2024 INDEPENDENT ENVIRONMENTAL AUDIT

Eraring Power Station - Ash Dam Expansion Project



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Document status

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Approval for issue

Ian Richardson  6 May 2024

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INDEPENDENT AUDIT REPORT DECLARATION FORM

Independent Audit Report Declaration Form	
Project Name	Eraring Power Station – 2024 Independent Environmental Audit
Consent Number	Project Approval MP07_0084
Description of Project	RPS to conduct an Independent Environmental Audit (IEA) of EPS in accordance with Schedule 5, Condition 11 and 12 of the Eraring Power Station Development Consent PA MP07_0084 (as modified) as issued by the Department of Planning and Environment (the Department).
Project Address	Rocky Point Rd, Eraring, New South Wales
Proponent	Origin Energy Eraring Pty Ltd (Origin)
Title of Audit	2024 Independent Environmental Audit – Eraring Power Station
Date	6/05/24

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

1. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements* (IAPAR) May 2020;
2. the findings of the audit are reported truthfully, accurately and completely;
3. I have exercised due diligence and professional judgement in conducting the audit;
4. I have acted professionally, objectively and in an unbiased manner;
5. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
6. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
7. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
8. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

a. Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000; and

b. The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both).

Name of Auditor	Ian Richardson
Signature	
Qualification	Bachelor of Environmental Science Exemplar Global Certified Lead Auditor – Environmental Management Systems (ISO 14001)
Company	RPS AAP Consulting Pty Ltd
Company Address	RPS Newcastle – Unit 2A, 45 Fitzroy Street, Carrington NSW 2294

EXECUTIVE SUMMARY

RPS AAP Consulting Pty Ltd (RPS) was engaged by Origin Energy Pty Ltd (Origin) to conduct an Independent Environmental Audit (IEA) of the Eraring Power Station (EPS) located in the Rocky Point Rd, Eraring, New South Wales, within the Lake Macquarie local government area (LGA) against the conditions of Project Approval MP07_0084. Ash generated at EPS is either deposited onsite within the Eraring Ash Dam (ERAD) or recycled offsite (e.g. as a construction material resource).

The audit was conducted in accordance with Schedule 2, Conditions 5.11 and 5.12 of Project Approval MP07_0084 (as modified) as issued by the Department of Planning and Environment (the Department).

No previous audits have been undertaken. The audit period to which this audit applies is inclusive of the period from 10 March 2023 to the 9 March 2024. This report presents the findings of the audit.

The IEA was undertaken in general accordance with:

- The *Independent Audit Post Approval Requirements* (IAPAR) May 2020, this IEA will be focusing on the operation and construction of activities occurring under MOD 2. Conditions related to MOD 1 have been considered, although the activities approved under MOD 1 have not yet commenced.
- AS/NZS ISO 19011:2014 Guidelines for auditing management systems.
- RPS's proposal (dated 4 October 2023).

The RPS audit team was approved by the Department on 19 October 2024. A copy of the approval letter is located in **Appendix A**. A two (2) day site inspection was conducted at EPS between 6 to 7 March 2024.

The IEA identified one non-compliance against Schedule 2, Condition 5.15 of MP07_0084. This non-compliance was administrative in nature, and related to the fact that the EPL was not publicly available on the project website.

GLOSSARY OF TERMS

Abbreviation	Description
Aboriginal object / Aboriginal place	Has the same meaning as the definition of the term in section 5 of the NP&W Act
Applicant	Origin Energy Eraring, or any person carrying out any development under this consent
Approved disturbance area	The area identified as such on the Development Layout
BCA	Building Code of Australia
BC Act	Biodiversity Conservation Act 2016
BCS	Biodiversity, Conservation and Science Directorate within the Department
BCT	NSW Biodiversity Conservation Trust
CCC	Community Consultative Committee
Conditions of this consent	Conditions contained in Schedule 2
Construction	All physical works to enable operations to be carried out, including demolition and removal of buildings or works, and erection of buildings and other infrastructure permitted by this consent
Council / LMCC	Lake Macquarie City Council
CPI	Consumer Price Index
Date of commencement	The date notified to the Department by the Applicant
Day	The period from 7.00 am to 6.00 pm on Monday to Saturday, and 8.00 am to 6.00 pm on Sundays and Public Holidays
Decommissioning	The deconstruction or demolition and removal of works installed as part of the development
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site NSW Department of Planning, Industry and Environment
Department / DPHI	NSW Department of Planning, Housing and Infrastructure. Formerly known as Department of Planning and Environment.
Development	The development described in the documents listed in condition A2(c), as modified by the conditions of this consent
Development Layout	The plans in Appendix A of this consent
EEC	Endangered ecological community, as defined under the BC Act
EIS	Environmental Impact Statement
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation EPBC Act	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence under the POEO Act
EPS	Eraring Power Station
Evening	The period from 6 pm to 10 pm
Feasible	Means what is possible and practical in the circumstances
Heritage NSW	Heritage NSW within Department of Premier and Cabinet
Heritage item	An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance, that is listed under any of the following: • the State Heritage Register under the Heritage Act 1977; • a state agency heritage and conservation register under section 170 of the Heritage Act 1977; • a Local Environmental Plan under the EP&A Act; • the World Heritage List;

Abbreviation	Description
	• the National Heritage List or Commonwealth Heritage List under the EPBC Act; or • anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance
Land	Has the same meaning as the definition of the term in section 1 .4 the EP&A Act, except for where the term is used in the noise and air quality conditions in PART B of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent
Material harm	Is harm to the environment that: • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) This definition excludes "harm" that is authorised under either this consent or any other statutory approval
Minister	NSW Minister for Planning, Housing and Infrastructure, or delegate
Minor	Not very large, important or serious
Mitigation	Activities associated with reducing the impacts of the development
Negligible	Small and unimportant, such as to be not worth considering
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Noise sensitive areas	Areas where operations are being carried out that have potential to lead to increased noise at privately-owned residences, such as elevated areas or areas near the boundary of the site
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
NP&WAct	National Parks and Wildlife Act 197 4
PA	Planning agreement within the meaning of the term in section 7.4 of the EP&A Act
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	Protection of the Environment Operations Act 1997
Privately-owned land	Land that is not owned by a public agency or a mining, petroleum or extractive industry company (or its subsidiary or related party)
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc.
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Registered Aboriginal Parties	As described in the National Parks and Wildlife Regulation 2009
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residence	Existing or approved dwelling at the date of grant of this consent
RFS	NSW Rural Fire Service
Site	The land defined in Appendix A of the project approval
TfNSW	Transport for NSW

