section 6.3.4) in the OEMP includes noise mitigation measures.</p> <p>* During the site inspection noted operational noise was not excessive.</p> <p>* No noise complaints.</p> <p>* Lamberts North - Operational Noise Assessment dated 12 September 2018 noise assessment refers to operational noise</p> <p>- Predicted noise levels based on worst case operational activities (sound power from the operations equipment) predicted that noise levels would comply with the day and evening time criteria, when operations are undertaken.</p>	
<b>Operational Noise Review</b>				
E11	<p>Within 60 days of the commencement of operation of the project, unless otherwise agreed to by the Director-General, the Proponent shall submit to the Director-General an Operational Noise Review to confirm the operational noise impacts of the project. The Operational Noise Review shall be prepared in consultation with the EPA. The Review shall:</p> <p>a) identify the appropriate operational noise objectives and levels for sensitive receivers;</p> <p>b) describe the methodologies for noise monitoring, including the frequency of measurements and location of monitoring sites;</p> <p>c) document the operational noise levels at sensitive receivers as ascertained by the noise monitoring program;</p> <p>d) assess the noise performance of the project against the noise criteria specified in condition E7 of this approval and the predicted noise levels as detailed in the report referred to under condition A1(b) of this approval; and</p> <p>e) provide details of any entries in the Complaints Register relating to noise impacts.</p> <p>Where monitoring indicates noise levels in excess of the operational noise criteria specified in condition E7 of this approval, the Proponent shall prepare a report as required by condition E13 of this approval.</p>	Not Triggered	<p>* Outside of audit review period.</p> <p>* Operational Noise Review Report prepared by Aurecon dated 8 October 2013.</p> <p>* Lamberts North Environmental Audit Report by Aurecon dated 26 September 2014, states the Operational Noise Review Report was submitted to DPE on 9 October 2013 and the EPA on 10 October 2013.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Ongoing Operational Noise Monitoring</b>				
E12	<p>The Proponent shall prepare and implement an Operational Noise Monitoring Program to assess compliance against the operational noise criteria stipulated in condition E7 of this approval, throughout the life of the project. The noise monitoring program shall be prepared in consultation with the EPA and must include the proposed frequency of monitoring and as a minimum must include monitoring when there are any significant changes in work locations or processes.</p> <p>The noise monitoring program shall be prepared in accordance with the requirements of the New South Wales Industrial Noise Policy (EPA, 2000) and shall include, but not be limited to:</p> <p>a) monitoring at Lamberts North, Lamberts South and Blackmans Flat during ash placement activities; and</p> <p>b) monitoring of the effectiveness of any noise mitigation measures implemented under condition D3(a) of this approval, against the noise criteria specified in condition E7 of this approval.</p> <p>The Proponent shall forward to the EPA and the Director-General a report containing the results of any non-compliance within 14 days of conducting a noise assessment. The monitoring program shall form part of the Operational Noise Management Plan referred to in condition D3 (a) of this approval.</p>	Administrative Non-Compliance	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>Operational Noise Monitoring Program incorporated in Section 6.3.5 of the OEMP.</li> <li>Assess compliance against the operational noise criteria: Section 6.3.5.4, OEMP.</li> <li>Prepared in consultation with the EPA: Appendix E, OEMP.</li> <li>Frequency of monitoring: Table 6-5, OEMP.</li> <li>Monitoring when there are any significant changes in work locations or processes: Table 6-5, OEMP.</li> <li>Prepared in accordance with the <i>NSW Industrial Noise Policy</i> (EPA, 2000): Section 6.3.5.1, OEMP.</li> <li><b>Observation:</b> The OEMP refers to the superseded version of the <i>NSW Industrial Noise Policy</i> (2000 edition).</li> <li>a) Monitoring at Lamberts North during ash placement activities: Section 6.3.5.5, OEMP.</li> <li>b) Monitoring effectiveness of noise mitigation measures against the noise criteria: Section 6.3.5.5, OEMP.</li> <li>N/A - No reportable noise non-compliances during the audit period.</li> <li>Monitoring forms part of the Operational Noise Management Plan, in the OEMP.</li> <li>Admin Non-compliant: 2016/2017 AEMR reported that the Noise Management and Monitoring Program was not reviewed after 3 years of operation, in accordance with Section 6.3.5.5 of the Noise Management Monitoring Program.</li> </ul> <p><b>Implementation:</b></p> <ul style="list-style-type: none"> <li>Results from noise monitoring included in AEMRs</li> <li>November 2017 and September 2018 Noise Assessments</li> <li>Visited noise monitoring Location 1, during site inspection (see PHOTO 3).</li> </ul>	<ul style="list-style-type: none"> <li>Update the OEMP such that it refers to Noise Policy for Industry (2017), instead of the <i>NSW Industrial Noise Policy</i> (EPA, 2000).</li> <li>Ensure the Noise Management and Monitoring Program is reviewed every 3 years to determine effectiveness of mitigation measures and the monitoring commitments.</li> </ul>
E13	<p>Where noise monitoring including as required by condition E11 and E12 of this approval identifies any non-compliance with the operational noise criteria specified under condition E7 of this approval the Proponent shall prepare and submit to the Director-General a report including, but not limited to:</p> <p>a) an assessment of all reasonable and feasible physical and other mitigation measures for reducing noise at the source;</p> <p>b) identification of the preferred measure(s) for reducing noise at the source;</p> <p>c) feedback from directly affected property owners and the EPA on the proposed noise mitigation measures; and</p> <p>d) location, type, timing and responsibility for implementation of the noise mitigation measure(s).</p> <p>The report is to be submitted to the Director-General within 60 days of undertaking the noise monitoring which has identified exceedances of the operational noise criteria specified under condition E7, unless otherwise agreed to by the Director-General. The Proponent shall implement all reasonable and feasible mitigation measures in accordance with the requirements of the Director-General.</p>	Not Triggered	<ul style="list-style-type: none"> <li>No non-compliances with operational noise criteria</li> </ul>	
E14	<p>If after the implementation of all reasonable and feasible source controls, as identified in the report required by condition E13, the noise generated by the project continues to exceed the criteria stipulated in condition E7 the Proponent shall implement at the receiver reasonable and feasible noise mitigation measures, such as double glazing, insulation, air conditioning and or other building acoustic treatments, in consultation with and with the agreement of the affected landowner.</p>	Not Triggered	<ul style="list-style-type: none"> <li>No non-compliances with operational noise criteria</li> </ul>	
<b>Groundwater Monitoring</b>				
E15	<p>The Proponent shall prepare and implement a Groundwater Monitoring Program to monitor the impacts of ash placement activities on local groundwater quality and hydrology. The Program shall be developed in consultation with the SCA, and shall describe the location, frequency, rationale and procedures and protocols for collecting groundwater samples as well as the parameters analysed and methods of analysis. The monitoring program shall be ongoing for the operation of the project and for a minimum of 5 years following project completion and include, but not be limited to:</p> <p>a) monitoring at established bore sites (or replacement bore sites in the event that existing sites are damaged or lost) as described in the Groundwater Management Plan as per condition D3(b); and</p> <p>b) a schedule for periodic monitoring of groundwater quality, depth and flow at all monitoring sites, at an initial frequency of no less than once every month for the first 12 months of operation.</p> <p>The monitoring program shall form part of the Groundwater Management Plan referred to in condition D3(b) of this approval.</p>	Compliant	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>Groundwater Monitoring Program incorporated in Section 6.4.3 of the OEMP.</li> <li>Monitor the impacts on local groundwater quality and hydrology: Section 6.4.3 &amp; 6.5, OEMP.</li> <li>Developed in consultation with the SCA: Section 3.3.3 &amp; Appendix E, OEMP</li> <li>Describe the location, frequency, rationale and procedures and protocols for collecting groundwater samples: Table 6-14, OEMP</li> <li>Parameters analysed: Appendix A, OEMP</li> <li>Methods of analysis: Table 6-14, OEMP</li> <li>Ongoing for the operation of the project: Table 6-14, OEMP</li> <li>Ongoing a minimum of 5 years following project completion: Table 6-14, OEMP</li> </ul> <p><b>Include:</b></p> <ul style="list-style-type: none"> <li>a) Monitoring at established bore sites: Table 6-13, OEMP</li> <li>Or replacement bore sites: Table 6-14, OEMP</li> <li>b) Schedule for periodic monitoring of groundwater quality, depth and flow: Table 6-12</li> <li>Initial frequency of no less than once every month for the first 12 months of operation: Table 6-12</li> <li>The monitoring program forms part of the Groundwater Management Plan.</li> <li><b>Observation:</b> The Groundwater Monitoring Program does not reflect the new groundwater program, including the additional bores that are being installed. EA has communicated to regulators and DPE has acknowledged that the Groundwater Monitoring Program (in the OEMP) is to be updated following the completion of the independent groundwater investigation</li> </ul> <p><b>Implementation:</b></p> <ul style="list-style-type: none"> <li>Results of the groundwater monitoring program included in AEMRs.</li> <li>Viewed groundwater monitoring bores during the site inspection (see PHOTOS 6 and 7).</li> </ul>	<ul style="list-style-type: none"> <li>Update the Groundwater Monitoring Program (following the completion of the independent groundwater investigation) so it reflects the new groundwater program</li> </ul>
<b>Surface Water Quality Monitoring</b>				
E16	<p>The Proponent shall prepare and implement a surface water quality monitoring program to monitor the impacts of the ash placement activities on Neubecks Creek and Lamberts Gully. The Program shall be developed in consultation with the DPI (Fisheries) and the SCA, and shall describe the location, frequency, rationale and the procedures and protocols for collecting water samples as well as the parameters analysed and methods of analysis. The program shall include, but not necessarily be limited to:</p> <p>a) monitoring at the existing water quality monitoring sites as described in the document referred to under condition A1b);</p> <p>b) monitoring at surface water discharge points from Lamberts Gully Creek;</p> <p>c) monitoring at surface water discharge points into Neubecks Creek;</p> <p>d) wet weather monitoring with a minimum of two events recorded within the first 12 months operation of the project; and</p> <p>e) a schedule for periodic monitoring of surface quality at all sites throughout the life of the project, at an initial frequency of no less than once every month for the first 12 months and must include, but not be limited to, monitoring of dissolved oxygen, turbidity, sulphates, salinity, boron, manganese, iron chloride, total phosphorus and total nitrogen.</p>	Compliant	<p><b>Preparation:</b></p> <ul style="list-style-type: none"> <li>Surface Water Quality Monitoring Program included in Section 6.5 of the OEMP.</li> <li>Appendix E of the OEMP refers to consultation with DPI (Fisheries) and the SCA during the preparation of the OEMP.</li> <li>The location, frequency, rationale and the procedures and protocols for collecting water samples: Section 6.4.3 OEMP.</li> <li>Parameters analysed and methods of analysis: Section 6.4.3 OEMP.</li> <li>The Program includes all the detail required by the condition.</li> </ul> <p><b>Implementation:</b></p> <ul style="list-style-type: none"> <li>Surface water monitoring points inspected during the site inspection (see PHOTOS 8 and 9).</li> <li>Surface water monitoring results included in AEMRs.</li> </ul>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>Hydrological Monitoring Program</b>				
