

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding
Terms of Approval	A1	The Proponent must carry out the project:	At all times	Based on the review undertaken, the Lamberts North operations have been carried out in accordance with the requirements.	Compliant
	a)	in accordance with the conditions of this approval granted with respect to the Mt Piper Ash Placement Project (09_0186);			
	b)	in accordance with all written direction of the Secretary; and			
	c)	generally in accordance with the EA.			
	A2	The conditions of this approval and direction of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document listed in condition A1(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A1(c), the most recent document prevails to the extent of any inconsistency, ambiguity or conflict.	At all times	No inconsistencies were observed between the listed documents during implementation of the project or during the course of the review of operations for the AOCR	Compliant
	A3	The Proponent shall comply with the reasonable requirements of the Secretary arising from the Department's assessment of:	At all times	This has been addressed in Section 5 of the 2023-2024 AOCR	Compliant
	a)	any documents that are submitted in accordance with this approval; and			
	b)	the implementation of any actions or measures contained in these documents.			
	A4	The Proponent shall meet the requirements of the Secretary 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(c) of this approval.	At all times	A request was made by the Secretary of the DPE in April 2018 for EA to have an Independent Environmental Audit (IEA) commissioned by June 2019. The IEA was performed in October 2018 (SLR, 2018)	Compliant
Limits of Approval	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.	Prior to construction	The Project Approval for Lamberts North Ash Repository (DPI, 2012) is dated 16 February 2012 with construction works on the Lamberts North Ash Repository project commencing 7 January 2013, following approval of the CEMP by DPE in December 2012. Ash placement commenced in September 2013, well before the 'deadline' date.	Compliant
Statutory Requirements	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.	At all times	Based on the Environmental Assessment (SKM, 2010) and OEMP (EA NSW, 2022), no permits were required during the operational phase of the project. Prior to construction licences for sinking boreholes were obtained from the NSW Office of Water. No Commonwealth permits, licences or approvals have been identified for the project. The project complies with the requirements of EnergyAustralia NSW's EPL 13007 (See Section 1 of the 2023-24 AOCR)	Compliant
Staging	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, D4, D5 and D6 separately for each stage.	Prior to construction	A CEMP (CDM Smith, 2012a) for construction (CoA B4) including the relevant sub-plans outlined within CoA B5 was approved by the DPI 1 December 2012. An OEMP (CDM Smith, 2013) for operation (CoA D2) of Lamberts North, including the relevant operational sub-plans as outlined in CoA D3 was approved by the DPI in May 2013. The OEMP was reviewed and updated by EnergyAustralia NSW (2022) which was approved by the DPIE on 6 June 2022. An evaluation of ground water levels at Lamberts North (CDM Smith, 2012b) was provided to DPE in May 2013, in accordance with CoA D5. The Leachate Management System Water Balance Assessment (CoA D6) provided to the DPE in February 2022 was approved in April 2022. The above-mentioned conditions are compliant for the Lamberts North stage. They have not been applied to the Lamberts South stage as no construction works have commenced for this stage to date.	Compliant
Incident Notification, Reporting and Response	A8	The Secretary must be notified in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the project (including the application number and the name of the project if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 2.	As required	No incidents requiring notification of the Secretary occurred during the reporting period.	Not triggered
Non-Compliance Notification	A9	The Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance. A noncompliance notification must identify the project and the application number for it, set out the condition of approval that the project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the noncompliance. <i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.</i>	As required	No non-compliances requiring notification of the Secretary occurred during the reporting period.	Not triggered
	A10	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020)	At all times	The 2023-24 AOCR had been developed in accordance with the requirements of the Compliance Reporting Post Approval Requirements (2020).	Compliant
Access to Information	A11	Until the completion of all rehabilitation required under this approval, the Proponent must:	At all times	A project website is available for the project: https://www.energyaustralia.com.au/about-us/energy-generation/lamberts-north-ash-repository the webpage hosts the Environmental Assessment, Submissions report and approvals, as well and Environmental Management Plans, Annual Environmental Management Reports & Compliance Reports and Compliance Tracking. Progress on operations and outcomes of compliance tracking are detailed within the Quarterly Community meeting and the minutes from this meeting are available from the following website: https://www.Energyaustralia.com.au/about-us/energy-generation/mt-piper-power-station/mt-piper-community All documentation is current and up to date. An internal audit conducted during the 2023-24 reporting period identified no non-conformance relating to Leachate Barrier Management System in stage 1 and stage 2. No complaints have been received regarding operations of the Ash Repositories, including LNAR, for the life of the project. The website has since been updated to include a complaints register section stating that 'Our complaints register will be reviewed monthly and uploaded as received'.	Compliant
	a)	make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this approval) publicly available on its website:			
	i	The EA;			
	ii	all current statutory approvals for the project;			
	iii	all approved strategies, plans and programs required under the conditions of this approval;			
	iv	staging plans for the project if the construction, operation or decommissioning of the project is to be staged;			
	v	regular reporting on the environmental performance of the project in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval;			
	vi	a comprehensive summary of the monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;			
	vii	a summary of the current phase and progress of the project;			
	viii	contact details to enquire about the project or to make a complaint;			
	ix	a Complaints Register, updated monthly;			
	x	audit reports prepared as part of any Independent Environmental Audit of the project and the Proponent's response to the recommendations in any audit report;			
	xi	any other matter required by the Secretary; and			
	b)	keep such information up to date, to the satisfaction of the Secretary.			