Table Note

1 INTRODUCTION

RPS AAP Consulting Pty Ltd (RPS) was engaged by Origin Energy Eraring Pty Limited (Origin) to conduct an Independent Environmental Audit (IEA) of the Eraring Power Station (EPS) – Ash Dam Expansion, located at Rocky Point Rd, Eraring, New South Wales, within the Lake Macquarie local government area (LGA). Ash generated at EPS is either deposited onsite within the Eraring Ash Dam (ERAD) or recycled offsite (e.g. as a construction material resource).

The audit was conducted in accordance with Schedule 5, Condition 11 and 12 of the Eraring Power Station Ash Dam Expansion Development Consent PA MP07_0084 (as modified) as issued by the then Department of Planning and Environment (the Department).

In accordance with the *Independent Audit Post Approval Requirements* (IAPAR) May 2020, this IEA focused on the operation and construction of activities occurring under MOD 2. Conditions related to MOD 1 have been considered, although the activities approved under MOD 1 have not yet commenced.

No previous audits have been undertaken. The audit period to which this audit applies is inclusive of the period from 10 March 2023 to the 9 March 2024. This report presents the findings of the audit.

1.1 Background of the project

1.1.1 Eraring Power Station (EPS) – Ash Dam Expansion

EPS is owned and operated by Origin, and the Ash Dam Expansion Project was approved by the then Department of Planning and Environment (DPE) (now DPHI) in 2008. The EPS is located on Rocky Point Road within the Lake Macquarie local government area (LGA). Ash generated at EPS is either deposited onsite within the Eraring Ash Dam (ERAD) or recycled offsite (e.g. as a construction material resource).

Origin's ash recycling activities at EPS are undertaken in accordance with MP07_0084. Condition 4A.1 of MP07_0084 includes a mandatory goal of 80% reuse or recycling of ash from EPS. On 21 June 2022, Origin received approval to modify MP07_0084 (MOD 2) to increase the ash recycling capacity at EPS. The MOD 2 project involves the construction of additional storage silos and increase to ash recycling capacity.

1.1.2 Approval history

Eraring Power Station – Ash Dam Expansion was approved by the DPE in 2008. The primary existing processes undertaken at the site are in accordance with MP07_0084 which permits development of the staged expansion of the coal combustion product (CCP) management facility, changes to the CCP disposal method, and the addition of new infrastructure for CCP collection, storage, conditioning and transportation from the EPS to the CCP management facility.

Two modifications have been granted to MP07_0084 as follows:

- MOD 1 – Ash Dam Expansion dated 23 December 2019 which facilities an increase in the storage capacity of the ERAD;
- MOD 2 – Ash Recycling Facilities dated 21 June 2022 which facilitates the construction of additional storage silos and increase to ash recycling capacity.

Origin notified the Department on 5 August 2022 in accordance with Condition 5.9 and 5.10 that development under MOD 2 will be staged. On 5 September 2022 The Department acknowledged the request for staging and requirements for management plans. Stage 1 of the MOD 2 project includes the construction of additional infrastructure at the Daracon site (modification area 1). The construction of additional ash storage silos on Construction Road would form a future stage of the MOD 2 project should it be progressed (modification area 2).

In accordance with the *Independent Audit Post Approval Requirements* (IAPAR) May 2020, this IEA will focus on the operation and construction of activities occurring under MOD 2. Conditions related to MOD 1 have been considered, although the activities approved under MOD 1 have not yet commenced.

1.2 Approvals, Licences and Leases

The current approvals, licences and leases held for EPS that were reviewed as part of this IEA are summarised in **Table 1** below.

Table 1 Summary of Existing Major Approvals and Licences

Title	Date Granted	Agency
PA MP07_0084	29 April 2008 23 December 2019 (MOD 1) June 2022 (MOD 2)	Department of Planning, Industry and Environment
EPL 1429	5 March 2024	NSW Environment Protection Authority (EPA)

1.3 Audit team

The RPS 2024 IEA team, inclusive of the required technical specialists, included personnel outlined in **Table 2** below. The audit team, inclusive of specialists, was approved by the Department to conduct the audit. Refer to the letter from the Department provided in **Appendix A**.

Table 2 2024 IEA Audit Team

Personnel	Audit Team Role
Ian Richardson	Lead Auditor – RPS
Jessica Robinson	Auditors Assistant – RPS

1.4 Audit Scope

RPS undertook the IEA in accordance with:

- The Department's *Independent Audit Post Approval Requirements* (IAPAR) May 2020.
- AS/NZS ISO 19011:2019 Guidelines for auditing management systems.
- PA MP07_0084 which outlines the requirement for the IEA as set out in Schedule 2, Conditions 5.11 and 5.12, as detailed in **Table 3**.

Table 3 PA MP07_0084 IEA Requirements

Condition Reference	Requirement
5.11.	*Within one year of the date of physical commencement of development under Modification 2, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the project. The audit must:* *(a) be prepared in accordance with the Independent Audit Post Approval Requirements (NSW Government 2020); and* *(b) be submitted, to the satisfaction of the Planning Secretary, within two months of undertaking the independent audit site inspection, unless otherwise agreed by the Planning Secretary.*
5.12.	*In accordance with the specific requirements of the Independent Audit Post Approval Requirements (NSW Government 2020), the Applicant must:* *(a) review and respond to each Independent Audit Report prepared under Condition 7 above;* *(b) submit a response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations of the Independent Audit Report;* *(c) implement the recommendations to the satisfaction of the Planning Secretary; and* *(d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary.*

1.5 Audit Period

No previous audits have been undertaken. The audit period to which this audit applies is inclusive of the period from 10 March 2023 to 9 March 2024. This report presents the findings of the audit.