E17	<p>A Hydrological Monitoring Program to assess and quantify the impacts and effectiveness of the transformed section of Huons Creek into a sub-surface drainage line in consultation with the DPI (Fisheries). Monitoring is to be undertaken for a period of five (5) years upon completion of the creek transformation. The program must include sampling for identified pollutants before and after the transformation works and include a sampling site downstream of the sub-surface section of Huons Creek. In the first 12 months following completion of the transformation, monitoring is to be undertaken at least every three (3) months upon completion of the creek transformation and after any heavy wet weather event.</p> <p>The monitoring program shall form part of the Soil and Surface Water Management Plan referred to in condition D3(c) of this approval.</p>	Compliant	<p><b>Preparation:</b>  Hydrological Monitoring Program incorporated in Section 6.5 of the OEMP.  * Assess and quantify the impacts and effectiveness of the transformed section of Huons Creek: Section 6.4.1, OEMP  * In consultation with the DPI (Fisheries): Table 3-3 of the OEMP.  * Monitoring is to be undertaken for a period of five (5) years: Section 6.4.3, OEMP  * Include sampling for identified pollutants before and after the transformation works: Section 6.1.1.3 &amp; 6.4.3, OEMP  * Section 6.5.1 of the OEMP states "as indicated in the Consistency Report, Huons Drain and Huons Void have been covered with 4 metres of site-won material above the Maximum Ground Level (MGL). As a consequence, when the OEMP is implemented Huon Void and Huon Drain will no longer exist"  * First 12 months following completion monitoring undertaken at least every three (3) months upon completion: Section 6.4.1, OEMP  * And after any heavy wet weather event: Section 6.4.1, OEMP  Hydrological Monitoring Program incorporated in the Soil and Surface Water Management Plan.</p> <p><b>Implementation:</b>  * Surface water monitoring sites sighted during the site inspection (see PHOTOS 8 and 9).  * Surface water monitoring results included in the AEMRs.</p>	
<b>Air Quality Monitoring</b>				
E18	<p>The Proponent shall prepare an Air Quality Monitoring Program, in consultation with the EPA and NSW Health. The Program shall include, but not necessarily be limited to, monitoring for dust. Monitoring sites shall be identified as per condition D3 (d). The air quality monitoring program shall be ongoing for the life of the project, and during final rehabilitation and stabilisation of the site.</p> <p>The monitoring program shall form part of the Air Quality Management Plan referred to in condition D3(d) of this approval.</p>	Compliant	<p><b>Preparation:</b>  Air Quality Monitoring Program incorporated in Section 6.6.6 of the OEMP.  * In consultation with the EPA and NSW Health: Appendix E, OEMP;  * The Program includes monitoring for dust: Table 6-28  * Monitoring sites shall be identified as per condition D3 (d): Monitoring program integrated in the Air Quality Management Plan.  * Air quality monitoring program ongoing for the operational life of the project: Section 1.1, OEMP  - <b>Observation:</b> The air quality monitoring program doesn't indicate that it will be ongoing during the final rehabilitation and stabilisation of the site  * The monitoring program forms part of the Air Quality Management Plan, Section 6.6 of the OEMP.  * <b>Observation:</b> Dust monitoring locations missing from Figure 5-1, in the OEMP</p> <p><b>Implementation:</b>  * Dust monitoring stations sighted during the field inspection (see PHOTOS 2 to 5).  * Air quality results included in the AEMRs.</p>	<p>* Update the Air Quality Monitoring Program to include monitoring during final rehabilitation and stabilisation of the site.  * Include dust monitoring points on Figure 5-1, in the OEMP.</p>
<b>Environmental Incident Reporting</b>				
E19	The Proponent shall notify the Director-General of any environmental incident within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within seven days of the date on which the incident occurred.	Compliant	<p>* Incidents, Complaints &amp; Non-conformances Register indicates no incidents during the audit period.  * AEMRs report no reportable incidents during the audit period.</p>	
E20	The Proponent shall meet the requirements of the Director-General to address the cause or impact of any environmental incident, as it relates to this approval, reported in accordance with condition E19 of this approval, within such period as the Director-General may require.	Not Triggered	* No reportable incidents occurred during the audit period (see condition E19, above)	
<b>Annual Performance Reporting</b>				
E21	<p>The Proponent shall, throughout the life of the project, prepare and submit to the Director-General, an Annual Environmental Management Report (AEMR). The AEMR shall review the performance of the project against the Operation Environmental Management Plan (refer to condition D2 of this approval) and the conditions of this approval. The AEMR shall include, but not necessarily be limited to:</p> <p>a) details of compliance with the conditions of this approval;</p> <p>b) a copy of the Complaints Register (refer to condition B11 of this approval) for the preceding twelve-month period (exclusive of personal details), and details of how these complaints were addressed and resolved;</p> <p>c) identification of any circumstances in which the environmental impacts and performance of the project during the twelve month period have not been generally consistent with the environmental impacts and performance predicted in the documents listed under condition A1 of this approval, with details of additional mitigation measures applied to the project to address recurrence of these circumstances;</p> <p>d) results of all environmental monitoring required under conditions of this approval, including interpretations and discussion by a suitably qualified person; and</p> <p>e) a list of occasions in the twelve month period when environmental goals/objectives/impact assessment criteria for the project have not been achieved, indicating the reason for failure to meet the criteria and the action taken to prevent recurrence of that type of failure.</p> <p>The Proponent shall submit a copy of the AEMR to the Director-General every year, with the first AEMR to be submitted no later than fourteen months after the commencement of operation of the project unless otherwise agreed by the Director-General. The Director-General may require the Proponent to address certain matters in relation to the environmental performance of the project in response to the Director-General's review of the Annual Environmental Management Report. Any action required to be undertaken shall be completed within such period as the Director-General may require. The Proponent shall make copies of each AEMR available for public inspection on request. Copies of the AEMR shall be sent to the EPA and the SCA.</p>	Compliant	<p>* DPE submission letters dated 10 March 2016 (2014-2015 AEMR), 12 January 2017 (2015-2016 AEMR) &amp; 30 November 2017 (2016-2017 AEMR).  * Review the performance of the project against the OEMP: 2014-2015 AEMR (Section 4.3.2), 2015-2016 AEMR (Section 6.1.2), 2016-2017 AEMR (Section 6.1.2)  a) Details of compliance with the conditions of this approval: 2014-2015 AEMR (Appendix A), 2015-2016 AEMR (Appendix A) &amp; 2016-2017 AEMR (Appendix A).  b) N/A - No complaints for 2014-2015, 2015-2016, 2016-2017 AEMR  c) Identify non-compliances with the environmental impacts &amp; performance predicted in the documents listed under condition A1 of this approval: Appendix A 2014-2015 AEMR, 2015-2016 AEMR &amp; 2016-2017 AEMR  * N/A - No additional mitigation measures required.  d) Results of all environmental monitoring (noise, air, surface water, groundwater, and revegetation and rehabilitation): 2014-2015 AEMR (Chapter 4), 2015-2016 AEMR &amp; 2016-2017 AEMR (Chapters 6 &amp; 7)  e) List when environmental goals/objectives/impact assessment criteria for the project have not been achieved: 2014-2015 AEMR (Chapter 4), 2015-2016 &amp; 2016-2017 AEMR (Chapters 6 &amp; 7)  * 2018/2019 AEMR prepared outside of audit period therefore it is not reviewed.</p>	
<b>Independent Environmental Auditing</b>				
E22	<p>Within 12 months of commencement of operation of Lamberts North and Lamberts South and then as may be directed by the Director-General, the Proponent shall commission an independent person or team to undertake an Environmental Audit of the project. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:</p> <p>a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;</p> <p>c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1 of this approval;</p> <p>d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works; and</p> <p>e) review the adequacy of the Proponent's response to any complaints made about the project identified in the Complaints Register.</p> <p>The Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.</p>	Administrative Non-Compliance	<p>* This IEA was requested by DPE.  * Audit team approval letter dated 25 October 2018.  * Lamberts North Environmental Audit Report - Operations, dated 26 September 2014.  - Meets all the requirements of the condition, in terms of scope and detail  - <b>Admin non-compliant:</b> DPE audit report submission letter dated 29 April 2015. IEA not submitted within the required timeframe.</p>	* Ensure future IEA reports are submitted within required timeframes.
<b>Waste Generation and Management</b>				
E23	All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	Not Triggered	<p>* According to site comms, Lambert's North ash repository does not produce waste.  * Section 6.8.2 of the OEMP states "Waste generated from the operation of the ash placement activities may include:  - Used oils, tyres, rags, packaging, oil drums and discarded components associated with on-site vehicle maintenance; and  - Paper and associated stationery waste associated with office activity."  * No waste seen at Lamberts North during the site inspection (see PHOTO 13).</p>	
E24	The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997, if such a licence is required in relation to that waste.	Compliant	* According to site comms, and the site inspection no waste from outside the site is accepted at Lamberts North ash repository (see PHOTO 1).	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
E25	The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with the Waste Classification Guidelines (DECC, 2008), or any future guideline that may supersede that document.	Not Triggered	<ul style="list-style-type: none"> <li>* According to site comms Lambert's North ash repository does not produce waste.</li> <li>* Section 6.8.2 of the OEMP states "Waste generated from the operation of the ash placement activities may include:               <ul style="list-style-type: none"> <li>- Used oils, tyres, rags, packaging, oil drums and discarded components associated with on-site vehicle maintenance; and</li> <li>- Paper and associated stationery waste associated with office activity."</li> </ul> </li> <li>* No waste seen at Lamberts North during the site inspection (see PHOTO 13).</li> </ul>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>PART F - Post Operations</b>				
<b>Project Completion Management Plan</b>				
F1	<p>No later than one month prior to the decommissioning of the project, or as otherwise agreed by the Director-General, the Proponent is to prepare a Project Completion Management Plan, in consultation with the SCA, for the approval of the Director-General. The Plan is to include but not necessarily be limited to:</p> <p>(a) identification of structures to be removed and how they will be removed;</p> <p>(b) measures to reduce impacts on the environment and surrounding sensitive land uses;</p> <p>(c) details of components to be recycled;</p> <p>(d) details of rehabilitation and revegetation with reference to the biodiversity offset required under condition B6;</p> <p>(e) groundwater assessment criteria including trigger levels for remedial measures;</p> <p>(f) a groundwater monitoring program as per condition E15 for groundwater connectivity, water levels, groundwater flow and water quality over the short and long term that includes upstream and downstream locations. The program shall continue for a minimum of five years following final capping and landscaping;</p> <p>(g) a contingency plan to address potential exceedances and mitigation measures in groundwater and groundwater quality impacts and if exceedances continue, implementation of further measures and groundwater monitoring to demonstrate compliance;</p> <p>(h) surface water assessment criteria including trigger levels for remedial measures;</p> <p>(i) available flow and water quality monitoring program for Neubecks Creek and Lamberts Gully Creek that includes discharge points, upstream and downstream locations as per condition E16 and limits for identified pollutants. The program shall continue for a minimum of five years following final capping and landscaping; and</p> <p>(j) a contingency plan to address potential exceedances and mitigation measures in surface water and surface water quality impacts and if exceedances continue, implementation of further measures and surface water monitoring to demonstrate compliance.</p>	Not Triggered	* Project has not reached decommissioning phase.	