Lamberts North Compliance Tracking

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Environmental Representative	B1	Prior to the commencement of any construction activities, or as otherwise agreed by the Secretary, the Proponent shall nominate for the approval of the Secretary 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 Secretary. The Environmental Representative(s) shall:	At all times	In April 2018, EnergyAustralia NSW advised the DPE of Mrs. Skye Zorz's nomination for the role of Environmental Representative for the Mount Piper Ash Placement Project. This was approved by the Secretary and Mrs. Zorz was approved for the role of Environmental Representative.	Compliant
	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;			
	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, as referred to under condition A1(c); and			
	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.			
Groundwater Modelling	B2	The Proponent shall develop and maintain an up to date groundwater model for Lamberts North. The model should be calibrated to site-specific data. The Proponent shall consult with Water NSW in the preparation of the groundwater model and the model shall be provided to Water NSW within five months of project approval, unless otherwise agreed by the Secretary. The model shall address but not necessarily be limited to the following:	Prior to construction	A Groundwater modelling report was prepared by CDM Smith in November 2012 (CDM Smith, 2012b). The report was prepared in consultation with SCA and evaluated the potential impacts of construction and operational activities at the site and to assist in determining appropriate surface and groundwater management measures. No construction work has commenced at Lamberts South Ash Repository. EnergyAustralia NSW maintains an up-to-date groundwater model. The most recent update to the model was undertaken as part of the independent groundwater investigation completed in August 2023. The model is maintained by independent experts ERM.	Compliant
	a)	to the following: (a) the findings of the groundwater monitoring of existing ash placement areas and be based on average groundwater quality data;			
	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;			
	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);			
	d)	calibration to site-specific data; and			
	e)	identification of appropriate surface and groundwater management measures required in order to achieve a neutral or beneficial effect on water quality.			
		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 Water NSW, to apply to Lamberts South.			
Groundwater Monitoring	B3	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 Water NSW 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	At all times	Groundwater bores were installed in July 2012 and were licenced for their construction with NSW Office of Water. The first sampling event for baseline testing was performed upon installation and prior to construction. The location and parameters to be undertaken were done in consultation with SCA. Existing historical groundwater bores that were established since the construction of Mt Piper are used to supplement the newly installed groundwater bores. Additional groundwater monitoring bores were installed as part of the independent groundwater investigation in 2018 and 2020.	Compliant
Construction Environmental Management Plan	B4	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 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:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	a)	a description of all relevant activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;			
	b)	identification of the potential for cumulative impacts with other construction activities occurring in the vicinity and how such impacts would be managed;			
	c)	details of any site compounds and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;			
	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;			
	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;			
	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 sub- contractors are aware of their environmental and compliance obligations under these conditions of approval;			
	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;			
	h)	specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(c);			
	i)	a complaints handling procedure during construction;			
	j)	emergency management measures including measures to control bushfires;			
	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			
	l)	the additional requirements of this approval.			

Lamberts North Compliance Tracking

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		The CEMP for the project (or any stage of the project) shall be submitted to the Secretary 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 Secretary. Construction shall not commence until written approval has been received from the Secretary.			
	B5	As part of the CEMP for the project, the Proponent shall prepare and implement the following plans:			
Construction Noise Management Plan	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:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing a Construction Noise Management Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	i)	details of construction activities and an indicative schedule for construction works;			
	ii)	identification of construction activities that have the potential to generate noise impacts on sensitive receivers;			
	iii)	identification of noise criteria and procedures for assessing noise levels at sensitive receivers;			
	iv)	details of reasonable and feasible actions and measures to be implemented to minimise noise impacts;			
	v)	details of noise monitoring and if any noise exceedance is detected, how any non-compliance would be rectified; and			
	vi)	procedures for notifying sensitive receivers of construction activities that are likely to affect their noise amenity.			
Groundwater Management Plan	b)	a Groundwater Management Plan to detail measures to manage groundwater impacts. The Plan shall be prepared in consultation with DPIE Water and Water NSW and include, but not necessarily be limited to:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing a Groundwater Management Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	i)	identification of the construction activities that could affect groundwater at the site, including groundwater interference and impacts to groundwater users and dependent species;			
	ii)	a description of the management controls to minimise impacts to groundwater during construction;			
	iii)	methods for monitoring groundwater during construction including a program to monitor groundwater flows and groundwater quality in the project area;			
	iv)	a response program to address identified exceedances of existing groundwater quality criteria approved for Area 1 (the existing ash placement area); and			
	v)	provisions for periodic reporting of results to Water NSW during construction.			
Soil and Surface Water Management Plan	c)	a Soil and Surface Water Management Plan 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 Water NSW and DPIE Water and any other relevant government agency. The Plan shall include, but not necessarily be limited to:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing a Soil and Surface Water Management Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	i)	baseline data on the water quality and available flow data in Huons Creek, Lamberts Gully Creek and Wangcol Creek;			
	ii)	water quality objectives and impact assessment criteria for Huons Creek, Lamberts Gully Creek and Wangcol Creek;			
	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;			
	iv)	identification of the construction activities that could cause soil erosion or discharge sediment or water pollutants from the site;			
	v)	description of stockpile locations and disposal methods;			
	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;			
	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);			
	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			
	ix)	measures to monitor and manage soil and water impacts in consultation with DPIE Water 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);			
	x)	measures to monitor and manage flood impacts in consultation with DPIE Water 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;			
	xi)	a program to monitor surface water quality, including Lamberts Gully Creek and Wangcol Creek;			
	xii)	a protocol for the investigation of identified exceedances in the impact assessment criteria;			
	xiii)	a response plan to address potential adverse surface water quality exceedances; and			
	xiv)	provisions for periodic reporting of results to DPIE Water and Water NSW as per condition B8.			
Air Quality Management Plan	d)	a Air Quality Management Plan, 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:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing an Air Quality Management Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	i)	identification of sources of dust deposition including, truck movements, regrading, backfilling, stockpiles and other exposed surfaces;			
	ii)	identification of criteria, monitoring and mitigation measures for the above sources; and			
	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.			
Flora and Fauna Management Plan	e)	a Flora and Fauna Management Plan, 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 BCS and shall include, but not necessarily be limited to:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing a Flora and Fauna Management Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant

Lamberts North Compliance Tracking

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	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;			
	ii)	procedures to accurately determine the total area, type and condition of vegetation community to be cleared;			
	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			
	iv)	a procedure to review management methods where they are found to be ineffective.			
Aboriginal Heritage Plan	f)	an Aboriginal Heritage Plan to monitor and manage Aboriginal heritage impacts in consultation with registered Aboriginal stakeholders and prepared in consultation with Heritage NSW. The plan should include but not necessarily limited to:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing an Aboriginal Heritage Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	i)	an updated Cultural Heritage Management Plan to cover the protection of sites previously recorded in the 2005 Aboriginal heritage assessment;			
	ii)	procedures for the management of unidentified objects and/or human remains, including ceasing work;			
	iii)	Aboriginal cultural heritage induction processes for construction personnel; and			
	iv)	procedures for ongoing Aboriginal consultation and involvement should Aboriginal heritage sites or objects be found during construction.			
Ash Transportation Plan	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:	Prior to & during construction	A CEMP (CDM Smith, 2012a) for construction at Lamberts North containing an Ash Transportation Plan was developed in consultation with Delta Electricity Environment Section, NOW and SCA. The CEMP was approved by the DPI in December 2012.	Compliant
	i)	justification of the proposed option for ash transportation (either haulage access roads and/or conveyor) for ash transportation;			
	ii)	details of the proposed option, including construction requirements, impacts and mitigation measures;			
	iii)	plans showing the location of the chosen option; and			
	iv)	provision of mitigation measures should the conveyor breakdown			
Biodiversity Offsets	B6	The Proponent shall develop and submit for the approval of the Secretary, 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 Secretary. The Plan shall be developed in consultation with the BCS and shall:		A Biodiversity Offset Management Plan (BOMP) for Lamberts North in consultation with OEH was submitted 14 May 2013 to DPI. The BOMP (Delta Electricity, 2012) was not approved 18 June 2013 and DPI requested the BOMP to be revised to include an offset of 1:1 to the existing rehabilitation site and be resubmitted. The BOMP was revised in consultation with OEH and submitted 23 July 2015. The revised BOMP (EA NSW, 2015) was approved 24 August 2015. A Biodiversity Offset Strategic Outline (BOSO) was prepared for Lamberts South and was considered appropriate by the Department. The BOMP was further revised in consultation with OEH and submitted to DPE 3 May 2019. The revised BOMP (EA NSW, 2019b) was approved 19 December 2019.	Compliant
	a)	identify the objectives and outcomes to be met by the Biodiversity Offset Management Plan;			
	b)	describe the size and quality of the habitat/vegetation communities of the offset;			
	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;			
	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, Council) for long term management and funding of offsets and mitigation measures, and installation of identified mitigation measures;			
	e)	include an offset for direct and indirect impacts of the proposal which maintains or improves biodiversity values;			
	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			
	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.			
Ecological Monitoring Program	B7	The Proponent shall prepare and implement an Ecological Monitoring Program prior to construction, in consultation with DPIE Water and BCS to monitor and quantify the impacts on the ecology of Wangcol Creek and the associated riparian environment. The Program shall include, but not necessarily be limited to:	At all times	The Ecological Monitoring Plan (EMP) was produced 31 November 2012 in consultation with NOW and DPI (Fisheries). Baseline data was sampled 7 November 2012 and autumn and spring sampling obtained for 2013 and 2014. Spring sampling has been performed in December 2016 (Cardno, 2017), December 2018 (Cardno, 2019), November 2020 (Cardno, 2021), November 2021 (Cardno, 2022) and December 2023 (Stantec, 2023). Autumn sampling has been performed in May 2018 (Cardno, 2018) and May 2020 (Cardno, 2020).	Compliant
	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);			
	b)	at least one in-stream sampling period prior to ash placement at Wangcol Creek and at least two (2) sampling periods following ash placement at each of Lamberts North and Lamberts South;			
	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			
	d)	management measures to address any adverse ecological impacts.			
Compliance Monitoring and Tracking	B8	The Proponent must develop and implement a Compliance Tracking Program for the project, prior to commencing construction, to track compliance with the requirements of this approval and must include, but not necessarily be limited to:	At all times	A Compliance Tracking program (this document) was developed & implemented prior to commencing construction. The Compliance and Tracking document was approved by DPI on 13 December 2012.	Compliant
	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;			
	b)	provisions for periodic reporting of the compliance status to the Secretary;			
	c)	a program for independent environmental auditing in accordance with the Department's Independent Audit Post Approval Requirements (2020);			
	d)	procedures for rectifying any non-compliance identified during environmental auditing or review of compliance, complying with the requirements listed in condition A8 of this approval;			