2 AUDIT METHODOLOGY

RPS undertook the IEA in accordance with the following methodology:

- Task 1: Audit preparation
- Task 2: Site visit and interviews
- Task 3: Preparation of a draft IEA report for review by Origin
- Task 4: Finalisation of the IEA report.

2.1 Task 1 Audit Preparation

2.1.1 Pre-Audit Meeting and Documentation Requests

RPS undertook initial discussions with Origin to organise the audit, including the provision of documentation through requests for information (RFI) and provided an Audit Agenda for the site visit and timing.

Review of documentation provided by Origin and their representatives and preparation of compliance assessment checklists that included a list of conditions of key regulatory approvals to be assessed for compliance.

2.1.2 Approval and Regulator Consultation

Following endorsement of the RPS Audit Team by the Department, RPS consulted via email with relevant stakeholders with respect to the audit scope in accordance with the *Independent Audit Post Approval Requirements* (IAPAR) May 2020.

Relevant comments and requests from these regulators are included in the Audit Report and investigated as part of the audit as required.

2.2 Task 2 Site Inspection and Interviews

The Audit Team conducted the site visit over a two (2) day period on 6 to 7 March 2024, comprising of:

- Document reviews.
- Interviews with relevant personnel.
- Site inspection.

Opening and closing meetings were held to ensure open communication with Origin and provide preliminary Audit findings. The audit was conducted as per the Audit Agenda, which was prepared and sent on 28 February 2024, prior to the site visit.

2.2.1 Opening Meeting

An opening meeting was held upon commencement of the audit at the site. The purpose of this meeting was to confirm the objectives of the audit, the scope of the audit, the resources required and methodology to be applied.

2.2.2 Site Inspection and Interviews

The Lead Auditor and Auditor's Assistant undertook a site inspection, which involved physical validations and collection of a photographic record. The auditor's observations were used to supplement information gathered during the review of documents and records.

During the site inspection, interviews were conducted to verify compliance with the Project Approval and associated documents.

2.2.3 Close-out Meeting

At the completion of the audit site visit, a brief close-out meeting was held with relevant Origin personnel. The purpose of the close-out meeting was to provide and receive feedback on the audit process and present the summary of preliminary findings, recommendations, and any post-audit actions. It should be noted that additional findings based on a detailed document reviews as part of the audit process were required following the completion of the site inspection. As such, the summary of preliminary findings detailed in the closeout meeting did not cover all findings associated with the audit.

2.3 Task 3 Draft IEA Report

During the site visit, and as required following the site visit, the audit team conducted a review of the key documentation provided. Each requirement within the audit compliance tables were reviewed and evidence gathered to support an assessment of compliance. Whilst personal communication does provide valuable input into this process it was not be relied upon as verification of compliance.

An assessment of environmental performance was undertaken and reported in the audit report where issues were identified. A review of the Environmental Management Strategy and Environmental Monitoring Program were undertaken, and a summary provided in the audit report.

A single consolidated report was prepared (this report), with an audit table appended to address the project approval.

2.4 Task 4 Finalise IEA Report

Following receipt of consolidated comments from Origin, RPS updated and finalised the IEA Report and reissued for Origin to submit to the Department via the Major Project website.

2.5 Audit Team Approval

The Department reviewed the nominations and information provided in accordance with the requirements of the consents and the Department's *Independent Audit Post Approval Requirements* (IAPAR) May 2020 and was satisfied that the RPS audit team was suitably qualified and experienced.

The audit team was endorsed by the Department on 19 October 2023. A copy of the endorsement letter is provided in **Appendix A**.

2.6 Scope Development

The IEA was undertaken in general accordance with:

- The Department's *Independent Audit Post Approval Requirements* (IAPAR) May 2020).
- AS/NZS ISO 19011:2014 Guidelines for auditing management systems.
- RPS's proposal (dated 4 October 2023).

2.7 Consultation

Schedule 2 Condition 5.11 of MP07_0084 requires that the audit be undertaken in accordance with the *Independent Audit Post Approval Requirements* (IAPAR) May 2020. Section 3.2 of the *Independent Audit Post Approval Requirements* (IAPAR) May 2020 requires the IEA to include consultation with relevant stakeholders. A summary is provided in **Table 4** of the stakeholders which were sent requests for comment on 23 January 2024, as well as the status of any responses received.

Table 4 Regulator Response Summary

Regulatory Agency	Response Received	Date Received
Department of Planning, Housing and Infrastructure	Yes	05/02/2024
Lake Macquarie City Council	No	

Community Consultative Committee	Yes	24/01/2024

A summary of comments received from the stakeholders is provided in **Appendix C**.

2.8 Site Inspection

A two (2) day site inspection was conducted at EPS between 6 to 7 March 2024. During the site inspection the weather conditions were generally fine, with the daytime temperature ranging from approx. 20ºC in the morning to 28ºC in the afternoons.

Photographs from the audit site inspection supporting audit findings are provided in **Appendix D**. Areas inspected during the audit included, but were not limited to, the following:

- MOD 1 proposed disturbance area.
- Daracon Ash Recycling Expansion Project (modification area 1)
- Proposed Boral Site (modification area 2)
- Eraring Ash Dam

The following staff were present for site inspections, meetings or interviews during the audit:

- Gemma Dobson – Group Manager HSEC
- Mikayla Henderson – Principal Environment & Community Business Partner
- James Epstein - Senior Environment & Community Business Partner
- Luke Diggins – Daracon Business Development Manager

2.8.1 Opening and Closing Meetings

In accordance with ISO 19011:2014 Guidelines for auditing management systems an opening and closing meeting was held during the Site inspection.