Compliance Status
Compliant
Not verified
Non-Compliant (Low Risk)
Non-Compliant (Medium Risk)
Non-Compliant (High Risk)
Administrative Non-Compliance
Not Triggered
Observation
Note

Statement of Commitments - PA 09\_0186

Ref No.:	Objective	Action	Sites	Compliance Status	Evidence	Recommendation
<b>Environmental Management</b>						
1	Minimise Impact of operations on surrounding area	<p>An Operational Environmental Management Plan (OEMP) would be prepared and implemented to guide operational activities. It would include:</p> <p>Environmental Management</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Air Quality</li> <li><input type="checkbox"/> Hydrology and Water Quality</li> <li><input type="checkbox"/> Noise &amp; Vibration</li> <li><input type="checkbox"/> Landscape</li> <li><input type="checkbox"/> Waste Management</li> <li><input type="checkbox"/> Community Liaison</li> </ul> <p>All plans and strategies would be developed in consultation with the relevant agencies.</p>	All	Non-Compliant (Low Risk)	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Operational Environmental Management Plan (OEMP), dated May 2013</li> <li><input type="checkbox"/> Air Quality - Section 6.6;</li> <li><input type="checkbox"/> Hydrology and Water Quality - Section 6.4 &amp; 6.5;</li> <li><input type="checkbox"/> Noise &amp; Vibration - Section 6.3;</li> <li><input type="checkbox"/> Landscape - Section 6.7;</li> <li><input type="checkbox"/> Waste Management - Section 6.8;</li> <li><input type="checkbox"/> Community Liaison - Section 3.3.2.2;</li> </ul> <p>Developed in consultation with the relevant agencies: Appendix E.</p> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Environmental monitoring undertaken at the site, including: dust, noise, groundwater and surface water (see PHOTOS 2 to 9).</li> <li>* According to site comms. no waste generated at the site and no waste seen at the site during the site inspection (see PHOTO 13).</li> <li>* Environmental mitigation measures implemented at the site, including dust management and also surface water management, as seen during the site inspection (see PHOTOS 10 to 12 and 14 to 16).</li> <li>* <b>Non-compliant:</b> During the site inspection a jerry can was noted as being stored next to the office at the Lendlease laydown area (see PHOTO 13). It was not in a designated storage area that was contained or banded. The OEMP states "All hazardous chemicals shall be stored in designated covered storage areas outside Lamberts North, underlain with concrete floor and away from concentrated stormwater flow. They should also be appropriately banded or contained in accordance with AS 1940-2004 Storage and handling of flammable and combustible liquids."</li> </ul>	<p>* All hazardous chemicals should be stored in designated covered storage areas outside Lamberts North ash repository. If hazardous materials are to be stored at the Lamberts North ash repository they should be placed in a designated storage area that is contained or banded.</p>
2	General	<ul style="list-style-type: none"> <li><input type="checkbox"/> The OEMP would provide for regular monitoring and periodic performance reviews of the key performance criteria for air, noise, water management established for the operation of the ash placement. Air, noise and water management performance parameters would be established in the EPL for the site and be described in OEMP.</li> </ul>	All	Compliant	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* Environmental monitoring requirements: Sections 5, 6.3, 6.4, 6.5, 6.6, 6.7 and 6.8, OEMP</li> <li>* Performance review: Section 6.1, OEMP;</li> <li>* Air, noise and water management performance parameters: Section 6.3 to 6.6.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Air, noise and water monitoring points sighted during the field inspection (see PHOTOS 2 to 9).</li> <li>* Annual Environment Management Reports (AEMRs) provide air, noise and water monitoring results.</li> </ul>	
<b>Air Quality</b>						
3	Minimise dust emissions from as-	<ul style="list-style-type: none"> <li><input type="checkbox"/> The site operational plan would include management practices to be implemented to minimise potential for dust emissions. These would include:                             <ul style="list-style-type: none"> <li>- Conditioning of ash with water or brine</li> <li>- Application of sprays</li> <li>- Use of water trucks</li> <li>- Equipment maintenance</li> <li>- Response to complaints.</li> </ul> </li> </ul>	All	Compliant	<p><u>Preparation:</u></p> <ul style="list-style-type: none"> <li>* OEMP includes dust mitigation measures and response to complaints.</li> </ul> <p><u>Implementation:</u></p> <ul style="list-style-type: none"> <li>* Minimal dust observed at Lamberts North ash repository during the site inspection (see PHOTOS 1, 10 and 11)</li> <li>* Water cart and sprinklers operating during the site inspection (see PHOTOS 10 AND 11)</li> <li>* A dust complaint was received on 6 August 2018 when an unknown complainant took a photo of a truck dumping on the ash repository and sent it to the Environment Protection Authority (EPA). EPA came to site, discussed the complaint with EA and viewed the ash repository from the point the photo was taken and observed a water cart in use. EPA was not concerned and did not intend to take the matter further.</li> <li>* AEMRs indicate dust levels at Lamberts within criteria, except for a number instances in 2015 and 2016 where elevated dust levels were deemed the result of dust from other sources and not from the operations at the site.</li> <li>* Incidents, Complaints &amp; Non-conformances Register show responses to complaints</li> <li>* According to AEMRs equipment is maintained.</li> <li>* Maintenance records for Lendlease equipment sighted.</li> <li>* According to site comms. the system Lendlease use to maintain their equipment is very similar to Energy Australia's (EA's), with a work order raised through their CMS, for both routine and defect maintenance</li> </ul>	
<b>Hydrology and Water Quality</b>						

Ref No.:	Objective	Action	Sites	Compliance Status	Evidence	Recommendation
4	Maintain water quality in receiving dams	<p>Manage water quality runoff by development of water management systems which:</p> <ul style="list-style-type: none"> <li>- separate clean water from undisturbed catchments and clean water on the site</li> <li>- Manage water generated on site using dirty water area and sedimentation dams</li> <li>- Allowing no regular controlled releases</li> <li>- Using water generated on site for rehabilitation and dust control</li> <li>- Allowing releases from sedimentation dams only in large rainfall events following treatment</li> </ul> <p>Manage groundwater quality by:</p> <ul style="list-style-type: none"> <li>- Design of ash placement areas to provide buffer to groundwater and to place brine treated ash more than 30m above groundwater</li> <li>- Undertaking borehole water quality monitoring program through a Water Monitoring program and provide annual monitoring report</li> <li>- Monitor receiving water quality through a Water Monitoring program and provision of an annual monitoring report.</li> </ul>	All	Non-Compliant (Low Risk)	<ul style="list-style-type: none"> <li>* Water management system noted in the Soil and Surface Water Management Plan (in the OEMP)</li> <li>* Site inspection noted: <ul style="list-style-type: none"> <li>- Separate clean and dirty water system (see PHOTOS 12, 14, 15 and 16)</li> <li>- Dirty water ponds (Dam 1, 2, A &amp; B) (see PHOTOS 12, 15 and 16)</li> <li>- No releases of dirty water (see PHOTOS 12, 15 and 16)</li> </ul> </li> <li>* AEMRs did not mention any controlled releases from the site</li> <li>* Surface Water Management Plan (in the OEMP) states "clean water".... "will be collected in a strategically located pond and either utilised for dust suppression and/or released to Neubecks Creek when required"</li> <li>* <u>Observation:</u> Soil and Surface Water Management Plan (in the OEMP) does not reference Dam 1, Dam 2, Dam A or B and Dam C (to be built).</li> <li>* 2016/2017 AEMR indicates brine placement above 960.0 RL at the adjacent Area 1, Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, shows groundwater level at North Lamberts is between 911.9 and 917.1 RL. Buffer larger than 30m.</li> <li>* Groundwater and surface water monitoring program included in Sections 6.4 &amp; 6.5 of the OEMP, respectively.</li> <li>* Surface and groundwater monitoring points sighted during the site inspection (see PHOTOS 6 to 9).</li> <li>* Surface and groundwater monitoring results reported in AEMRs.</li> <li>* <u>Non-compliant:</u> The 2018/2019 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22, but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</li> <li>* <u>Non-compliant:</u> AEMRs indicate groundwater trigger levels and environmental goals have been exceeded for some analytes in several bores.</li> <li>- Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, reports chloride and trace metals concentrations exceed background limits at a number of the groundwater bores.</li> </ul>	<ul style="list-style-type: none"> <li>* Include Dams 1 &amp; 2 and A, B &amp; C in the OEMP.</li> <li>* Undertake further assessment and an independent investigation of surface water in the vicinity of the Lamberts North ash repository.</li> </ul>

Ref No.:	Objective	Action	Sites	Compliance Status	Evidence	Recommendation
<b>Noise and Vibration</b>						
5	Minimise operational noise impact	An Environmental Noise Management Sub-Plan (ENMP) would be prepared and implemented and would detail methods available to mitigate noise during the operation of the proposal. The ENMP will include:  - More detailed noise modelling as design is developed to test the mitigation effects of using the benched ash mound as a noise barrier. - More detailed modelling during detailed design, when a full inventory of operational plant is available, to ensure noise criteria are met. - Investigative monitoring of noise in response to specific complaints. Appropriate complaints procedures and means of responding to complaints will be established.	All	Compliant	<u>Preparation:</u> * Environmental Noise Management Sub-Plan prepared for the site, as part of OEMP and includes: - Mitigative measures (Section 6.3.4) - Investigative monitoring of noise in response to specific complaints (Section 6.3.5). - Appropriate complaints procedures and means of responding to complaints will be established (Section 3.5). <u>Implementation:</u> * Minimal noise heard during the site inspection * No noise complaints during the audit period * AEMRs indicate that noise levels were within required limits * November 2017 & September 2018 noise monitoring reports state "noise resulting from the operation of equipment and mobile plant at the Lamberts North site comply with the Lamberts North Ash Placement Project – Operational Environmental Management Plan (May 2013)"	
<b>Waste Management</b>						
6	Reduce the generation of waste	Ensure that initiatives for the sustainable management of waste are given due consideration. Such measures would include reduction of materials being brought onto the site, reuse of wastes where practicable and recycling.	All	Compliant	* According to site comms, no waste generated at the site and no waste seen at the site during the site inspection (see PHOTO 13). * Waste Management Plan (WMP) prepared for the site, as part of the OEMP.	
<b>Landscape and Visual</b>						
7	Improve and manage landscaping	A Visual Impact Assessment will be undertaken for concept approval sites. Consideration will be given to:  - Maximising the use of surrounding topography as a visual shield - The use of screening vegetation to protect views from sensitive viewpoints.  A Landscape Management Plan (LMP) will be prepared during detailed design of the project and implemented during and after the ash placement period. The plan would include:  - Processes for the management of on-site weeds - Use of native vegetation for rehabilitation of the sites once ash placement is finished - Monitoring of vegetation to ensure it becomes established and to identify any further management requirements - Use of screening vegetation to protect views from sensitive viewpoints	Neubecks Creek & Ivanhoe No. 4  All	Administrative Non-Compliance	<u>Preparation:</u> * Landscape/Revegetation Plan incorporated in Section 6.7 of the OEMP. - <u>Admin Non-compliant:</u> Landscape/Revegetation Plan does not include processes for the management of on-site weeds - Use of native vegetation for rehabilitation of the sites (Section 6.7.2.2) - Monitoring of vegetation (Section 6.7.2.3) - Use of screening vegetation (Section 6.7.2.3) <u>Implementation:</u> * Progressive capping being undertaken at the site, verified by the site inspection and AEMRs. * Vegetation screen in place to minimise visual impacts on nearby residents and highway traffic (see PHOTO 5). * <u>Observation:</u> Presence of weeds on-site, although some weed management has been undertaken (see PHOTO 18).	* Include in the Landscape/Revegetation Plan processes for the management of on-site weeds. * Undertake further weed management work at the site.
<b>Community Liaison</b>						
8	Establish effective communication with community	Liaise with the community about the operation of the proposed ash placement areas via the existing community relations program eg. Consultation with community forum and meetings with stakeholder groups. Provide avenues for community feedback.	All	Compliant	* Quarterly Western Community Reference Group (CRG) meeting minutes (from Nov 2014 to March 2018) sighted. * Quarterly Consultative Community Committee (CCC) meeting minutes (from July and October 2018) sighted.	

Compliance Status
Compliant
Not verified
Non-Compliant (Low Risk)
Non-Compliant (Medium Risk)
Non-Compliant (High Risk)
Administrative Non-Compliance
Not Triggered
Observation
Note

**Environment Protection Licence - Licence 27428**

Condition Number	Condition	Compliance Status	Evidence	Recommended Action						
<b>Administrative Conditions</b>										
<b>A1 What the licence authorises and regulates</b>										
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <table border="1"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Electricity generation</td> <td>Generation of electrical power from coal</td> <td>&gt; 4000 GWh annual generating capacity</td> </tr> </tbody> </table>	Scheduled Activity	Fee Based Activity	Scale	Electricity generation	Generation of electrical power from coal	> 4000 GWh annual generating capacity	Noted		
Scheduled Activity	Fee Based Activity	Scale								
Electricity generation	Generation of electrical power from coal	> 4000 GWh annual generating capacity								
<b>A2 - Premises or plant to which this licence applies</b>										
A2.1	<p>The licence applies to the following premises:</p> <table border="1"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>MOUNT PIPER POWER STATION</td> </tr> <tr> <td>350 BOULDER ROAD</td> </tr> <tr> <td>PORTLAND</td> </tr> <tr> <td>NSW 2847</td> </tr> <tr> <td>LOT 1 DP 325532, LOT 1 DP 400022, LOT 191 DP 629212, LOT 1 DP 702619, LOT 2 DP 702619, LOT 362 DP 740604, LOT 366 DP 740604, LOT 67 DP 751636, LOT 1 DP 803655, LOT 5 DP 804929, LOT 7 DP 804929, LOT 8 DP 804929, LOT 9 DP 804929, LOT 15 DP 804929, LOT 1 DP 813288, LOT 1 DP 829065, LOT 1 DP 920999, LOT 1 DP 999329, LOT 2 DP 999329, LOT 3 DP 999329, LOT 4 DP 999329, LOT 5 DP 999329, LOT 102 DP 1164619, LOT 103 DP 1164619, LOT 140 DP 1185660, LOT 141 DP 1185660, LOT 142 DP 1185660, LOT 146 DP 1185660, LOT 147 DP 1185660, LOT 148 DP 1185660, LOT 149 DP 1185660, LOT 150 DP 1185660, LOT 151 DP 1185660, LOT 152 DP 1185660</td> </tr> </tbody> </table>	Premises Details	MOUNT PIPER POWER STATION	350 BOULDER ROAD	PORTLAND	NSW 2847	LOT 1 DP 325532, LOT 1 DP 400022, LOT 191 DP 629212, LOT 1 DP 702619, LOT 2 DP 702619, LOT 362 DP 740604, LOT 366 DP 740604, LOT 67 DP 751636, LOT 1 DP 803655, LOT 5 DP 804929, LOT 7 DP 804929, LOT 8 DP 804929, LOT 9 DP 804929, LOT 15 DP 804929, LOT 1 DP 813288, LOT 1 DP 829065, LOT 1 DP 920999, LOT 1 DP 999329, LOT 2 DP 999329, LOT 3 DP 999329, LOT 4 DP 999329, LOT 5 DP 999329, LOT 102 DP 1164619, LOT 103 DP 1164619, LOT 140 DP 1185660, LOT 141 DP 1185660, LOT 142 DP 1185660, LOT 146 DP 1185660, LOT 147 DP 1185660, LOT 148 DP 1185660, LOT 149 DP 1185660, LOT 150 DP 1185660, LOT 151 DP 1185660, LOT 152 DP 1185660	Noted		
Premises Details										
MOUNT PIPER POWER STATION										
350 BOULDER ROAD										
PORTLAND										
NSW 2847										
LOT 1 DP 325532, LOT 1 DP 400022, LOT 191 DP 629212, LOT 1 DP 702619, LOT 2 DP 702619, LOT 362 DP 740604, LOT 366 DP 740604, LOT 67 DP 751636, LOT 1 DP 803655, LOT 5 DP 804929, LOT 7 DP 804929, LOT 8 DP 804929, LOT 9 DP 804929, LOT 15 DP 804929, LOT 1 DP 813288, LOT 1 DP 829065, LOT 1 DP 920999, LOT 1 DP 999329, LOT 2 DP 999329, LOT 3 DP 999329, LOT 4 DP 999329, LOT 5 DP 999329, LOT 102 DP 1164619, LOT 103 DP 1164619, LOT 140 DP 1185660, LOT 141 DP 1185660, LOT 142 DP 1185660, LOT 146 DP 1185660, LOT 147 DP 1185660, LOT 148 DP 1185660, LOT 149 DP 1185660, LOT 150 DP 1185660, LOT 151 DP 1185660, LOT 152 DP 1185660										
A2.2	<p>The premises does not include land within Lot 103 DP 1164619 identified under condition A2.1 of environment protection licence 20513 as the premises of Nu-Rock Technology Pty Limited.</p>	Noted								