Lamberts North Compliance Tracking

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	e)	mechanisms for recording environmental incidents and actions taken in response to those incidents, complying with the requirements listed in condition A8 of this approval;			
	f)	provisions for reporting environmental incidents to the Secretary during construction and operation; and			
	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.			
		The Compliance Tracking Program must be implemented prior to construction of the project with a copy submitted to the Secretary for approval at least four weeks prior to the commencement of the project, unless otherwise agreed by the Secretary.			
	B9	Nothing in this approval restricts the Proponent from utilising any existing compliance tracking programs administrated by the Proponent to satisfy the requirements of condition B8. In doing so, the Proponent must demonstrate to the Secretary how these systems address the requirements and/or have been amended to comply with the requirements of the condition.			
Community Information and Complaints Management Provision of Information	B10	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:	Prior to construction	A project website is available for the project: https://www.energyaustralia.com.au/about-us/energy-generation/lamberts-north-ash-repository the webpage hosts the Environmental Assessment, Submissions report and approvals, as well and Environmental Management Plans, Annual Environmental Management Reports & Compliance Reports and Compliance Tracking. Progress on operations and outcomes of compliance tracking are detailed within the Quarterly Community meeting and the minutes from this meeting are available from the following website: https://www.Energyaustralia.com.au/about-us/energy-generation/mt-piper-power-station/mt-piper-community	Compliant
	a)	the documents referred to under condition A1 of this approval;			
	b)	this project approval, Environment Protection Licence and any other relevant environmental approval, licence or permit required and obtained in relation to the project;			
	c)	all strategies, plans and programs required under this project approval, or details of where this information can be viewed;			
	d)	information on construction and operational progress; and			
	e)	the outcomes of compliance tracking in accordance with the requirements of this project approval.			
Complaints and Enquiries Procedure	B11	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:	Prior to construction	The Project website contains a link to the following website which contains the relevant contact details are available from the following website: https://www.energyaustralia.com.au/about-us/energy-generation/mt-piper-power-station This website lists the following contact details for the project: 24-hour contact number – call Mt Piper Power Station on (02) 6354 8111 Postal Address: Mt Piper Power Station Locked Bag 1000 Portland, NSW, 2847 Email: community@energyaustralia.com.au These details were published in the Community Information Plan (CIP) article published in Lithgow Mercury dated 8 December 2012.	Compliant
	a)	a 24 hour contact number(s) on which complaints and enquiries about construction and operational activities may be registered;			
	b)	a postal address to which written complaints and enquiries may be sent; and			
	c)	an email address to which electronic complaints and enquiries may be transmitted.			
		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.			
	B12	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:	At all times	Any complaints to EnergyAustralia NSW go via the switchboard, or through email or mail and are then redirected to the appropriate area of EnergyAustralia operations. All complaints are recorded in the Incidents and Complaints register with all details captured including actions taken if necessary, as per EA NSW Environment Management System (EMS) Procedure. If actions were necessary, a review of those actions are to be taken before the complaint is closed out. In addition, the ash contractors produce a monthly compliance report including any complaints received. No complaints were received regarding operations of the Ash Repositories, including LNAR, for the reporting period (as per Appendix H of the AOCR).	Compliant
	a)	the date and time of the complaint;			
	b)	the means by which the complaint was made (e.g. telephone, email, mail, in person);			
	c)	any personal details of the complainant that were provided, or if no details were provided a note to that effect;			
	d)	the nature of the complaint;			
	e)	the time taken to respond to the complaint;			
	f)	any investigations and actions taken by the Proponent in relation to the complaint;			
	g)	any follow-up contact with, and feedback from, the complainant; and			
	h)	if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.			
		The Complaints Register shall be made available for inspection by the Secretary upon request.			
Community Information Plan	B13	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:	Prior to construction	The Lamberts North Ash Placement Stakeholder Communications Plan (September 2012) was specifically prepared and implemented for the purposes of this project. This was published in the local newspaper, the Lithgow Mercury, dated 8 December 2012. A Community Information Plan (CIP) was also prepared in October 2013. The CIP was updated to reflect EnergyAustralia NSW as the owners and remove any references to Delta Electricity in accordance with a recommendation from the 2014 Independent Environmental Audit by Aurecon.	Compliant
	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			
	b)	procedures to inform the community where work has been approved to be undertaken outside the normal Construction hours, in particular noisy activities.			
		A copy of the Plan shall be provided to the Secretary one month prior to the commencement of construction.			
Design	B14	The ash placement areas shall be designed by a suitably qualified, experienced and independent person, whose appointment has been approved by the Secretary to ensure structural stability of the ash placement areas.	Prior to construction	Design approved by DPE 1 December 2012. The ash placement areas were designed by JK Williams, in consultation with the Principal Ash contractors to ensure structural stability of the ash placement areas. The ash placement areas were constructed in line with the design.	Compliant
Environmental Incident Reporting	C1	The Proponent shall notify the Secretary 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 Secretary within seven days of the date on which the incident occurred.	At all times	No environmental incidents requiring notification of the Secretary occurred during the 2023-2024 reporting period.	Not triggered
	C2	The Proponent shall meet the requirements of the Secretary 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 Secretary may require.			
Construction Hours	C3	Construction activities associated with the project shall only be undertaken during the following hours:	During construction	No construction activities that trigger the requirements described under these conditions have occurred during the reporting period.	Not triggered
	a)	7:00 am to 6:00 pm, Mondays to Fridays, inclusive			