2.8.2 Site Interviews

2.9 Compliance Status

The compliance status was determined using the relevant descriptors in accordance with the *Independent Audit Post Approval Requirements* (IAPAR) May 2020provided in **Table 5** below.

Table 5 Compliance Status Descriptors

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

Previous audit descriptors of partial compliance, partial non-compliance, not verified or administrative non-compliance or other similar terms must not be used in accordance with the above requirements.

As part of the Audit evaluation, the auditor may make observations, including identifying any opportunities for improvement in relation to any compliance requirement or any other aspect of the project. Any observations or notes are in addition to the compliance status descriptor assigned to each compliance requirement, limited to the descriptors listed in **Table 6**.

2.10 Evidence Validation

The audit team undertook verification activities to confirm the reliability of audit evidence. This included interviews, data checking, the examination of records, and site inspections. Records were provided in electronic and/or hard copy by site personnel and additional documents were reviewed whilst on site.

Some aspects of the audit process may have relied on information such as judgements and assumptions where external supporting evidence was unavailable or limited. Where this information was considered, its validity was confirmed to the extent possible prior to use by the auditors and is noted in appropriate areas of the audit checklists.

The majority of information was assessed off-site prior to the site inspection. The site inspections concentrated on assessment of the effectiveness of environmental management and adequacy of performance. The extent of audit activities was limited to the time available for the audit site inspections and interviews over two (2) days.

3 ENVIRONMENTAL MANAGEMENT

This section considers the general environmental management and performance of the project and whether it is complying with the relevant requirements in this approval (including any assessment, plan or program required under this approval). RPS based the assessment of the environmental performance of the site on the following:

- Section 3.1 provides a brief overview of the adequacy of the environmental management plans and programs required under MP07_0084.
- Section 3.2 provides a review of compliance management practices in place at EPS.
- Section 3.3 provides a review of incidents reported during the audit period.
- Section 3.4 provides a review of complaints received during the audit period.

3.1 Environmental Management Plans

A detailed implementation review was conducted against each management plan condition in MP07_0084 and can be found in the Project Approval audit checklist in **Appendix B**. The approved strategies, plans or programs required under MP07_0084 including a brief summary of the implementation review conducted against each plan are summarised in **Table 6**.

Table 6 Management Plan Adequacy Review

Document	Findings from Review
Ash Dam Air Quality Management Plan	Not triggered as this requirement pertains to MOD 1. However it is noted that the Air Quality Management Plan has been developed, approved and is provided on the Origin website.
Mine Void Remediation Plan	Not triggered as this requirement pertains to MOD 1. However it is noted that the Mine Void Remediation Plan has been developed, approved and is provided on the Origin website.
Construction Environment Management Plan	Viewed 'Ash Recycling Facilities, Eraring Power Station Construction Environmental Management Plan' dated October 2023. This CEMP applies to Stage 1 of MOD 2 construction only, which incorporates the "construction of additional storage silos at the Daracon site (modification area 1)". The CEMP includes: a) a description of all activities to be undertaken on the site during construction including an indication of stages of construction, where relevant is located in Section 3; b) statutory and other obligations that the Applicant is required to fulfil during construction including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies is located in Section 1.4; c) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan (Section 5 – Section 7): d) measures to monitor and manage dust emissions is located in Section 5.6; e) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities is located in Section 5.2; f) measures to monitor and control noise emissions during construction works is located in Section 5.5. g) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; is located in Section 4.3 h) the additional studies listed under condition 4.2 of this approval is located in Section 5.1 – Section 5.5 i) complaints handling procedures during construction is located in Section 6.3 j) Flora and Fauna Management Plan is located in Section 5.1 k) Traffic Management Plan is located in Section 5.4. l) Construction Noise Management Plan is located in Section 5.5 m) Erosion and Sediment Management Plan is located in Section 5.2 n) Aboriginal Heritage Management Plan is located in Section 5.3

Document	Findings from Review
	Viewed DPE approval letter of CEMP dated 30 October 2023.
Operational Traffic Management Plan	The Operational Traffic Management Plan has been developed and is provided on the Origin website.
Operational Environmental Management Plan	Viewed 'Operation Environmental Management Plan – Modification 2' dated November 2022. RPS confirms Origin submitted an OEMP to the Department 28 November 2022, and was formally approved by Department on 8 February 2023.

3.2 General Environmental Management

On 9 March 2023, Origin notified the Department that commencement of physical development under Modification 2 (MOD 2) would occur on 10 March 2023 in modification area 1, with operational works including transport of ash from the following operational elements of the EPS site:

- Coal Combustion Product (CCP) Plant; and
- Daracon ash recycling facilities

On 2 November 2023, Origin notified the Department that construction under MOD 2 would commence in modification area 1 on 13 November 2023. The project currently remains in the construction phase of development. It is anticipated that the operation of these expanded facilities will occur in June 2024.

This area is located within existing operational areas of the power station, including the internal surface water containment and collection system. Given operation and construction during the audit period occurred within these internal areas of the EPS site, the risk of environmental impacts as a result of these activities is low.

3.2.1 Compliance Monitoring

Origin utilises the "Borealis" compliance management system for the EPS site. This system is used to store and track compliance with project approvals, licences, and other approvals and their associated conditions. Borealis is updated regularly as triggered by actions or the addition of new or modified approvals. Borealis is also utilised to assign and complete inspections, track complaints, and complete actions arising from internal or external consultation practices following an audit or inspection.

During the audit site inspection, Origin demonstrated its use of Borealis to the auditors. The Borealis system included the specific condition requirements of the Project Approval, EPL, and the key commitments / requirements for each management plan. The Origin EPS Environment and Community (E&C) department used the Borealis system to access evidence to demonstrate compliance with specific conditions of consent.