Condition Number	Condition	Compliance Status	Evidence	Recommended Action						
<b>A3 - Other Activities</b>										
A3.1	<p>This licence applies to all other activities carried on at the premises, including:</p> <table border="1"> <tr><td>Ancillary Activity</td></tr> <tr><td>Chemical storage</td></tr> <tr><td>Coal works</td></tr> <tr><td>Crushing, grinding or separating</td></tr> <tr><td>Sewage treatment</td></tr> <tr><td>Waste storage</td></tr> </table>	Ancillary Activity	Chemical storage	Coal works	Crushing, grinding or separating	Sewage treatment	Waste storage	Compliant	* Site inspection verified waste (ash) was stored at Lamberts North ash repository (see PHOTO 1).	
Ancillary Activity										
Chemical storage										
Coal works										
Crushing, grinding or separating										
Sewage treatment										
Waste storage										
<b>A4 - Information Supplied to the EPA</b>										
A4.1	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>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;</p> <p>and</p> <p>b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	Noted								

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																										
<b>2. Discharges to Air and Water Applications to Land</b>																														
<b>P1 - Location of monitoring/discharge points and areas</b>																														
P1.1	<p>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.</p> <table border="1"> <thead> <tr> <th colspan="4">Air</th> </tr> <tr> <th>EPA identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>Discharge to air. Air emissions monitoring.</td> <td>Discharge to air. Air emissions monitoring.</td> <td>Mt Piper Power Station Boiler 1, identified as "EPA ID 2" on a map provided to the EPA in a letter dated 12 December 2008.</td> </tr> <tr> <td>3</td> <td>Discharge to air. Air emission monitoring.</td> <td>Discharge to air. Air emission monitoring.</td> <td>Mt Piper Power Station Boiler 2, identified as "EPA ID 3" on a map provided to the EPA in a letter dated 12 December 2008.</td> </tr> <tr> <td>4</td> <td>Weather monitoring</td> <td></td> <td>Mount Piper Power Station Weather Station, identified as "EPA ID 4" on a map provided to the EPA in a letter dated 12 December 2008.</td> </tr> </tbody> </table>	Air				EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	2	Discharge to air. Air emissions monitoring.	Discharge to air. Air emissions monitoring.	Mt Piper Power Station Boiler 1, identified as "EPA ID 2" on a map provided to the EPA in a letter dated 12 December 2008.	3	Discharge to air. Air emission monitoring.	Discharge to air. Air emission monitoring.	Mt Piper Power Station Boiler 2, identified as "EPA ID 3" on a map provided to the EPA in a letter dated 12 December 2008.	4	Weather monitoring		Mount Piper Power Station Weather Station, identified as "EPA ID 4" on a map provided to the EPA in a letter dated 12 December 2008.	Compliant	* Air monitoring sites are not relevant to Lamberts North.							
Air																														
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																											
2	Discharge to air. Air emissions monitoring.	Discharge to air. Air emissions monitoring.	Mt Piper Power Station Boiler 1, identified as "EPA ID 2" on a map provided to the EPA in a letter dated 12 December 2008.																											
3	Discharge to air. Air emission monitoring.	Discharge to air. Air emission monitoring.	Mt Piper Power Station Boiler 2, identified as "EPA ID 3" on a map provided to the EPA in a letter dated 12 December 2008.																											
4	Weather monitoring		Mount Piper Power Station Weather Station, identified as "EPA ID 4" on a map provided to the EPA in a letter dated 12 December 2008.																											
P1.2	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	Noted																												
P1.3	<p>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.</p> <table border="1"> <thead> <tr> <th colspan="4">Water and land</th> </tr> <tr> <th>EPA Identification no.</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Location Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Discharge to waters. Discharge quality and total volume monitoring.</td> <td>Discharge to waters. Discharge quality and total volume monitoring.</td> <td>Final holding pond monitoring station to Neubecks Creek, identified as "EPA ID 1" on a map provided to the EPA in a letter dated 12 December 2008.</td> </tr> </tbody> </table>	Water and land				EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description	1	Discharge to waters. Discharge quality and total volume monitoring.	Discharge to waters. Discharge quality and total volume monitoring.	Final holding pond monitoring station to Neubecks Creek, identified as "EPA ID 1" on a map provided to the EPA in a letter dated 12 December 2008.	Compliant	* Monitoring of LDP01 noted in the Operation Environmental Management Plan (OEMP). * Monitoring of LDP01 noted in the Annual Environment Management Reports (AEMRs).															
Water and land																														
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description																											
1	Discharge to waters. Discharge quality and total volume monitoring.	Discharge to waters. Discharge quality and total volume monitoring.	Final holding pond monitoring station to Neubecks Creek, identified as "EPA ID 1" on a map provided to the EPA in a letter dated 12 December 2008.																											
<b>3. Limit Conditions</b>																														
<b>L1 - Pollution of Waters</b>																														
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.	Compliant	* Management measures being undertaken at Lamberts North ash repository to prevent material harm to surface water and ground water (see PHOTOS 12 and 14 to 16)																											
<b>L2 - Load Limits</b>																														
L2.1	<p>The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.</p> <p>Note: - An assessable pollutant which affects the licence fee payable for the licence.</p>	Noted																												
L2.2	<p>The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.</p> <table border="1"> <thead> <tr> <th>Assessable Pollutant</th> <th>Load limit (kg)</th> </tr> </thead> <tbody> <tr><td>Arsenic (Air)</td><td></td></tr> <tr><td>Benzo(a)pyrene (equivalent) (Air)</td><td></td></tr> <tr><td>Coarse Particulates (Air)</td><td></td></tr> <tr><td>Fine Particulates (Air)</td><td></td></tr> <tr><td>Fluoride (Air)</td><td></td></tr> <tr><td>Lead (Air)</td><td></td></tr> <tr><td>Mercury (Air)</td><td></td></tr> <tr><td>Nitrogen Oxides (Air)</td><td></td></tr> <tr><td>Salt (Enclosed Water)</td><td></td></tr> <tr><td>Selenium (Enclosed Water)</td><td></td></tr> <tr><td>Sulfur Oxides (Air)</td><td></td></tr> <tr><td>Total suspended solids (Enclosed Water)</td><td></td></tr> </tbody> </table>	Assessable Pollutant	Load limit (kg)	Arsenic (Air)		Benzo(a)pyrene (equivalent) (Air)		Coarse Particulates (Air)		Fine Particulates (Air)		Fluoride (Air)		Lead (Air)		Mercury (Air)		Nitrogen Oxides (Air)		Salt (Enclosed Water)		Selenium (Enclosed Water)		Sulfur Oxides (Air)		Total suspended solids (Enclosed Water)		Noted		
Assessable Pollutant	Load limit (kg)																													
Arsenic (Air)																														
Benzo(a)pyrene (equivalent) (Air)																														
Coarse Particulates (Air)																														
Fine Particulates (Air)																														
Fluoride (Air)																														
Lead (Air)																														
Mercury (Air)																														
Nitrogen Oxides (Air)																														
Salt (Enclosed Water)																														
Selenium (Enclosed Water)																														
Sulfur Oxides (Air)																														
Total suspended solids (Enclosed Water)																														

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																																																		
<b>L3 Concentration Limits</b>																																																																						
L3.1	For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	Not Triggered	* Monitoring points not relevant to the site																																																																			
L3.2	<p style="text-align: center;">Air Concentration Limits</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>100 percentile concentration limit</th> <th>Reference conditions</th> <th>Oxygen correction</th> <th>Averaging period</th> </tr> </thead> <tbody> <tr> <td>Mercury</td> <td>milligrams per cubic metre</td> <td>0.2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Chlorine</td> <td>milligrams per cubic metre</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Type 1 and Type 2 substances in aggregate</td> <td>milligrams per cubic metre</td> <td>1.0</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Dioxins &amp; Furans</td> <td>nanograms per cubic metre</td> <td>0.1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Volatile organic compounds</td> <td>milligrams per cubic metre</td> <td>40</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Hydrogen chloride</td> <td>milligrams per cubic metre</td> <td>100</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Solid Particles</td> <td>milligrams per cubic metre</td> <td>50</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Sulfuric acid mist and sulfur trioxide (as SO3)</td> <td>milligrams per cubic metre</td> <td>100</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Nitrogen Oxides</td> <td>grams per cubic metre</td> <td>1.5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fluoride</td> <td>milligrams per cubic metre</td> <td>50</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period	Mercury	milligrams per cubic metre	0.2				Chlorine	milligrams per cubic metre	200				Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1.0				Dioxins & Furans	nanograms per cubic metre	0.1				Volatile organic compounds	milligrams per cubic metre	40				Hydrogen chloride	milligrams per cubic metre	100				Solid Particles	milligrams per cubic metre	50				Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	100				Nitrogen Oxides	grams per cubic metre	1.5				Total Fluoride	milligrams per cubic metre	50				Not Triggered	* Monitoring points not relevant to Lamberts North ash repository	
Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period																																																																	
Mercury	milligrams per cubic metre	0.2																																																																				
Chlorine	milligrams per cubic metre	200																																																																				
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1.0																																																																				
Dioxins & Furans	nanograms per cubic metre	0.1																																																																				
Volatile organic compounds	milligrams per cubic metre	40																																																																				
Hydrogen chloride	milligrams per cubic metre	100																																																																				
Solid Particles	milligrams per cubic metre	50																																																																				
Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	100																																																																				
Nitrogen Oxides	grams per cubic metre	1.5																																																																				
Total Fluoride	milligrams per cubic metre	50																																																																				
L3.3	The monitoring results undertaken under reference bases and collected in compliance with condition M2.1 can be used to determine compliance with the 100% concentration limits specified in condition L3.4.	Not Triggered	* Monitoring points not relevant to the site																																																																			
L3.4	Monitoring at points 2 and 3 must be undertaken under the following reference basis for the pollutants specified in condition L3.4: a) For sulphuric acid mist and/or sulphur trioxide, Chlorine, Hydrogen chloride, Total Fluoride, Hazardous substances, Cadmium, and Mercury: dry, 273 K, 101.3 kPa. b) For Nitrogen oxides and Solid particles: dry, 273 K, 101.3 kPa, 7% O2.	Not Triggered	* Monitoring points not relevant to the site																																																																			
L3.5	The concentration of an impurity contained in the solid alternative fuel must not exceed the concentration specified for that impurity in the table.	Not Triggered	* Not relevant to the site * The condition applies to the Mt Piper power station and not the ash repository																																																																			
<b>L4 - Waste</b>																																																																						
L4.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.</p> <p>Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.</p> <p>This condition does not limit any other conditions in this licence.</p> <table border="1"> <thead> <tr> <th>Code</th> <th>Waste</th> <th>Description</th> <th>Activity</th> <th>Other Limits</th> </tr> </thead> <tbody> <tr> <td>NA</td> <td>Excavated natural material</td> <td>To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.</td> <td>Capping of Ash Dam</td> <td>Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.</td> </tr> <tr> <td>NA</td> <td>Virgin excavated natural material</td> <td>To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.</td> <td>Capping of Ash Dam</td> <td>Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.</td> </tr> </tbody> </table>	Code	Waste	Description	Activity	Other Limits	NA	Excavated natural material	To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.	NA	Virgin excavated natural material	To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.	Not Triggered	* According to site comms. the ash repository has not yet been capped * AEMRs indicates capping has not yet been undertaken * OEMP indicates that capping material will be onsite materials and stockpiles																																																				
Code	Waste	Description	Activity	Other Limits																																																																		
NA	Excavated natural material	To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.																																																																		
NA	Virgin excavated natural material	To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.																																																																		