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding						
	b)	8:00 am to 1:00 pm on Saturdays; and		Installation of the leachate barrier system is expressly defined within the consent as “operations”.							
	c)	at no time on Sundays or public holidays.									
	C4	Construction outside the hours stipulated in condition C3 of this approval is permitted in the following circumstances:									
	a)	where construction works do not cause audible noise at any sensitive receiver; or									
	b)	for the delivery of materials required outside these hours by the Police or other authorities for safety reasons; or									
	c)	where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.									
	C5	The hours of construction activities specified under condition C3 of this approval may be varied with the prior written approval of the Secretary. Any request to alter the hours of construction specified under condition C3 shall be:									
	a)	considered on a case-by-case basis;									
	b)	accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and									
c)	accompanied by information necessary for the Secretary 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.										
Construction Noise	C6	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:<table><tr><td>Location</td><td>Day (LAeq (15 minute)) dB(A)</td></tr><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></table> 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) (or its latest version), unless the Secretary agrees otherwise, including noise generated by heavy vehicle haulage and other construction traffic associated with the project.	Location	Day (LAeq (15 minute)) dB(A)	All private receivers within the township of Blackmans Flat	46	All other residences	43	During construction	No construction activities that trigger the requirements described under these conditions have occurred during the reporting period. Installation of the leachate barrier system is expressly defined within the consent as “operations”.	Not triggered
Location	Day (LAeq (15 minute)) dB(A)										
All private receivers within the township of Blackmans Flat	46										
All other residences	43										
Dust Generation	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.	During construction	No construction activities that trigger the requirements described under these conditions have occurred during the reporting period. Installation of the leachate barrier system is expressly defined within the consent as “operations”.	Not triggered						
Heritage Impacts	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 Heritage NSW 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 Heritage NSW and the registered Aboriginal stakeholders and written authorisation from Heritage NSW is received by the Proponent.	During construction	The course of action for Aboriginal objects identified during construction is detailed in the CEMP Aboriginal sub-plan approved by DPI 1 December 2012. No aboriginal artefacts were discovered during construction.	Compliant						
	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 notify Heritage NSW in accordance with the Heritage Act 1977. Works shall not recommence until the Proponent receives written authorisation from Heritage NSW.	During construction	No historical relics were discovered during construction.	Compliant						
Soil and Water Quality Impacts	C10	The Proponent shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.	At all times	Compliance is achieved through the CEMP Soil and Surface Water sub-plan approved by DPI 1 December 2012 and EPL 13007.	Compliant						
	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).									
	C12	During construction, the Proponent shall maintain a buffer of 50 metres from the construction work to Wangcol Creek.		Buffer was maintained as documented in JK Williams Contractor meeting minutes.	Compliant						
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.	Surface water drainage was engineered and stabilised as per CEMP Soil and Surface Water sub-plan approved by DPI 1 December 2012.	Compliant								
Waste Generation and Management	C14	All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	At all times	EnergyAustralia NSW manages all site waste in accordance with EPL 13007, disposal and restricted waste area or via licenced waste contractor.	Compliant						
	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 an EPL, if such a licence is required in relation to that waste.		No wastes generated outside the Lamberts North site were allowed to enter the area. To prevent unlawful access to the repository area, regular security patrols are conducted across the site. Both the Principal Ash Contractor and EnergyAustralia NSW personnel are required to report if they encounter any rubbish or wastes outside those that are allowed during routine operations.	Compliant						
	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.		EnergyAustralia NSW manages all site waste in accordance with EPL 13007, disposal and restricted waste area or via licenced waste contractor.	Compliant						
Ash Management	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 Secretary six months prior to the commencement of operations. The Proponent shall report on the status and outcomes of its investigations to the Secretary every two years from the commencement of the operation of the project, unless otherwise agreed by the Secretary.	Prior to & during operations	Lamberts North Consistency Report (SKM, 2012) and Ash Management Strategy (Delta Electricity, 2012) approved by DPI 30 July 2012 details the long-term ash management strategy for ash re-use. EnergyAustralia have provided two yearly updates on the status of the Ash Management Strategy (EA NSW, 2016; 2018; 2020)	Compliant						

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding
Operational Environmental Management Plan	D2	The Proponent must prepare an Operational Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during operation of the project. The OEMP must be prepared to the satisfaction of the Secretary, and in consultation with the relevant government agencies and must include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022.	Compliant
	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;			
	b)	a description of the roles and responsibilities for all relevant employees (including contractors) involved in the operation of the project;			
	c)	overall environmental policies and principles to be applied to the operation of the project;			
	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;			
	e)	management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;			
	f)	the environmental monitoring requirements outlined under conditions E12 to E18 inclusive;			
	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;			
	h)	specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(c) of this approval;			
	i)	the additional requirements of this approval;			
	j)	details of traffic management measures for public roads including managing vehicle movements, ensuring haul routes proposed are communicated to contractors and staff and complied with, measures to reduce impacts during peak hours and at intersections, scheduling heavy vehicle movements to minimise convoy or platoon lengths, identifying local climate conditions that may affect road safety and ensuring truckloads are covered at all times; and			
	k)	incorporation of traffic management measures into a Drivers Code of Conduct for transporting materials on public roads for all contractors and staff.			
		The OEMP must be submitted for the approval of the Secretary no later than four weeks prior to the commencement of operation of the project, unless otherwise agreed by the Secretary. Operation must not commence until written approval has been received from the Secretary. Nothing in this approval precludes the Proponent from incorporating the requirements of the OEMP into existing environmental management systems and plans administered by the Proponent.			
	D3	As part of the OEMP for the project, required under condition D2 of this approval, the Proponent must prepare and implement the following Management Plans:			
Operational Noise Management Plan	a)	an Operational Noise Management Plan to detail measures to mitigate and manage noise during operation of the project. The Plan must be prepared in consultation with the EPA and include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) containing an Operational Noise Management Plan was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022.	Compliant
	i)	identification of activities that will be carried out in relation to the project and the associated noise sources;			
	ii)	identification of all relevant sensitive receivers and the applicable criteria at those receivers commensurate with the noise limit specified under condition E7 of this approval;			
	iii)	noise monitoring procedures (as referred to in condition E12 of this approval) for periodic assessment of noise impacts at the relevant receivers against the noise limits specified under this approval and the predicted noise levels as detailed in the EA;			
	iv)	details of all management methods and procedures that will be implemented to control individual and overall noise emissions from the site during operation, including the feasibility of noise reducing benching;			
	v)	procedures to ensure that all reasonable and feasible noise mitigation measures are applied during operation of the project and procedures and corrective actions to be undertaken if non-compliance against the operational noise criteria as detailed in condition E7 is detected at the sensitive receivers; and			
	vi)	provisions for periodic reporting of results to the EPA as per condition B8.			
Groundwater Management Plan	b)	a Groundwater Management Plan to detail measures to mitigate and manage groundwater impacts. The Plan must be prepared in consultation with DPIE Water and Water NSW and include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) containing a Groundwater Management Plan was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022. For the 2024 reporting period, it is noted that ground water monitoring has remained compliant. All the necessary investigation and mitigation measures have been completed, ensuring compliance with reporting requirements.	Compliant
	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, including the leachate management system which must be designed and constructed generally in accordance with the Environmental Guidelines, Solid Waste Landfills (EPA, 2016) and monitoring requirements;			
	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 water. The plan must 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;			
	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 must continue for a minimum of five years following final capping and landscaping;			
	vii)	a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria; and			
	viii)	provisions for periodic reporting of results to Water NSW as per condition B8.			