3.2.2 Inspection Program

During the audit period the Origin EPS E&C department, in conjunction with Daracon maintained, a regular inspection program to consider potential construction related impacts. As the plant is commissioned, the existing weekly environment inspections undertaken by EPS E&C staff will be incorporate the MOD 2 areas. The inspection program and records were reviewed and indicated that:

- Weekly construction, as well as pre- and post- rainfall, inspections were undertaken with Origin and Daracon personnel to proactively identify any potential non-compliances or environmental incidents that have not been previously identified/reported.
- A maintenance schedule is in place to proactively inspect and maintain equipment during commissioning and operation. This includes a daily site inspection by the Daracon operators and completion of the daily site checklist.
- Where incidents or corrective actions are raised by Daracon during these regular site inspections, these are recorded by Origin for management within the Borealis compliance system.

The environmental inspections include a description of general environmental conditions as well as checks of specific areas. The inspections include identified actions, an action category, due date and status and include photos and attachments where relevant. Depending on the category of the action, it may be entered into Borealis and tracked.

The auditors sighted examples of completed inspections conducted by the Origin EPS E&C department and site inspection checklists completed by Daracon site personnel. The reports were considered to be sufficiently detailed and well completed with appropriate actions identified for issues raised.

3.3 Incidents

Action arising from any environmental incidents are recorded in the OCIS system, and appropriate corrective or preventative action are implemented and recorded.

An incident is defined by the project approval MP07_0084 as a set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval.

No incidents occurred within the scope of project activities during the audit period which required reporting under MP07_0084.

3.4 Complaints

Origin is contactable 24 hours per day, 7 days per week, with contact details for the Origin Community Relations Officer, Eraring Security and telephone contact details available on the website. Where complaints are received, these are referred to the appropriate department for action and follow up.

During the audit period there were no community complaints received with respect to the MOD 2 operation and construction activities.

3.5 Community Consultation

Origin has a range of communication methods in place which enables it to share information with the local community. These methods include:

- The Community Consultative Committee (CCC)
- The Eraring Community Forum
- The Eraring Community Newsletter
- The EPS Public Website (https://www.originenergy.com.au/about/who-we-are/what-we-do/generation/eraring-documents-resources/).

Origin utilise the established Community Consultative Committee (CCC) which meets regularly to satisfy the requirements of MP07_0084. CCC Minutes are available on the Origin EPS website.

No issues were identified as a result of communication with the Chair of the CCC (**Appendix C**) as part of the consultation process for the IEA.

4 AUDIT FINDINGS

4.1 Identified Non-Compliances and Recommendations

4.1.1 Project Approval (MP07_0084)

Non-Compliances identified against MP07_0084 have been summarised in **Table 7** below. Further audit commentary and evidence is provided against each condition in the MP07_0084 Audit Checklist provided in **Appendix B**.

Table 7 Non-Compliances against MP07_0084

Ref No.	Condition Ref	Requirement	Independent Audit Finding	Recommendation
NC1	S2 C5.15	The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the project: (i) the EAs; (ii) current statutory approvals for the project; (iii) approved strategies, plans and programs required under the conditions of this approval; (iv) a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various strategies, plans and programs approved under the conditions of this approval; (v) a complaints register, which is to be updated on a monthly basis; (vi) any independent environmental audit, and the Applicant's response to the recommendations in any audit; and (vii) any other matter required by the Secretary; and (b) keep this information up to date, to the satisfaction of the Planning Secretary.	Viewed EPS website on 4 March 2024 at 3:00 pm. The following documents are available: i) the EAs (MOD 1 and MOD 2) ii) current statutory approvals for the project. EPL was not identified as being publicly available. iii) approved strategies, plans and programs (OEMP, OTMP, CEMP) iv) Environmental Monitoring data v) Complaints register vi) Not applicable as this is the first IEA under MOD 2 vii) No other reports have been required to be uploaded to the website (JE pers comm).	Ensure all relevant documents are made publicly available, including the EPL. As documents are reviewed make current versions publicly available. Additionally management plans should include a document control/versions table.

4.2 Opportunities for Improvement

During the audit site inspection it should be noted that the activities on site under the scope of MOD 2 were relatively minor in nature. Construction of the additional storage silos was essentially complete, and final commissioning was due to be undertaken. Given the location of the site within the internal footprint of the EPS site, and the stage of the activities relevant to this audit, no recommendation for improvement have been made at this stage.

Origin maintains an accredited Environmental Management System on site, and the continued implementation of the site environmental inspection program should allow the identification of continuous improvement opportunities as this area commences operation.

5 LIMITATIONS OF IEA REPORT

In preparing this IEA report, RPS has assessed all activities appropriate and necessary to evaluate the environmental status of the site and operations undertaken within the audit period. RPS has addressed all technical matters which might reasonably be considered to be relevant to such an assessment conducted to standards which apply in NSW. Based on observations of the site, interviews with appropriate staff and a review of available documentation, it is RPS's opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, RPS can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues. The conclusions presented in this report are professional opinions based solely upon RPS's visual observations of the site and the immediate site vicinity, and review of available documentation, interviews and conversations with personnel knowledgeable about the site and other available information, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated.

Opinions presented in this report apply to the site's conditions and features as they existed at the time of RPS' site inspections on 6 and 7 March 24, and those areas accessible. They necessarily cannot apply to conditions and features which RPS is unaware of and has not had the opportunity to evaluate.

This report does not, and does not purport to, give legal advice on the actual or potential environmental liabilities of any individual or organisation, or to draw conclusions as to whether any circumstances constitute a breach of relevant legislation.

Appendix A
DPE Audit Team Approval

Department of Planning and Environment

Our ref: MP07_0084-PA-28

Mikayla Henderson
Principal Environment & Community Business Partner – Projects and Planning
Origin Energy Eraring Pty Ltd
5 ROCKY POINT ROAD
ERARING, New South Wales, 2264

19 October 2023

Eraring Power Station - Ash Dam Expansion - (MP07_0084)

Request for Auditor Endorsement and Confirmation of Audit Timing

Dear Ms Henderson,

I refer to your post approval matter, MP07_0084-PA-28 request for the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Environmental Audit (IEA) of the Eraring Ash Dam Expansion, submitted as required by Condition 5.11 of MP07_0084, as modified (the consent) to NSW Department of Planning and Environment (NSW Planning) on 16 October 2023.