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
L4.2	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	Compliant	* According to site comms. and the site inspection no waste from outside the site or generated at the site is disposed at Lamberts North ash repository, except for ash and fabric filter bags, in accordance with Condition L4.3 of Environment Protection Licence (EPL) 27428 (see PHOTOS 1 and 10).	
L4.3	Only the following types of waste generated at the premises may be disposed of at the premises: <ul style="list-style-type: none"> <li>• Ash</li> <li>• Mill pyrites</li> <li>• Demineralisation and polisher plant effluents</li> <li>• Chemical clean solutions</li> <li>• Cooling tower sediments</li> <li>• Ion exchange resins</li> <li>• Fabric filter bags</li> <li>• Brine conditioned fly ash</li> <li>• Biomass co-firing ash</li> <li>• Settling pond sediments</li> <li>• Oil and grit trap sediments</li> </ul>	Compliant	Observation: The 2015/2016 and 2016/2017 AEMRs state that stainless steel clips and mild steel caps were disposed in the Lamberts North ash repository. Clips and mild steel caps are not listed as waste that can be disposed of at the premises. According to site comms. The 2015/2016 and 2016/2017 AEMRs incorrectly reported the disposal of this waste to the Lamberts North ash repository. The disposal of this waste to the ash repository has been removed from the 2017/2018 AEMR. Further, EA consider that the clips and caps are part of the filter fabric bags which are permitted to be disposed of at the ash repository. EA will seek to clarify this with the EPA. * The Waste Management Plan in the OEMP states that "No waste generated outside the premises (Mount Piper Power Station) is received at the premises for storage, processing, reprocessing or disposal, except as permitted by the licence."	* Clarify with EPA whether or not stainless steel clips and mild steel caps are permitted to be disposed of at Lamberts North ash repository.
L4.4	The wastes listed in condition L4.2 must only be disposed of to the ash disposal area at Mount Piper Power Station.	Compliant	* According to site comms. and the site inspection only ash and fabric filter bags are disposed of at Lamberts North ash repository (see PHOTOS 1 and 10).	
L4.5	The licensee is permitted to receive the following wastes generated outside the premises for storage, treatment, processing, reprocessing or disposal: 1) Waste water from the Wallerawang Power Station water treatment plant processes, including ash return water.	Not Triggered	* AEMRs do not indicate that waste water from the Wallerawang Power Station was accepted at Lamberts North ash repository.	
<b>L5 - Potentially Offensive Odour</b>				
L5.1	No condition in this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997. Note: Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.	Compliant	* Incidents, Complaints and Non-conformances Register does not indicate any odour complaints received during the audit period	
<b>4. Operating Conditions</b>				
<b>O1 - Activities must be carried out in a competent manner</b>				
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.	Compliant	a) During site inspection saw trucks take waste to Lamberts North ash repository. No dust seen coming from the ash that trucks were hauling (see PHOTO 1). * Ash permanently stored at Lamberts North. During the site inspection noted: - Minimal dust coming off Lamberts North (see PHOTOS 1 and 11). - Dirty water was separated from clean water (see PHOTOS 12, 14 to 16). - Surface water was directed towards dams (see PHOTOS 12, 15 and 16). - Observation: During the site inspection a jerry can was noted as being stored next to the office at the Lendlease laydown area (see PHOTO 13). It was not in a designated storage area that was contained or banded. b) N/A - Site does not produce waste (see PHOTO 13). - According to site comms. no waste generated at the site and no waste seen at the site during the site inspection (see PHOTO 13).	* All hazardous chemicals should be stored in designated covered storage areas outside Lamberts North ash repository. If hazardous materials are to be stored at the Lamberts North ash repository they should be placed in a designated storage area that is contained or banded.
<b>O2 - Maintenance of plant and equipment</b>				
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.	Compliant	* Maintenance records for Lendlease equipment sighted. * According to site comms. the system Lendlease use to maintain their equipment is very similar to Energy Australia's (EA's), with a work order raised through their CMS, for both routine and defect maintenance. * According to AEMRs equipment is maintained i.e. 2016/2017 AEMR states "All vehicle maintenance is recorded in the MEX database which ensures that vehicles are maintained annually but also when defects are logged. Large ash haulage equipment (ie excavators, trucks etc) are maintained by Komatsu." * During the site inspection plant and equipment appeared to be operated and maintained in a proper and efficient manner (see PHOTO 11).	
<b>O3 - Dust</b>				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	* Minimal dust observed at Lamberts North ash repository during the site inspection (see PHOTO 1 and 11). * Water cart and sprinklers operating during the site inspection (see PHOTO 10 and 11) * A dust complaint was received on 6 August 2018 when an unknown complainant took a photo of a truck dumping on the ash repository and sent it to the EPA. EPA came to site, discussed the complaint with EA and viewed the ash repository from the point the photo was taken and observed a water cart in use. EPA was not concerned and did not intend to take the matter further. * AEMRs indicate dust levels at Lamberts within criteria, except for a number instances in 2015 and 2016 where elevated dust levels were deemed the result of dust from other sources and not from the operations at the site.	
<b>5. Monitoring and Recording Conditions</b>				
<b>M1 - Monitoring Records</b>				
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.	Noted		
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.	Compliant	a) & b) Monitoring data for LMP1 and the weather monitoring station are maintained in a legible form - Weather monitoring data (in a legible form) from September 2014 to September 2018 sighted. - Data for LMP1 (in a legible form) from September 2014 to September 2018 sighted. c) N/A	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <p>a) the date(s) on which the sample was taken;</p> <p>b) the time(s) at which the sample was collected;</p> <p>c) the point at which the sample was taken; and</p> <p>d) the name of the person who collected the sample.</p>	Compliant	<p>* Weather monitoring data from September 2014 to September 2018 sighted</p> <p>* Data for LMP1 from September 2014 to September 2018 sighted.</p>	

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																																																																				
<b>M2 - Requirement to monitor concentration of pollutants discharged</b>																																																																																								
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:	Noted																																																																																						
M2.2	<p>Air Monitoring Requirements</p> <p><b>POINT 2,3</b></p> <table border="1" data-bbox="489 359 1210 961"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr><td>Carbon dioxide</td><td>percent</td><td>Yearly during discharge</td><td>TM-24</td></tr> <tr><td>Chlorine</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-7 &amp; TM-8</td></tr> <tr><td>Copper</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-12, TM-13 &amp; TM-14</td></tr> <tr><td>Dioxins &amp; Furans</td><td>nanograms per cubic metre</td><td>Yearly during discharge</td><td>TM-18</td></tr> <tr><td>Dry gas density</td><td>kilograms per cubic metre</td><td>Yearly during discharge</td><td>TM-23</td></tr> <tr><td>Hydrogen chloride</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-7 &amp; TM-8</td></tr> <tr><td>Mercury</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-12, TM-13 &amp; TM-14</td></tr> <tr><td>Moisture content</td><td>percent</td><td>Yearly during discharge</td><td>TM-22</td></tr> <tr><td>Molecular weight of stack gases</td><td>grams per gram mole</td><td>Yearly during discharge</td><td>TM-23</td></tr> <tr><td>Nitrogen Oxides</td><td>grams per cubic metre</td><td>Quarterly during discharge</td><td>Special Method 2</td></tr> <tr><td>Oxygen (O2)</td><td>percent</td><td>Yearly during discharge</td><td>CEM-3</td></tr> <tr><td>Solid Particles</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-15</td></tr> <tr><td>Sulfuric acid mist and sulfur trioxide (as SO3)</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-3</td></tr> <tr><td>Sulphur dioxide</td><td>milligrams per cubic metre</td><td>Quarterly during discharge</td><td>TM-4</td></tr> <tr><td>Temperature</td><td>degrees Celsius</td><td>Yearly during discharge</td><td>TM-2</td></tr> <tr><td>Total Fluoride</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-9</td></tr> <tr><td>Type 1 and Type 2 substances in aggregate</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-12, TM-13 &amp; TM-14</td></tr> <tr><td>Velocity</td><td>metres per second</td><td>Yearly during discharge</td><td>TM-2</td></tr> <tr><td>Volatile organic compounds</td><td>milligrams per cubic metre</td><td>Yearly during discharge</td><td>TM-19</td></tr> <tr><td>Volumetric flowrate</td><td>cubic metres per second</td><td>Yearly during discharge</td><td>TM-2</td></tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Carbon dioxide	percent	Yearly during discharge	TM-24	Chlorine	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8	Copper	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14	Dioxins & Furans	nanograms per cubic metre	Yearly during discharge	TM-18	Dry gas density	kilograms per cubic metre	Yearly during discharge	TM-23	Hydrogen chloride	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8	Mercury	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14	Moisture content	percent	Yearly during discharge	TM-22	Molecular weight of stack gases	grams per gram mole	Yearly during discharge	TM-23	Nitrogen Oxides	grams per cubic metre	Quarterly during discharge	Special Method 2	Oxygen (O2)	percent	Yearly during discharge	CEM-3	Solid Particles	milligrams per cubic metre	Yearly during discharge	TM-15	Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	Yearly during discharge	TM-3	Sulphur dioxide	milligrams per cubic metre	Quarterly during discharge	TM-4	Temperature	degrees Celsius	Yearly during discharge	TM-2	Total Fluoride	milligrams per cubic metre	Yearly during discharge	TM-9	Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14	Velocity	metres per second	Yearly during discharge	TM-2	Volatile organic compounds	milligrams per cubic metre	Yearly during discharge	TM-19	Volumetric flowrate	cubic metres per second	Yearly during discharge	TM-2	Not Triggered	* Monitoring points not relevant to Lamberts North ash repository	
Pollutant	Units of measure	Frequency	Sampling Method																																																																																					
Carbon dioxide	percent	Yearly during discharge	TM-24																																																																																					
Chlorine	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8																																																																																					
Copper	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14																																																																																					
Dioxins & Furans	nanograms per cubic metre	Yearly during discharge	TM-18																																																																																					
Dry gas density	kilograms per cubic metre	Yearly during discharge	TM-23																																																																																					
Hydrogen chloride	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8																																																																																					
Mercury	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14																																																																																					
Moisture content	percent	Yearly during discharge	TM-22																																																																																					
Molecular weight of stack gases	grams per gram mole	Yearly during discharge	TM-23																																																																																					
Nitrogen Oxides	grams per cubic metre	Quarterly during discharge	Special Method 2																																																																																					
Oxygen (O2)	percent	Yearly during discharge	CEM-3																																																																																					
Solid Particles	milligrams per cubic metre	Yearly during discharge	TM-15																																																																																					
Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	Yearly during discharge	TM-3																																																																																					
Sulphur dioxide	milligrams per cubic metre	Quarterly during discharge	TM-4																																																																																					
Temperature	degrees Celsius	Yearly during discharge	TM-2																																																																																					
Total Fluoride	milligrams per cubic metre	Yearly during discharge	TM-9																																																																																					
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14																																																																																					
Velocity	metres per second	Yearly during discharge	TM-2																																																																																					
Volatile organic compounds	milligrams per cubic metre	Yearly during discharge	TM-19																																																																																					
Volumetric flowrate	cubic metres per second	Yearly during discharge	TM-2																																																																																					