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding
Soil and Surface Water Management Plan	c)	a Soil and Surface Water Management Plan 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 must be based on best environmental practice and must be prepared in consultation with the DPIE Water and Water NSW. The Plan must include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) containing a Soil and Surface Water Management Plan was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW during the 2021-22 reporting period to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022. For the 2024 reporting period, it is noted that soil and surface water monitoring has remained compliant. All the necessary investigation and mitigation measures have been completed, ensuring compliance with reporting requirements.	Compliant
	i)	baseline data on the surface water quality and available flow in Wangcol Creek and Lamberts Gully Creek			
	ii)	water quality objectives and impact assessment criteria for Wangcol Creek and Lamberts Gully Creek;			
	iii)	identification of the operation activities that could cause soil erosion or discharge sediment or water pollutants from the site;			
	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, minimise bank erosion and including the leachate management system which must be designed and constructed generally in accordance with the Environmental Guidelines, Solid Waste Landfills (EPA, 2016);			
	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);			
	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;			
	vii)	site water balance including water usage for ash placement, sources of water and quantity of run-off generated;			
	viii)	details of the lining for the surface water collection ponds;			
	ix)	measures to minimise potential surface water infiltration;			
	x)	a flow and water quality monitoring program for Wangcol Creek and Lamberts Gully Creek that includes discharge points, upstream and downstream locations as per condition E16 and limits for identified pollutants;			
	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			
	xii)	provisions for periodic reporting of results to Water NSW as per condition B8.			
Air Quality Management Plan	d)	a Air Quality Management Plan to outline measures to minimise impacts from the project on local air quality. The Plan must be prepared in consultation with NSW Health and the EPA and include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) containing an Air Quality Management Plan was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022.	Compliant
	i)	baseline data on dust deposition levels;			
	ii)	air quality objectives and impact assessment criteria;			
	iii)	an assessment of alternative methods of ash placement to minimise the exposure of active placement areas to prevailing winds;			
	iv)	mitigation measures to be incorporated during ash placement activities, haulage, etc;			
	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;			
	vi)	detail how ash placement moisture levels will be maintained;			
	vii)	a contingency plan to deal with high winds and dust suppression;			
	viii)	a protocol for the investigation of visible emissions from the ash placement area;			
	ix)	a response plan to address exceedances in visible emissions including PM10, TSP and deposited dust from the ash placement areas; and			
	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;			
	xi)	provisions for periodic reporting of results to the EPA as per condition B8; and			
	xii)	a protocol for suppressing dust emissions within the EPL limits under normal and adverse weather conditions at all stages of the ash placement process.			
Landscape / Revegetation Plan	e)	a Landscape/Revegetation Plan 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 must include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) containing a Landscape & Revegetation Plan was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022.	Compliant
	i)	identification of design objectives and standards based on local environmental values, vistas, and land uses;			
	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;			
	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			
	iv)	procedures and methods to monitor and maintain revegetated areas during the establishment phase and long-term.			
Site Rehabilitation Plan	f)	a Site Rehabilitation Management Plan to outline measures to stabilise and rehabilitate the site following project completion. The Plan must be prepared in consultation with Water NSW and DPIE Water. The Plan must include, but not necessarily be limited to:	Prior to operations	The Operation Environmental Management Plan (CDM Smith, 2013) containing a Site Rehabilitation Management Plan was approved by DPI in May 2013 and operations at Lamberts North commenced in September 2013. The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022.	Compliant
	i)	reinstatement of geomorphologic stable drainage lines on the rehabilitated areas and a timeframe for rehabilitation;			
	ii)	restoration, rehabilitation and revegetation of the project's site;			
	iii)	measures to control water pollutants from rehabilitated areas; and			
	iv)	a program and timeframe for monitoring rehabilitated areas.			
	D3A	The Proponent must implement the OEMP as approved by the Secretary.	At all times	Based on the review undertaken, the Lamberts North operations have been carried out in accordance with the OEMP.	Compliant