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the persons are suitably qualified, experienced, and independent. Therefore, in accordance with Condition 5.11 of the consent and the NSW Planning *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I endorse the following independent audit team:

- Mr Ian Richardson, Lead Auditor
- Ms Jessica Robinson, Auditor Assistant

Please ensure this correspondence is appended to the IEA Report.

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

To provide clarification to the points your raised in your proposal letter,

- The IEA period shall be from 10 March 2023 to the 9 March 2024. The IEA site inspection must be carried out within this period.
- Submission of the IEA report and the proponent's response to the audit findings is required to be submitted to NSW Planning no later than the 9 May 2024.

- All conditions of the consent are required to be addressed in the audit. The compliance status of each condition must be determined by the auditor as "compliant", "not compliant" or "not triggered", as described in Section 3.8 of the *Independent Audit Post Approval Requirements* (2020).

Should you wish to discuss the matter further, please contact Laura Gothard, Senior Compliance Officer on 0484269988 or email compliance@planning.nsw.gov.au

Yours sincerely,



Heidi Watters
Team Leader Northern
Compliance

As nominee of the Planning Secretary

Appendix B
PA MP07_0084 Audit Checklist

AUDIT CHECKLIST – PROJECT APPROVAL MP07_0084

Content

AUDIT CHECKLIST – PROJECT APPROVAL MP07_0084 1

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Table 1 PROJECT APPROVAL MP07_0084

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
SCHEDULE 2					
1. ADMINISTRATIVE CONDITIONS					
TERMS OF PROJECT APPROVAL					
PA01	S2 C1.1	The Applicant must carry out the project: generally in accordance with the EA; in accordance with the conditions of this approval; and in accordance with any written directions of the Planning Secretary.	The site inspection revealed that the Project has been undertaken generally in accordance with the EA, the conditions of this approval, and in accordance with any written directions of the Planning Secretary.	Compliant	
PA02	S2 C1.2	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Noted	Noted	
PA03	S2 C1.3	Consistent with the requirements of this approval, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this approval, including those that are required to be, and have been, approved by the Planning Secretary; and (b) the implementation of any actions or measures contained in any such document referred to in condition 1.3(a).	The Secretary requested amendments to the Construction Environmental Management Plan during the audit period. • Viewed DPE letter dated 4 October 2023 requesting further information be included in the Construction Environmental Management Plan (CEMP) to satisfy the condition of consent by 20 October 2023. • Viewed DPE EPS review table of requested updates dated 3 October 2023. • Viewed updated CEMP dated 17 October 2023. • Viewed Post Approval email for lodgement of updated CEMP via Major Projects Portal dated 21 September 2023. • Viewed DPE letter dated 30 October 2023 confirming updated CEMP meets requirements of consent.	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
			• Viewed email dated 30 October 2023 from EPS staff requesting upload of MOD 2 CEMP to the EPS website. Viewed EPS website on 29 March 2024 and sighted MOD 2 CEMP.		
PA04	S2 C1.4	Deleted		Noted	
COMMUNITY CONSULTATIVE COMMITTEE					
PA05	S2 C1.5	1.5 The Applicant must operate a CCC for the Project to the satisfaction of the Planning Secretary. This CCC must be operated in general accordance with the Department's Community Consultative Committee Guidelines: State Significant Projects January 2019 during the life of the Project. This CCC must be operating within three months from the date of approval of MOD 1, or other timeframe agreed by the Planning Secretary. *Notes:* *• The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this approval.* *• In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Applicant, Council, recognised environmental groups and the local community.*	• Viewed Origin letter to DPIE dated 23 March 2020 requesting a change in date from 23 March 2020 to 18 May 2020 to appoint the CCC (outside of audit period). • Viewed DPE email dated 24 April 2020 approving CCC members. • Minutes from the CCC are available on the public website.	Compliant	
ROAD MAINTENANCE CONDITIONS					
PA06	S2 C1.6	The Applicant shall pay Council annual contributions for the maintenance of roads along the haulage route in accordance with the terms specified in Appendix B.	• Viewed email dated 21 June 2023 from EPS to LMCC stating that the highest levy will be paid in absence of a haulage calculation mechanism. • Viewed receipt dated 31 August 2023 sent by EPS to Lake Macquarie City Council for annual haulage contributions for road maintenance. **Appendix B states that contributions must be paid to Council prior to 31 August each year.**	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
2. SPECIFIC ENVIRONMENTAL CONDITIONS					
PA07	S2 C2.1	The Applicant shall provide a compensatory habitat package consisting of no fewer than two hectares of compensatory habitat for each hectare of terrestrial vegetation removed as part of the project. Specifications for the compensatory habitat, including location, composition, quality and management of the habitat, shall be determined in consultation with the BCS. The package must include: (a) a schedule of vegetation clearing, indicating stages and timing and compensatory habitat area(s) corresponding to each stage of clearing; (b) demonstration of consistency with the 'Offsetting Principles' contained in the draft *Lower Hunter Regional Conservation Plan* (2006); (c) demonstration of potential coordination, connection and interaction with compensatory habitat provided in pursuance of the requirements of project approval for the Eraring Power Station Upgrade and Attemperation Reservoir; (d) demonstration of the potential for off-set areas to connect with and complement other areas of conservation value, particularly with respect to habitat corridors and connectivity; (e) details of proposed legal mechanisms to secure the protection of offsets in perpetuity; and (f) maintenance, monitoring and auditing program of the compensatory habitat areas.	Not triggered during the audit period. The original compensatory package work was undertaken in 2008 for the CCP approval (JE pers comms). • Viewed Habitat Offset Plan by ENSR Australia Pty Ltd dated 5 June 2008. • Viewed email dated 8 October 2009 to Planning NSW with the Positive Covenant and Annexure A for the Habitat Offset Area attached.	Not triggered	
PA08	S2 C1.7	The program of funding or works associated with the compensatory habitat package shall be submitted for the approval of the Planning Secretary prior to the commencement of vegetation clearing, and/or each stage of clearing. *Note: This compensatory habitat package does not apply to clearing undertaken for MOD1, with additional offset requirements outlined in Condition 2.1A.*	See response to Condition 2.1 above.	Not triggered	