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																								
M2.3	For the purpose of the table above, Special Method 2 means sampling in accordance with TM-11 and include recording of the respective boiler MW Load at time of sampling, to enable reporting under condition R1.9.	Not Triggered	* Monitoring points not relevant to Lamberts North ash repository																																									
M2.4	Water and / or Land Monitoring Requirements  POINT 1 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Monthly during discharge</td> <td>Representative sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Monthly during discharge</td> <td>Representative sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Monthly during discharge</td> <td>Representative sample</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Monthly during discharge	Representative sample	pH	pH	Monthly during discharge	Representative sample	Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample	Compliant	* Data for LMP1 from September 2014 to September 2018 sighted. * OEMP states that "Flow and water quality monitoring shall be undertaken at the three monitoring locations in Neubecks Creek: at LDP01"																									
Pollutant	Units of measure	Frequency	Sampling Method																																									
Conductivity	microsiemens per centimetre	Monthly during discharge	Representative sample																																									
pH	pH	Monthly during discharge	Representative sample																																									
Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample																																									
M2.5	M2.5 Samples taken pursuant to a requirement in this licence to monitor the volume, mass or concentration of pollutants, must be analysed and reported in accordance with the laboratory accreditation requirements set out in section 2.1.3 of the Load Calculation Protocol.  Note: The Load Calculation Protocol is the Protocol referred to in clause 21 of the Protection of the Environment (General) Regulation 2009. A copy of the Protocol was published in the NSW Government Gazette on 25 June 2009 and can be purchased from the Environment Protection Authority or viewed at <a href="http://www.epa.nsw.gov.au">http://www.epa.nsw.gov.au</a> .	Compliant	* OEMP states All monitoring will be sampled by qualified personnel and analysis undertaken in a NATA accredited laboratory.																																									
<b>M3 - Testing Methods - concentration limits</b>																																												
M3.1	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.  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".	Not Triggered	* Air monitoring sites are not relevant to Lamberts North ash repository.																																									
M3.2	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.	Compliant	* OEMP states "All monitoring will be sampled by qualified personnel and analysis undertaken in a NATA accredited laboratory".																																									
<b>M4 - Testing methods - road limits</b>																																												
M4.1	Note: Division 3 of the Protection of the Environment Operations (General) Regulation 2009 requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.	Not Triggered	* Air monitoring sites (listed in L2.2) are not relevant to Lamberts North ash repository.																																									
<b>M5 - Weather Monitoring</b>																																												
M5.1	For licence monitoring point 4 (weather monitoring), the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the units of measure, frequency, averaging period and sampling method specified opposite in the other columns.  <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Air temperature</td> <td>oC</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Wind Direction</td> <td>-</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Wind speed</td> <td>m/s</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Sigma Theta</td> <td>o</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 &amp; AM-4</td> </tr> <tr> <td>Rainfall</td> <td>mm</td> <td>Continuous</td> <td>24 hour</td> <td>AM-4</td> </tr> <tr> <td>Siting</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1 &amp; AM-4</td> </tr> <tr> <td>Measurement</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1 &amp; AM-4</td> </tr> </tbody> </table>	Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Air temperature	oC	Continuous	1 hour	AM-4	Wind Direction	-	Continuous	15 minute	AM-2 & AM-4	Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4	Sigma Theta	o	Continuous	15 minute	AM-2 & AM-4	Rainfall	mm	Continuous	24 hour	AM-4	Siting	-	-	-	AM-1 & AM-4	Measurement	-	-	-	AM-1 & AM-4	Compliant	* Condition applies to weather monitoring station at Mt Piper and not the weather monitoring station at Area 1 repository * Weather monitoring data from September 2014 to September 2018 sighted * Observation: Continuous meteorological monitoring data was not recorded at the Mt Piper weather monitoring station. Monitoring records indicate that some results are missing. * AEMRs & OEMP indicate correct parameters and units of measure used	* Ensure continuous meteorological monitoring data is recorded at Mt Piper power station
Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method																																								
Air temperature	oC	Continuous	1 hour	AM-4																																								
Wind Direction	-	Continuous	15 minute	AM-2 & AM-4																																								
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4																																								
Sigma Theta	o	Continuous	15 minute	AM-2 & AM-4																																								
Rainfall	mm	Continuous	24 hour	AM-4																																								
Siting	-	-	-	AM-1 & AM-4																																								
Measurement	-	-	-	AM-1 & AM-4																																								
<b>M6 - Recording of Pollution Complaints</b>																																												
M6.1	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.	Compliant	* Incidents, Complaints and Non-conformances Register sighted																																									
M6.2	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.	Compliant	* Incidents, Complaints and Non-conformances Register sighted * All required details included in the register. * Complaints also discussed in the AEMRs.																																									
M6.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	* Incidents, Complaints and Non-conformances Register has complaints going back to 11 July 2015. * AEMRs refer to complaints																																									
M6.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Compliant	* According to site comms. an officer of EPA has not asked to see complaints records during the audit period																																									

Condition Number	Condition	Compliance Status	Evidence	Recommended Action																																																						
<b>M7 - Telephone Complaints Line</b>																																																										
M7.1	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.	Compliant	* Complaints telephone line is advertised on Energy Australia (EA) website																																																							
M7.2	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.	Compliant	* Complaints telephone line is advertised on EA website																																																							
M7.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Noted																																																								
<b>M8 - Requirement to monitor volume or mass</b>																																																										
M8.1	<p>For each discharge point or utilisation area specified below, the licensee must monitor:</p> <p>a) the volume of liquids discharged to water or applied to the area;</p> <p>b) the mass of solids applied to the area;</p> <p>c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below.</p> <table border="1"> <thead> <tr> <th colspan="3">POINT 1</th> </tr> <tr> <th>Frequency</th> <th>Unit of Measure</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Continuous</td> <td>kilolitres per week</td> <td>Weir structure and level sensor</td> </tr> </tbody> </table>	POINT 1			Frequency	Unit of Measure	Sampling Method	Continuous	kilolitres per week	Weir structure and level sensor	Not Triggered	<p>a) N/A - Site does not discharge offsite</p> <p>b) N/A - No solids applied to the area</p> <p>c) N/A - Air monitoring not undertaken at Point 1</p>																																														
POINT 1																																																										
Frequency	Unit of Measure	Sampling Method																																																								
Continuous	kilolitres per week	Weir structure and level sensor																																																								
<b>M9 - Other monitoring and recording conditions</b>																																																										
M9.1	<p>The licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 contained in any solid alternative fuel, and the Calorific Value (MJ/kg) of the fuel. The licensee must use the units of measure, and sample at the frequency specified opposite in the other columns:</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of measure</th> <th>Frequency</th> </tr> </thead> <tbody> <tr><td>Antimony</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Arsenic</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Beryllium</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Cadmium</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Chlorine</td><td>%</td><td>Per batch, as processed</td></tr> <tr><td>Chromium (total)</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Cobalt</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Copper</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Flourine</td><td>%</td><td>Per batch, as processed</td></tr> <tr><td>Lead</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Manganese</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Mercury</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Nickel</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Selenium</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Sulfur</td><td>%</td><td>Per batch, as processed</td></tr> <tr><td>Tin</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> <tr><td>Vanadium</td><td>milligrams per kilograms</td><td>Per batch, as processed</td></tr> </tbody> </table>	Parameter	Units of measure	Frequency	Antimony	milligrams per kilograms	Per batch, as processed	Arsenic	milligrams per kilograms	Per batch, as processed	Beryllium	milligrams per kilograms	Per batch, as processed	Cadmium	milligrams per kilograms	Per batch, as processed	Chlorine	%	Per batch, as processed	Chromium (total)	milligrams per kilograms	Per batch, as processed	Cobalt	milligrams per kilograms	Per batch, as processed	Copper	milligrams per kilograms	Per batch, as processed	Flourine	%	Per batch, as processed	Lead	milligrams per kilograms	Per batch, as processed	Manganese	milligrams per kilograms	Per batch, as processed	Mercury	milligrams per kilograms	Per batch, as processed	Nickel	milligrams per kilograms	Per batch, as processed	Selenium	milligrams per kilograms	Per batch, as processed	Sulfur	%	Per batch, as processed	Tin	milligrams per kilograms	Per batch, as processed	Vanadium	milligrams per kilograms	Per batch, as processed	Not Triggered	* Monitoring of solid alternative fuel not relevant to Lamberts North ash repository.	
Parameter	Units of measure	Frequency																																																								
Antimony	milligrams per kilograms	Per batch, as processed																																																								
Arsenic	milligrams per kilograms	Per batch, as processed																																																								
Beryllium	milligrams per kilograms	Per batch, as processed																																																								
Cadmium	milligrams per kilograms	Per batch, as processed																																																								
Chlorine	%	Per batch, as processed																																																								
Chromium (total)	milligrams per kilograms	Per batch, as processed																																																								
Cobalt	milligrams per kilograms	Per batch, as processed																																																								
Copper	milligrams per kilograms	Per batch, as processed																																																								
Flourine	%	Per batch, as processed																																																								
Lead	milligrams per kilograms	Per batch, as processed																																																								
Manganese	milligrams per kilograms	Per batch, as processed																																																								
Mercury	milligrams per kilograms	Per batch, as processed																																																								
Nickel	milligrams per kilograms	Per batch, as processed																																																								
Selenium	milligrams per kilograms	Per batch, as processed																																																								
Sulfur	%	Per batch, as processed																																																								
Tin	milligrams per kilograms	Per batch, as processed																																																								
Vanadium	milligrams per kilograms	Per batch, as processed																																																								
<b>6. Reporting Conditions</b>																																																										
<b>R1 Annual Return documents</b>																																																										
R1.1	<p>The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:</p> <ol style="list-style-type: none"> <li>a Statement of Compliance,</li> <li>a Monitoring and Complaints Summary,</li> <li>a Statement of Compliance - Licence Conditions,</li> <li>a Statement of Compliance - Load based Fee,</li> <li>a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,</li> <li>a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and</li> <li>a Statement of Compliance - Environmental Management Systems and Practices.</li> </ol> <p>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.</p>	Administrative Non-Compliance	<p>* 2014, 2015, 2016 &amp; 2017 Annual Returns sighted</p> <p>* <b>Admin Non-compliant:</b> A Statement of Compliance - Environmental Management Systems and Practices is missing from the 2014 Annual Return</p>	* Include a Statement of Compliance - Environmental Management Systems and Practices in future Annual Returns																																																						
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p>	Compliant	<p>* 2014, 2015, 2016 &amp; 2017 Annual Returns sighted</p> <p>* Annual Returns include data from 1 January to 31 December</p>																																																							
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and</p> <p>b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	Not Triggered	* EPL not transferred to another licensee during the audit period, according to EPA website and the company name included on the Annual Returns																																																							
R1.4	<p>Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>	Not Triggered	* EPL not surrendered or revoked during the audit period, according to EPA website and Annual Returns submitted for all years between 2014 and 2017																																																							
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').	Compliant	* EPA website indicates that 2014, 2015, 2016 and 2017 Annual Returns received within 60 days after the end of each reporting period.																																																							

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
R1.6	Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify: a) the assessable pollutants for which the actual load could not be calculated; and b) the relevant circumstances that were beyond the control of the licensee.	Not Triggered	* All Annual Returns prepared within 60 days after the end of each reporting period	
R1.7	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.	Compliant	* Annual Returns for the past 4 years provided by site	
R1.8	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. <b>Further information to be reported in the Annual Return</b>	Compliant	* 2014, 2015, 2016 & 2017 Annual Returns signed and certified	
R1.9	The Annual Return must also include the following information: 1. To validate the SSEF-PEMS for Nitrogen oxides approved by the EPA on 27 February 2008, the licensee must provide a report that plots the quarterly Nitrogen oxide concentration sampling results required by condition M2.1, against the historical Nitrogen oxide CEMS data curve for boiler units 1 and 2 at Mount Piper Power Station, and 2. The licensee must report any exceedance of any discharge limit, standard, or concentration set by a condition of this licence. The report must include the sample results or the exceedance and indicate the name of the testing laboratory, parameter(s) monitored, the limit, standard, or concentration exceeded, the date of the exceedance and the results of any analysis.	Compliant	1. N/A - Nitrogen oxides not monitored at Lamberts North ash repository site 2. Data reported for Point 1 (LDP01) in the 2014, 2015, 2016 & 2017 Annual Returns * EPL does not set limits for Point 1 (LDP01).	
<b>R2 - Notification of environmental harm</b>				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not Triggered	* AEMRs indicate that there was no reportable incidents from 2014 to 2018. * OEMP Section 3.9 includes an Environment Incident Response Procedure, which requires EPA to be notified of major incidents and disasters. * <u>Observation</u> : OEMP doesn't include the EPA environment service telephone number.	* Include the EPA's environment service telephone number in the OEMP's Environment Incident Response Procedure
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. 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.	Not Triggered	* AEMRs indicate that there was no reportable incidents from 2014 to 2018.	
<b>R3 - Written Report</b>				
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.	Not Triggered	* According to site comms. an EPA officer has not requested any such report. * Incidents, Complaints and Non-conformances Register indicates that there was no incidents at Lamberts North ash repository during the reporting period * 2014/2015, 2015/2016, 2016/2017 and 2017/2018 AEMRs indicate that there was no reportable incidents during the audit period	
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.	Not Triggered	* According to site comms. an EPA officer has not requested any such report.	
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.	Not Triggered	* According to site comms. an EPA officer has not requested any such report.	
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.	Not Triggered	* According to site comms. an EPA officer has not requested any such report.	
<b>7. General Conditions</b>				
<b>G1 - Copy of licence kept at the premises or plant</b>				
G1.1	A copy of this licence must be kept at the premises to which the licence applies	Compliant	* According to site comms. electronic copy of the EPL kept in Environment Management System (EMS) and a hard copy is kept at the operations centre, with the Shift Leader, and at the gatehouses as well.	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it	Not Triggered	* According to site comms. an EPA officer has not asked to see the EPL.	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	* According to site comms. the EPL is readily available for inspection by any employee or agent at the site. * According to site comms. electronic copy of the EPL kept in EMS and a hard copy is kept at the operations centre, with the Shift Leader, and at the gatehouses as well.	
<b>G2 - Signage</b>				
G2.1	The location of EPA point number(s) 1 to 4 must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practicable to the point.	Administrative Non-Compliance	* EPA points numbers 2 to 4 not relevant to site. * <u>Admin Non-compliant</u> : During the site inspection noted EPA point number 1 was not labelled	* Label EPA point number 1.