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding												
Groundwater Quality and Geotechnical Impacts	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.	Prior to operations	An evaluation of groundwater levels at Lamberts North (CDM Smith, 2012b) was provided to DPI May 2013. The groundwater level evaluation report demonstrated that the activities associated with preparation and re-profiling of Lamberts North area had minimal impact on groundwater levels on and immediately adjacent to the site.													
Leachate Management System	D5	Prior to the commencement of operation of each stage of the ash placement process, the Proponent must demonstrate to the satisfaction of the Secretary, in consultation with the EPA, that the design of the leachate management system is generally consistent with the Environmental Guidelines, Solid Waste Landfills (EPA, 2016), including:	Prior to operations of each stage	The Lamberts North Ash Repository Leachate Barrier System Water Balance Assessment (ERM, 2022) was approved by DPE 27 April 2022.	Compliant												
	a)	the leachate barrier system, including liner and leachate collection system; and															
	b)	the leachate storage dam/s including freeboard, appropriate sizing based on site water balance modelling and liner.															
Operational Hours	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.	During Operations	Works were undertaken within the CoA specified hours of operation during the current reporting period. An application was submitted to DPHI during the reporting period to modify the operating hours to 24/7. The change to operating hours will be reflected into future reports following its approval by DPHI.	Compliant												
	E2	Operations outside the hours stipulated in condition E1 of this approval are only permitted in the following emergency situations:															
	a)	where it is required to avoid the loss of lives, property and/or to prevent environmental harm; or															
	b)	breakdown of plant and/or equipment at the ash placement areas or the Mt Piper Power Station with the effect of limiting or preventing ash storage at the power station outside the operating hours defined in condition E1; or															
	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 to store ash outside of the project operating hours; or															
	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.															
		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.	During operations - emergency situations	Works were undertaken within the CoA specified hours of operation during the current reporting period.	Not triggered												
	E3	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 Secretary for approval a report including, but not limited to:															
	a)	the dates and a description of the emergency situations;															
	b)	an assessment of all reasonable and feasible mitigation measures to avoid recurrence of the emergency situations;															
	c)	identification of a preferred mitigation measure(s); and															
	d)	timing and responsibility for implementation of the mitigation measure(s).															
		The report is to be submitted to the Secretary 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 Secretary.															
	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.															
	E5	The Proponent shall notify the Secretary 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.															
	E6	The Proponent shall notify nearby sensitive receivers (as defined in the OEMP 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.															
Operational Noise	E7	The cumulative operational noise from the ash placement area and ash haulage activity shall not exceed the following LAeq(15 minute) dB(A): <table><tr><th>Location</th><th>Day (7am to 6pm)</th><th>Evening (6pm to 10pm)</th><th>Night (10pm to 7am)</th></tr><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></table>	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	During operations	Noise criteria is included in Table 5-4 of the approved OEMP. Meteorological conditions to which the above criteria apply are included in Section 5.4.5.2 of the OEMP.	Compliant
		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												
		This noise criteria set out above applies under all meteorological conditions except for any of the following:															
		a) wind speed greater than 3 metres/second at 10 metres above ground level;															
		b) stability category F temperature inversion conditions and wind speed greater than 2 metres/second at 10 metres above ground level; and															
		c) stability category G temperature inversion conditions.															
		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 Secretary and the EPA.															
E8	To determine compliance with the LAeq(15 minute) noise limits, the noise monitoring equipment must be located at the most affected:	During operations	Addressed in section 5.4.5.3 of the approved OEMP and section 6.2 of the 2023-24 AOCR.	Compliant													
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																

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding
	b)	approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises	During operations	Addressed in section 5.4.5.3 of the approved OEMP.	Compliant
	E9	For the purposes of monitoring noise from the premises to determine compliance with the noise limits:			
	a)	noise monitoring must be undertaken in accordance with the Noise Policy for Industry (NSW EPA, 2017), or its latest version, using equipment accepted by the EPA in writing;			
	b)	the meteorological data to be used for determining meteorological conditions is the data recorded by the meteorological weather station at the premises; and			
	c)	stability category temperature inversion conditions are to be determined in accordance with the Noise Policy for Industry (NSW EPA, 2017), or its latest version.			
	E10	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.	During operations	The plant and equipment mitigation measures are included in Table 5-2 of the approved OEMP. No noise complaints have been received for Lamberts North within the reporting period.	Compliant
Operational Noise Review	E11	Within 60 days of the commencement of operation of the project, unless otherwise agreed to by the Secretary, the Proponent shall submit to the Secretary 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:	Prior to operations	The Operation Noise Review Report was prepared in October 2013 by Aurecon. The report was submitted to the DPI on 9th October 2013 and the EPA 10th October 2013 for review. The report concluded that the noise resulting from Lamberts North operations comply with the criteria specified in condition E7 at the representative residential receivers at Location 1 and Location 2. No complaints regarding noise from Lamberts North have been recorded within the reporting period.	Compliant
	a)	identify the appropriate operational noise objectives and levels for sensitive receivers;			
	b)	describe the methodologies for noise monitoring, including the frequency of measurements and location of monitoring sites;			
	c)	document the operational noise levels at sensitive receivers as ascertained by the noise monitoring program;			
	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 of this approval; and			
	e)	provide details of any entries in the Complaints Register relating to noise impacts.			
		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.			
Ongoing Operational Noise Monitoring	E12	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. The noise monitoring program shall be prepared in accordance with the requirements of the Noise Policy for Industry (NSW EPA, 2017), or its latest version, and shall include, but not be limited to:	Prior to & during operations	The operational noise monitoring program is included in Table 5-4 of the approved OEMP. Monitoring was performed during the reporting period. The report states that the noise resulting from Lamberts North operations complies with the criteria specified under condition E7 at the representative residential receivers at Location 1 and Location 2.	Compliance
	a)	monitoring at Lamberts North, Lamberts South and Blackmans Flat during ash placement activities; and			
	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.			
		The Proponent shall forward to the EPA and the Secretary 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 OEMP referred to in condition D3 (a) of this approval.			
	E13	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 Secretary a report including, but not limited to:	During operations – if required	No non-compliances with the operational noise criteria specified under condition E7 has been reported during this reporting period	Compliant
	a)	an assessment of all reasonable and feasible physical and other mitigation measures for reducing noise at the source;			
	b)	identification of the preferred measure(s) for reducing noise at the source;			
	c))	feedback from directly affected property owners and the EPA on the proposed noise mitigation measures; and			
	d)	location, type, timing and responsibility for implementation of the noise mitigation measure(s).			
		The report is to be submitted to the Secretary 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 Secretary. The Proponent shall implement all reasonable and feasible mitigation measures in accordance with the requirements of the Secretary.			
	E14	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.	During operations – if required	No non-compliances with the operational noise criteria specified under condition E7 has been reported during this reporting period	Compliant
Groundwater Monitoring	E15	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 Water NSW, 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:	Prior to & during operations	The Groundwater Monitoring program is included as part of the Groundwater Management Plan as Section 6.4.3 of the approved OEMP. Monitoring has been carried out on a continual monthly basis including the first 12 months of operations to establish baseline data. Results of Groundwater monitoring during the reporting period have been addressed in Section 7.2 and can be found in Appendix E of the 2023-24 AOCR.	Compliant
	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			
	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.			