<table>
<tr><th>Ref No.</th><th>Cond No.</th><th>Audit Finding & Recommendations</th><th>Comments & Evidence</th><th>Audit Findings</th><th>Recommendations</th></tr>
<tr><td>PA09</td><td>S2 C2.2</td><td>Within 12 months of commencing construction of MOD1 under this approval, or other timeframe agreed by the Planning Secretary, the Applicant shall retire the biodiversity credits specified in Table 1 to offset the biodiversity impacts of MOD1. The retirement of credits shall be carried out in consultation with BCS and in accordance with the Biodiversity Offsets Scheme of the BC Act, to the satisfaction of the BCT.
Table 1: Summary of Biodiversity Offset Strategy
<table>
<tr><th>Credit Type</th><th>Disturbance Area (hectares)</th><th>Credits Required</th></tr>
<tr><td colspan="3">Ecosystem Credits</td></tr>
<tr><td>PCT1627 Smooth-barked Apple-Turpentine – Sydney Peppermint heathy woodland on sandstone ranges of the Central Coast</td><td>0.95</td><td>22</td></tr>
<tr><td>PCT1636 Scribbly Gum – Red Bloodwood – Angophora inopina heathy woodland on lowlands of the Central Coast</td><td>8.0</td><td>261</td></tr>
<tr><td colspan="3">Species Credits</td></tr>
<tr><td>Black-eyed Susan – Tetratheca juncea</td><td>8.95</td><td>327</td></tr>
<tr><td>Squirrel glider – Petaurus norfolcensis</td><td>8.95</td><td>327</td></tr>
<tr><td>Stephen's banded snake – Hoplopcephalus stephensii</td><td>8.95</td><td>327</td></tr>
</table></td><td>Not triggered as condition pertains to MOD 1.</td><td>Not triggered</td><td></td></tr>
<tr><td>PA10</td><td>S2 C2.3</td><td>Deleted</td><td>Note.</td><td>Noted</td><td></td></tr>
<tr><td colspan="6">NOISE IMPACTS</td></tr>
<tr><td>PA11</td><td>S2 C2.4</td><td>The Applicant shall only undertake construction activities associated with the project that would generate an audible noise at any residential premises during the following hours:
(a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
(b) 8:00 am to 1:00 pm on Saturdays; and
(c) at no time on Sundays or public holidays.
This condition does not apply in the event of a direction from police or other relevant authority for safety reasons.</td><td>No construction activities have taken place that would generate an audible noise at residential premises outside of standard construction hours during the audit period. There are no consent limits regarding operational noise, however construction activities that may generate an audible noise at residential premises are limited to standard construction hours (JE pers comms).
• Viewed Complaints register on EPS website dated 8 February 2024. No noise complaints have been received during the audit period.</td><td>Compliant</td><td></td></tr>
</table>