Condition Number	Condition	Compliance Status	Evidence	Recommended Action
<b>8. Special Conditions</b>				
<b>E1 - Solid Alternative Fuel</b>				
E1.1	For the purpose of this licence, Solid Alternative Fuel means timber products that are either: <ul style="list-style-type: none"> <li>• Biomass that is sustainably harvested as defined in "Greenhouse Gas Emissions from Electricity Supplied in NSW: Emissions Workbook, October 2000, Ministry of Energy and Utilities"; or</li> <li>• Recycled timber products obtained from the manufacturing, construction and demolition sources that comply with the fuel specification L3.4 for hazardous substances; or</li> <li>• In accordance with Regulation 8 (Special requirements - wood waste) of Division 2.2 (Eligible renewable energy sources) in Part 2 of the Renewable Energy (Electricity) Regulation 2001 and Renewable Energy (Electricity) Act 2000.</li> </ul>	Not Triggered	* Solid alternative fuel not relevant to the Lamberts North ash repository site	
E1.2	Solid Alternative Fuel may only be fed to the boiler during coal firing.	Not Triggered	* Solid alternative fuel not relevant to the Lamberts North ash repository site	
E1.3	Solid Alternative Fuel may only be fed to the boiler at a feed rate of less than or equal to 5% weight of the coal feed rate.	Not Triggered	* Solid alternative fuel not relevant to the Lamberts North ash repository site	

Compliance Status
Compliant
Not verified
Non-Compliant (Low Risk)
Non-Compliant (Medium Risk)
Non-Compliant (High Risk)
Administrative Non-Compliance
Not Triggered
Observation
Note

## Environmental Performance against Predictions:

Item		Predicted environmental impact for operations	Results/Discussion
<b>Aspect: Air Quality</b>			
1	Totals Suspended Solids	<ul style="list-style-type: none"> <li>Predicted annual average TSP concentrations show that the annual 90 <math>\mu\text{g}/\text{m}^3</math> criterion contour does not extend beyond the site boundary for the proposal.</li> <li>All sensitive receivers are predicted to experience an incremental increase in the annual TSP concentration of less than 6 <math>\mu\text{g}/\text{m}^3</math>, with the highest TSP concentration (5.3 <math>\mu\text{g}/\text{m}^3</math>) occurring at sensitive receptor one (1).</li> <li>These results are well below DECCW criterion of 90 <math>\mu\text{g}/\text{m}^3</math>, even when added to the assumed annual average background TSP concentration of 32 <math>\mu\text{g}/\text{m}^3</math>.</li> <li>The model predictions suggest that there will be no adverse impacts, in terms of TSP concentrations, on the nearest sensitive receivers.</li> </ul>	<p>AEMRs indicate ambient air quality monitoring data has shown that the particulate emissions are generally well within the average TSP concentrations of 90<math>\mu\text{g}/\text{m}^3</math>, as predicted in the Environmental Assessment.</p> <p>No complaints regarding dust were received during the audit period.</p>
2	Particulate matter (PM <sub>10</sub> )	<ul style="list-style-type: none"> <li>Predicted maximum 24-hour average concentrations show that the 50 <math>\mu\text{g}/\text{m}^3</math> criterion contour may extend beyond the site boundary for the proposed expansion at Lamberts South.</li> <li>Sensitive Receiver 1 is predicted to experience the highest maximum 24-hour average concentration of 15.6 <math>\mu\text{g}/\text{m}^3</math>, which is well below the criterion.</li> <li>No sensitive receivers are predicted to exceed 34 <math>\mu\text{g}/\text{m}^3</math>, taking this conservative approach.</li> <li>Predicted annual average PM10 concentrations indicate that the 30 <math>\mu\text{g}/\text{m}^3</math> criterion contour slightly exceeds the Lamberts North boundary.</li> <li>All sensitive receivers are predicted to experience an annual PM10 concentration of less than 30 <math>\mu\text{g}/\text{m}^3</math> with the highest incremental increase predicted to be 4.5 <math>\mu\text{g}/\text{m}^3</math> at sensitive receiver 1.</li> </ul>	<p>Monitoring of PM<sup>10</sup> at the ash repository indicate annual average maximum of 30<math>\mu\text{g}/\text{m}^3</math> was lower than predicted in the Environmental Assessment.</p> <p>No complaints regarding dust were received during the audit period.</p> <p>Sensitive Receiver 1 no longer exists.</p>
3	Deposited dust	<ul style="list-style-type: none"> <li>Predicted annual average dust deposition results indicate that the 2 <math>\text{g}/\text{m}^2/\text{month}</math> contour (maximum increase) extends slightly beyond the site boundary, east of Lamberts North and Lamberts South.</li> <li>All sensitive receivers are predicted to experience less 2 <math>\text{g}/\text{m}^2/\text{month}</math> of deposited dust due to the proposal.</li> </ul>	<p>Annual average dust deposition results in the second year of the Mt Piper Ash Repository Lamberts North operations were below the criterion of 3.5 <math>\text{g}/\text{m}^2/\text{month}</math>, recommended by the OEMP.</p> <p>No complaints regarding dust were received during the</p>

Item		Predicted environmental impact for operations	Results/Discussion
		<ul style="list-style-type: none"> <li>The 4 g/m<sup>2</sup>/month (maximum total) criterion contour is within the site boundary. When the assumed background concentration of 1.2 g/m<sup>2</sup>/month is added to the predicted concentration at the sensitive receivers it can be seen that all sensitive receivers experience a deposited dust concentration well below the 4 g/m<sup>2</sup>/month (maximum total).</li> <li>These model predictions suggest that there will be no adverse impacts on sensitive receivers, in terms of dust deposition.</li> </ul>	audit period.
4	Odour	<ul style="list-style-type: none"> <li>The project emissions are unlikely to cause exceedances of air quality criteria for ash contaminant and odour at all ground-level locations.</li> </ul>	<p>During the site inspection there was no odour detected.</p> <p>There were no odour complaints during the audit period.</p>
<b>Aspect: Noise</b>			



Item		Predicted environmental impact for operations	Results/Discussion
			<p>sediment ponds. AEMRs note that “All runoff water falling on Lamberts North is contained in clean and dirty water sediment ponds and forms the primary source of water for dust suppression on exposed ash and capped areas as well as irrigation of the revegetated areas.”</p> <p>AEMRs also note that “The water used for dust suppression in Lamberts North is sourced from the Mt Piper cooling water system”</p>
7	Groundwater quality	<p>Water quality in the groundwater is due primarily to the existing water quality from coal mine workings. Sulphate, boron, nickel, manganese and iron are naturally elevated in the area due to the local mineralisation. Elevated trace elements concentrations are particularly evident at bores which are adjacent to areas of mine coal pillars (goaf). The effect of the underground mine water quality is reflected in the values for the groundwater collection basin, notably in the higher sulphate and boron. Trace elements such as nickel and zinc are also elevated in these areas</p>	<p>Groundwater quality is monitored on an annual basis at the Lambert’s North ash repository, in accordance with the OEMP. Monitoring was undertaken during the audit period (as reported in the AEMRs) and detected sulphate, chloride and trace metal concentrations were in groundwater elevated.</p>
8		<p>Chloride is regarded as an indicator of brine leachates, and the low chloride concentrations in the groundwater bores indicate no significant effects on the local groundwater from the existing brine conditioned ash;</p>	<p>AEMRs indicate brine co-placement was only undertaken at the Mt Piper ash repository (Area 1) and not at Lamberts North ash repository during the audit period. However, chlorides are monitored as part of the groundwater monitoring program, in accordance with the OEMP.</p>
9	<p>Water quality – the ash placement facility would generate water contaminated by sediment</p>	<p>Site water management system would be designed to manage the water from the site and minimise the risk of affecting the water quality of Neubecks Creek and Coxs River:</p> <ul style="list-style-type: none"> <li>• Separating clean water from undisturbed catchments and dirty water on the site</li> <li>• Managing the dirty water generated on site, based on the contaminants including sediment dams for runoff containing sediment laden water and a dirty water area for water containing runoff from the exposed ash placement areas</li> <li>• Allowing no regular controlled releases from the site</li> <li>• Reusing the water generated on site to satisfy the demands for rehabilitation and dust suppression</li> </ul>	<p>From a review of documentation and the site inspection verified that there are measures in place:</p> <ul style="list-style-type: none"> <li>• Clean water is kept separate from dirty water (see Photo 14);</li> <li>• Dams 1 and 2 are used on site to manage surface water (see Photos 12 and 15);</li> <li>• Dams A and B were constructed at the site, during the audit period (see Photo 16);</li> <li>• Dam C will be constructed at the site in the near</li> </ul>

Item		Predicted environmental impact for operations	Results/Discussion
		<ul style="list-style-type: none"> <li>Allowing water releases from sedimentation dams only in large rainfall events after the water has been treated through the dams.</li> </ul>	<p>future;</p> <ul style="list-style-type: none"> <li>No controlled releases of water have occurred during the audit period; and</li> <li>Water from the site is used for dust suppression (see Photo 11).</li> </ul>
10	Flooding regime of the local creeks	<p>Flooding regime of the local creeks modified due to changes in landform of the area to include the proposed ash placement facility</p> <p>The site water management system would include diversion drains to separate clean water from undisturbed catchments upstream of the proposed ash placement facility. The diversion drains would be designed to convey the 100 year ARI flood event.</p>	<p>AEMRs for the audit period did not mention any flooding during the audit period.</p> <p>During the site inspection noted that there was a diversion drain in place to keep clean water separate from undisturbed catchments upstream (refer to Photo 14).</p>
11	Groundwater – water quality in bores	<p>On-going monitoring and modelling studies show that the main contribution to elevated water quality parameters in Neubecks Creek is due to past, underground coal mining activities rather than the existing ash placement works at Area 1 or the operation of Mt Piper Power Station.</p>	<p>The 2017/2018 AEMR reports “Groundwater from multiple bores, including bore D9 which is towards Neubecks Creek, reported elevated concentrations of various constituents that were above the Environmental Goals. Although there is the potential that activities at the Lamberts North Ash Repository may have contributed to these exceedances in groundwater, these concentrations (particularly chloride) are unlikely to be related solely to the Lamberts North Ash Repository.”</p> <p>Energy Australia (EA) is currently undertaking a groundwater assessment to further understand groundwater flow/quality in the Lamberts North ash repository area.</p>
12		<p>Present disposal practices require the brine conditioned ash to be placed 35-40 m above the water table (at 946 m AHD). Groundwater quality results and modelling suggest that this practice is sufficient to ensure brine does not leach through to the groundwater.</p>	<p>AEMRs indicate brine co-placement was only undertaken at the Mt Piper ash repository (Area 1) and not at Lamberts North ash repository, during the audit period.</p>
13		<p>Continuing this practice of placing brine conditioned ash at an appropriate height would allow for groundwater quality to be unaffected by ash placement in Lamberts</p>	<p>AEMRs indicate brine co-placement was only undertaken at the Mt Piper ash repository (Area 1) and</p>