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding
		The monitoring program shall form part of the Groundwater Management Plan referred to in condition D3(b) of this approval.			
Surface Water Quality Monitoring	E16	The Proponent shall prepare and implement a surface water quality monitoring program to monitor the impacts of the ash placement activities on Wangcol Creek and Lamberts Gully. The Program shall be developed in consultation with Water NSW, 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:	Prior to & during operations	The Surface water monitoring programme is included in Table 6.21 of the approve OEMP. Monitoring is performed at the Final Holding Pond monitoring station to Wangcol Creek (LDP01), and at NC01 and WX22. Wet weather monitoring was performed in October 2013 and March 2014. Results of Surface water monitoring during the reporting period have been addressed in Section 7.1. and can be found in Appendix E of the 2023-24 AOCR.	Compliant
	a)	monitoring at the existing water quality monitoring sites as described in the document referred to under condition A1c);			
	b)	monitoring at surface water discharge points from Lamberts Gully Creek			
	c)	monitoring at surface water discharge points into Wangcol Creek;			
	d)	wet weather monitoring with a minimum of two events recorded within the first 12 months operation of the project; and			
	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.			
Hydrological Monitoring Program	E17	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 Water NSW and DPIE Water and any other relevant government agency. 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. The monitoring program shall form part of the Soil and Surface Water Management Plan referred to in condition D3(c) of this approval.	Prior to & during operations	Huons Creek was filled in during construction of the Lamberts North ash placement site commenced. As such, it was not developed as a sub-surface drain as was originally proposed. A Consistency report (SKM, 2012) was submitted to the DPI on 30 July 2012. The report states that groundwater modelling performed during construction demonstrated that the water contained within the creek was largely groundwater as a result of the Huon Void intersecting the groundwater table. Based on this finding, the hydrological monitoring program was incorporated into the Groundwater Management Plan.	Compliant
Air Quality Monitoring	E18	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. The monitoring program shall form part of the Air Quality Management Plan referred to in condition D3(d) of this approval.	Prior to & during operations	The Air Quality Monitoring Program is included in section 6.6.6 of the approved OEMP. It states that air quality monitoring will be undertaken for the life of the project. TEOM and dust gauge data has been collected monthly in the first 12 months of operation to determine whether additional monitoring stations are required as a result of the project. The results of Air Quality monitoring during the reporting period are addressed in Section 6.5 of the 2023-24 AOCR.	Compliant
Environmental Incident Reporting	E19	The Proponent shall notify the Secretary 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 Secretary within seven days of the date on which the incident occurred.	At all times	No environmental incidents requiring notification of the Director- General occurred within the 2023-2024 reporting period.	Not triggered
	E20	The Proponent shall meet the requirements of the Secretary 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 Secretary may require.			
Waste Generation and Management	E23	All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	At all times	The Principal Ash Management Contractor utilises EnergyAustralia NSW's waste management facilities for wastes generated in the operation of the repository, including waste oils, general waste and materials for recycling. These are stored in intermediate storage facilities at Mt Piper Power Station and routinely removed by EnergyAustralia NSW's waste contractors. No additional waste materials were generated during the 2023-2024 reporting period.	Compliant
	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.	At all times	No wastes generated outside the Lamberts North site are allowed to enter the area. To prevent the unlawful access to the repository area, regular security patrols are conducted across the site. Both Lend Lease and EnergyAustralia NSW security personnel are required to report if they encounter wastes outside those that are allowed during routine operations	Compliant
	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.	At all times	The Principal Ash Management Contractor provides Monthly Ash Placement Work Instructions to address all issues of routine site maintenance as part of a monthly work program. Waste management is conducted in accordance with EPA guidelines.	Compliant
Revision of Strategies, Plans and Programs	E26	Within 3 months, unless the Secretary agrees otherwise, of:	At all times	The OEMP was reviewed by EnergyAustralia NSW in 2022 to ensure that it reflects the current activities and management. The OEMP (EA NSW, 2022) was approved by the DPIE on 6 June 2022.	Compliant
	a)	the submission of an incident report or independent audit report under condition B8 or B9; and			
	b)	the approval of any modification to the conditions of this approval; or			
	c)	a direction of the Secretary under condition A1 of Schedule 2;			
		the Proponent must review and, if necessary, revise the studies, strategies or plans required under the conditions of approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary. <i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i>			
Project Completion Management Plan	F1	No later than one month prior to the decommissioning of the project, or as otherwise agreed by the Secretary, the Proponent is to prepare a Project Completion Management Plan, in consultation with Water NSW, for the approval of the Secretary. The Plan is to include but not necessarily be limited to:	Prior to decommissioning	The Project is still in operational phase.	Not triggered
	a)	identification of structures to be removed and how they will be removed;			
	b)	measures to reduce impacts on the environment and surrounding sensitive land uses			

Lamberts North Compliance Tracking

Heading	Number	Condition Requirement	Development phase	2023-2024 Observation	Compliance Finding
	c)	details of components to be recycled;			
	d)	details of rehabilitation and revegetation with reference to the biodiversity offset required under condition B6;			
	e)	groundwater assessment criteria including trigger levels for remedial measures;			
	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;			
	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;			
	h)	surface water assessment criteria including trigger levels for remedial measures;			
	i)	available flow and water quality monitoring program for Wangcol 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			
	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.			