Item		Predicted environmental impact for operations	Results/Discussion
		North (at 946m AHD) and Lamberts South (956m AHD).	not at Lamberts North ash repository, during the audit period.
14	Surface water impacts	The management of works at the existing Area 1 is appropriate to minimise the risk of a discharge from the construction and operation of the active ash placement areas. A continuation of these practices in the Lamberts North would be enough to ensure that ash placement has limited if any effects on the water quality of Neubecks Creek.	The site inspection and a review of AEMRs confirmed that all water is kept on site and no water is discharged from the Lamberts North ash repository. Dam 1 and dam 2 are currently used for surface water management at the ash repository. Dams A and B were being constructed during the audit period. Dam C will also be constructed at the site, in the near future. The construction of Dams A, B and C should reduce the risk of discharge from Lamberts North ash repository.
15		<p>Water quality monitoring concentrations would be in accordance with the ANZECC/ARMCANZ (2000) guidelines for protection of aquatic ecosystems.</p> <ul style="list-style-type: none"> <li>• Electrical conductivity can be elevated at all sites, although immediately downstream of the existing ash Area 1 it falls within guidelines;</li> <li>• Chloride ion levels are consistently low where measured;</li> <li>• Metal concentrations are often below criteria, but are shown to be elevated in Neubecks Creek immediately downstream of the existing ash area (particularly silver, arsenic, cadmium, chromium, copper and zinc), at the site upstream of the existing ash area (silver and aluminium) and at downstream sites associated with the existing mine operations (manganese and zinc). The increased manganese and zinc indicated that the flow in Neubecks Creek was dominated by groundwater inflows during the dry weather rather than catchment runoff. The local groundwater is elevated in these metals due to the acid sulphate conditions in the local underground mine waters.</li> </ul>	<p>The 2017/2018 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22 for chlorides and metal concentrations, but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</p> <p>Chlorides are now elevated and metals remain elevated.</p>
<b>Aspect: Ecology</b>			
16	Threatened species, endangered communities or their habitats	The proposed ash placement of the Mt Piper power station into areas included in the field surveys is unlikely to impose a 'significant impact' on local populations of threatened species, endangered communities or their habitats. This conclusion is based on consideration of the extent of comparable habitat available to local populations of	AEMRs did not report any impacts to threatened species, endangered communities or their habitats, during the audit period. During the reporting period monitoring was undertaken

Item		Predicted environmental impact for operations	Results/Discussion
		the threatened species.	<p>at the nearby Neubecks Creek, in accordance with the Ecological Monitoring Program. The monitoring program aims to monitor and quantify the impacts on the ecology of Neubecks Creek and the associated riparian environment. The 2018 Neubecks Creek Ecological Monitoring Report (Cardno, 2018) noted “Although there appeared to be fewer taxa sampled in Neubecks Creek from autumn 2013 to autumn 2018, this was apparent upstream and downstream of the project area and, thus, cannot be attributed to the Project.”</p> <p>The Biodiversity Offset Management Plan (BOMP), dated July 2015, identifies the Thompson Creek Reservoir as a suitable offset area with ecological value comparable to impacted ecological communities (at the site). During the audit period this offset area was secured and appropriately managed, according to the AEMRs.</p>
17	Matter of NES	The proposal would not impact significantly on nationally threatened species or International migratory species or World Heritage Areas as listed under the EPBC Act in areas included in the field survey.	AEMRs did not report any impacts on nationally threatened species or International migratory species or World Heritage Areas as listed under the EPBC Act, during the audit period.
18	Offsets	An appropriate mitigation measure would be to provide a habitat offset of 1:1 which would contain a habitat of similar structure and complexity to that being removed.	The BOMP, dated July 2015, identifies the Thompson Creek Reservoir as a suitable offset area with ecological value comparable to impacted ecological communities (at the site). During the audit period this offset area was secured and appropriately managed, according to the AEMRs.
<b>Aspect: Heritage</b>			
19	Aboriginal heritage	No Aboriginal sites would be affected at Lamberts North or Lamberts South study areas as part of the Mt Piper Ash Placement Project. The proximity of the two previously recorded sites will require the use of appropriate measures to avoid any inadvertent impact.	AMERs note no additional Aboriginal heritage sites were identified during the audit period and no sites of this nature were impacted by the operation of the Lamberts North ash repository.
20	Non- Aboriginal heritage	Given the high levels of disturbance of the Lamberts North and South Study Areas, it was expected that no items of non-Indigenous items of heritage would remain.	AMERs note no additional non-indigenous heritage sites were identified during the audit period and no

Item		Predicted environmental impact for operations	Results/Discussion
		The lack of non-Indigenous heritage items at this location is consistent with the fact that while Europeans have settled the general region for nearly 200 years (section 5.1), the area has since been extensively mined.	sites of this nature were impacted by the operation of the Lamberts North ash repository. No non-Aboriginal heritage items were seen at the Lamberts North ash repository during the site inspection.
<b>Aspect: Visual</b>			
21		It is evident that high visual impact would result on key location 3 due to the close proximity of the sensitive receiver to the proposed ash placement areas, although opportunities to mitigate this impact would include the planting of screening trees.	Key location 3 (sensitive receptor) no longer exists. The site inspection verified that the residence has been removed. Vegetative screen in place around the site, screening the site from sensitive receptors, including users of Castlereagh Highway. Visual impacts have reduced with the removal of location 3 and mitigation measures in place.
22		Locations 1, 2 and 4 would experience no visual impact, given that the proposed ash placement areas would not be viewed from these locations. Visual impacts from locations 5 and 6 would be low to moderate, given their proximity to the proposed development and existing land use.	No complaints during the audit period regarding visual impacts. Visual impacts appear to be managed at the site.
23		For the finished profile of the sites, the ash placement areas are expected to appear greyish in colour from the viewpoint locations.	The Lamberts North ash repository will be capped and rehabilitated, mitigating impacts of a grey ash repository.
<b>Aspect: Other</b>			
24	Traffic	The road network surrounding the Mt Piper Power Station has significant spare capacity. The potential traffic impacts of the proposal relate to the movement of staff and construction equipment to and from the site and these impacts would be negligible.	Minimal traffic associated with the operation of Lamberts North ash repository. Minimal contractors (from Lendlease) operate the site therefore the impact on the external roadwork (from trips to and from their workplace) would be minimal. During the audit period, there were no complaints regarding traffic associated with the site.

Item		Predicted environmental impact for operations	Results/Discussion
25	Landuse	Effectively there would be no change in land use at the sites and the land use proposed is consistent with the general land uses within the area – power generation, coal extraction. Residential development exists close to the proposed ash site at Lamberts North and the proposed development would not have any further effect on that existing land use.	<p>The landuse for the site remains the same as what it was in the prior audit period; consistent with power generation, and coal extraction.</p> <p>Key location 3 (sensitive receptor) no longer exists. Therefore any potential landuse impacts would have been lowered.</p>
26	Operational waste	<p>Waste generated from the operation of the ash placement activities would include:</p> <ul style="list-style-type: none"> <li>• Used oils, tyres, rags, packaging, oil drums and discarded components associated with on-site vehicle maintenance;</li> <li>• Paper and associated stationery waste associated with office activity.</li> </ul>	<p>According to site communications no waste is generated from the operation of the ash placement activities.</p>

# APPENDIX C

## Audit Certification Form

Development Name	Lamberts North Ash Repository
Development Consent No.	PA 09_0186
Description of Development	Ash Repository
Development Address	350 Boulder Road, Portland, NSW
Operator	Energy Australia
Operator Address	Boulder Road, Portland, NSW
Title of Audit	Lamberts North Ash Repository 2018 Independent Environmental Audit
<p><i>I certify that I have undertaken the independent Audit and prepared the contents of the attached independent Audit report and to the best of my knowledge:</i></p> <p><i>The Audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the Auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits</i></p> <p><i>The findings of the Audit are reported truthfully, accurately and completely;</i></p> <p><i>I have exercised due diligence and professional judgement in conducting the Audit;</i></p> <p><i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the Audit;</i></p> <p><i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the Audit, spouse, partner, sibling, parent, or child;</i></p> <p><i>I do not have any pecuniary interest in the Audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i></p> <p><i>Neither I nor my employer have provided consultancy services for the Audited development that were subject to this Audit except as otherwise declared to the lead regulator prior to the Audit; and</i></p> <p><i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i></p> <p><i>Note.</i></p> <p><i>The Independent Audit is an ‘environmental Audit’ for the purposes of section 122B(2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an Audit report produced to the Minister in connection with an environmental Audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead / Principal Auditor	Tracey Ball
Address	10 Kings Road, New Lambton NSW 2305, Australia
Email Address	<a href="mailto:tball@slrconsulting.com">tball@slrconsulting.com</a>
Auditor Certification (if relevant)	Principal Environmental Auditor
Date:	20 December 2018

# APPENDIX D

## Endorsement of SLR



Contact: Chris Schultz  
Phone: 02 4224 9478  
Fax: 02 4224 9470  
Email: [chris.schultz@planning.nsw.gov.au](mailto:chris.schultz@planning.nsw.gov.au)

Ben Eastwood  
NSW Environment Leader  
EnergyAustralia NSW  
Mt Piper Power Station  
350 Boulder Road  
Portland NSW 2847

Email: [ben.eastwood@energyaustraliansw.com.au](mailto:ben.eastwood@energyaustraliansw.com.au)

Dear Mr Eastwood

**Mount Piper Ash Placement Project (Project Approval 09\_0186)  
Independent Environmental Audit**

I refer to the email from SLR Consulting dated 15 October 2018 seeking the Secretary's endorsement for an audit team to undertake the Independent Environmental Audit (audit) in accordance with Condition E22 of Schedule 2 of Project Approval 09\_0186 (the approval) for the Mount Piper Ash Placement Project, as directed by the Secretary in correspondence dated 23 April 2018.

Having considered the qualifications and experience of the SLR Consulting audit team, namely;

- Tracey Ball (Lead Auditor); and
- Samuel McDonald

the Secretary endorses the appointment of this team to undertake the audit in accordance with Condition E22 of Schedule 2 of the approval. This approval is conditional on the audit team being independent of the development.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and the *Post-approval requirements for State significant developments – Independent Audit Guideline* dated October 2015.

The audit report is to:

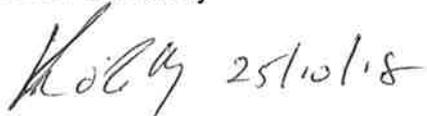
- include a compliance table indicating the compliance status of each condition of the approval and the Environment Protection Licence;
- not use the term "partial compliance";
- recommend actions in response to non-compliances;
- review the adequacy of plans and programs required under this approval;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

Within eight weeks of completing the audit, or otherwise as agreed by the Secretary, EnergyAustralia NSW is to submit a copy of the audit report to the Secretary together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Prior to submitting the audit report to the Secretary, it is recommended that EnergyAustralia NSW review the report to ensure it complies with the relevant approval condition.

Should you wish to discuss this matter please contact Chris Schultz on the details above.

Yours sincerely

Handwritten signature of Katrina O'Reilly in black ink, including the date 25/10/18.

Katrina O'Reilly

**Team Leader Compliance**  
*as nominee for the Secretary*

## ASIA PACIFIC OFFICES

### BRISBANE

Level 2, 15 Astor Terrace  
Spring Hill QLD 4000  
Australia  
T: +61 7 3858 4800  
F: +61 7 3858 4801

### MACKAY

21 River Street  
Mackay QLD 4740  
Australia  
T: +61 7 3181 3300

### ROCKHAMPTON

rockhampton@slrconsulting.com  
M: +61 407 810 417

### AUCKLAND

68 Beach Road  
Auckland 1010  
New Zealand  
T: +64 27 441 7849

### CANBERRA

GPO 410  
Canberra ACT 2600  
Australia  
T: +61 2 6287 0800  
F: +61 2 9427 8200

### MELBOURNE

Suite 2, 2 Domville Avenue  
Hawthorn VIC 3122  
Australia  
T: +61 3 9249 9400  
F: +61 3 9249 9499

### SYDNEY

2 Lincoln Street  
Lane Cove NSW 2066  
Australia  
T: +61 2 9427 8100  
F: +61 2 9427 8200

### NELSON

5 Duncan Street  
Port Nelson 7010  
New Zealand  
T: +64 274 898 628

### DARWIN

5 Foelsche Street  
Darwin NT 0800  
Australia  
T: +61 8 8998 0100  
F: +61 2 9427 8200

### NEWCASTLE

10 Kings Road  
New Lambton NSW 2305  
Australia  
T: +61 2 4037 3200  
F: +61 2 4037 3201

### TAMWORTH

PO Box 11034  
Tamworth NSW 2340  
Australia  
M: +61 408 474 248  
F: +61 2 9427 8200

### NEW PLYMOUTH

Level 2, 10 Devon Street East  
New Plymouth 4310  
New Zealand  
T: +64 0800 757 695

### GOLD COAST

Ground Floor, 194 Varsity Parade  
Varsity Lakes QLD 4227  
Australia  
M: +61 438 763 516

### PERTH

Ground Floor, 503 Murray Street  
Perth WA 6000  
Australia  
T: +61 8 9422 5900  
F: +61 8 9422 5901

### TOWNSVILLE

Level 1, 514 Sturt Street  
Townsville QLD 4810  
Australia  
T: +61 7 4722 8000  
F: +61 7 4722 8001