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
PA12	S2 C2.5	The hours of construction activities specified under condition 2.4 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction specified under condition 2.4 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 written evidence of the EPA's agreement with the proposed variation in construction times, after providing any information necessary for the EPA to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.	No requests for variation of construction hours have been submitted during the audit period (JE pers comms).	Compliant	
SOIL AND WATER QUALITY					
PA13	S2 C2.6	Except as may be expressly provided by an Environment Protection Licence (EPL) for the project, the Applicant shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.	No non-compliances have occurred under Section 120 of the POEO Act during the audit period (JE pers comms).	Compliant	
PA14	S2 C2.7	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 Landcom's Managing Urban Stormwater: Soils and Construction.	Viewed Construction Environment Management Plan dated 17 October 2023. Section 5.2.3 states that Construction of Stage 1 will be undertaken in accordance with Managing Urban Stormwater: Soils and Construction Vol. 1 (Landcom 2004). Viewed Appendix A – Erosion and Sediment Control Plan. • Viewed Daracon Ash Silo Construction Inspection Reports by Origin dated 21 Nov 23, 5 Dec 23, 12 Dec 23 and 8 Jan 24. • Viewed Daracon Ash Silo Construction pre-rainfall inspection reports dated 28 Nov 23,	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
			19 Dec 23, 12 Jan 24, 17 Jan 24 and 6 Feb 24. • Viewed Daracon Ash Silo Construction post-rainfall inspection reports dated 30 Nov 23, 27 Dec 23, 15 Jan 24, 18 Jan 24, 12 Feb 24, 15 Feb 24, 16 Feb 24 and 21 Feb 24.		
GROUNDWATER					
PA15	S2 C2.8	The Applicant shall design and construct the CCP storage facility expansion in a manner that minimises the interception of underlying groundwater.	Groundwater Management Plan was prepared for the construction of the CCP in 2009 (JE pers comms), which is outside of the audit period. • Viewed DPE letter dated 2 August 2009 for the approval of the Groundwater Monitoring Plan. • Viewed CCP Groundwater Management Plan by AECOM dated 28 July 2009.	Compliant	
DUST GENERATION					
PA16	S2 C2.9	The Applicant shall construct the project in a manner that minimises dust emissions from the site, including wind-blown 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 Applicant shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	Viewed Community Complaints Register dated 8 February 2024. No dust related complaints were received during the audit period. • Viewed construction inspection reports (see response to Schedule 2, Condition 2.7 above). • Viewed weekly operation monitoring reports dated 12 – 18 Feb 23 2 – 8 April 23, 16 – 22 April 23, 18 – 24 Jun 23, 2 – 8 Jul 23, 20 – 26 Aug 23, 5 – 11 Nov 23, Site inspection revealed containment of coal dust when being transported into trucks via an internal system. Water tanks and carts observed on site for the purpose of dust suppression.	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
ODOUR					
PA17	S2 C2.10	The Applicant shall not permit any offensive odour, as defined under section 129 of the *Protection of the Environment Operations Act 1997*, to be emitted beyond the boundary of the site.	• Viewed Community Complaints Register dated 8 February 2024. No odour related complaints have been received during the audit period. • Viewed inspection reports (see response to Schedule 2, Condition 2.9 above).	Compliant	
WASTE GENERATION AND MANAGEMENT					
PA18	S2 C2.11	The Applicant shall beneficially reuse all non-contaminated spoil generated during the construction of the project on the site, or off-site should an appropriate off-site reuse location exist.	The MOD 1 ash dam expansion project has not commenced and has not produced any spoil (JE pers comms). • Viewed email from SNK Group dated 12 March 2024 stating that material excavated from the EPS site during the MOD 2 early construction phase has been utilised to maintain unsealed roads and contained image of depleted stock in bunker.	Compliant	
PA19	S2 C2.12	All wastes, and spoil unable to be reused in accordance with condition 2.11, shall be directed to a waste management facility lawfully permitted to accept those materials.	See response to Schedule 2, Condition 11 above for spoil reuse. Waste is managed by Veolia. • Viewed tipping dockets from Cardiff Transfer Station for Veolia for builders waste and timber waste dated 26 February 2024 • Viewed delivery docket for Buttonderry Waste Management for Veolia dated 12 March 2024	Compliant	
PA20	S2 C2.13	The Applicant shall ensure that all wastes generated as a consequence of the project are assessed and classified in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version).	• Viewed Construction Environment Management Plan dated 17 October 2023. Section 1.4.3 states that the project will be conducted in accordance with the Waste Classification Guidelines (NSW EPA 2014). • Viewed Table 8 in CEMP. Measures include ensuring waste is classified "in accordance with the Waste Classification	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
			Guidelines (EPA, 2014) prior to disposal offsite to an authorised receiver" and "excess topsoil or waste materials identified as not being suitable for reuse will be removed off-site by a licensed contractor and disposed of at an appropriately licenced facility in accordance with the Waste Classification Guidelines". Site inspection revealed responsible storage and segregation of waste items. See responses to S2, C2.11 and 2.12 above.		
PA21	S2 C2.14	Except as expressly permitted in an appropriate licence, waste shall not be received at the premises for storage, treatment, processing, reprocessing or disposal.	No waste was received at the premises for storage, treatment, processing, reprocessing or disposal during the audit period (JE pers comms).	Compliant	
ABORIGINAL ARCHAEOLOGY					
PA22	S2 C2.15	If during the course of construction, the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) must cease immediately and the Applicant must contact the Heritage NSW - ACH to determine an appropriate course of action prior to the re-commencement of work in the vicinity of the object(s).	No previously unidentified Aboriginal objects were found during the course of construction during the audit period (JE pers comms). The CEMP contains an Aboriginal Heritage Management Plan which was implemented during the audit period.	Compliant	
BUNDED SPILLAGE AREAS					
PA23	S2 C2.16	Chemicals and grease stored in bulk form, or work areas where spillages are likely to occur, must be bunded in accordance with: (a) the requirements of all relevant Australian Standards; and (b) the EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual.	The MOD 2 project area does not contain any chemical storage (JE pers comms). Site inspection revealed that silos were bunded (see Plates 1 to 3).	Compliant	
3. ENVIRONMENTAL MONITORING AND AUDITING					
NOISE PERFORMANCE AUDITING					
PA24	S2 C3.1	Within three months of commissioning of the fly ash conditioning plant, the Applicant must conduct a noise	• Viewed letters to DECCW and Department of Planning dated 6 August 2010 stating	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		assessment of the plant while operating under full load conditions. The assessment shall meet the requirements of the EPA, and shall include, but not necessarily be limited to: (a) noise assessment and monitoring, consistent with the guidelines provided in *NSW Industrial Noise Policy* (EPA, 2000); (a) methodologies for noise monitoring; (b) location of noise monitoring; (c) frequency of noise monitoring; (d) identification of monitoring sites at which pre- and post-project noise levels can be ascertained; and (e) details of any complaints relating to noise impacts. A report providing the results of the assessment shall be submitted to the Planning Secretary and the EPA within 28 days of completion of the testing required under a).	that "results indicated that predicted noise levels are considerably below the specified noise criteria", within the 28 day timeframe of monitoring. There was no evidence that the results of this assessment were submitted to the NSW EPA, although this occurred outside the audit period. • Viewed letter from Spectrum Acoustics to AECOM dated 23 July containing noise monitoring results and stating that monitoring was conducted on 15 July 2010. • Viewed Long Term Management Strategy – Coal Combustion Products dated 31 August 2011 by AECOM. Section 1.1 states that "the plant has been fully operational since April 2010". Therefore, noise monitoring was undertaken within 3 months of commissioning. • Viewed Noise Assessment by Spectrum Acoustics dated 23 July 2010. a) The Noise Assessment states that "noise compliance testing has been conducted through a modelling approach described in Chapter 11 of the NSW Industrial Noise Policy". b) Located of noise monitoring is displayed in Figure 3. c) Results were taken at 15 minute intervals as per condition requirements and are located in Table 1. d) Monitoring sites are located within Figure 3. e) No complaints were stated in the report.		

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
GROUNDWATER MONITORING					
PA25	S2 C3.2	Prior to the commencement of the operation of the project, the Applicant shall undertake a review of the existing groundwater monitoring regime, which shall include but not necessarily be limited to: (a) survey of existing monitoring bores; (b) parameters and pollutants to be monitored, including procedures and protocols for sampling and testing; (c) review of the adequacy of existing groundwater monitoring network at the Eraring Power Station to determine whether current contaminant levels at receiving waters originate from existing activities associated with the power station, including the existing CCP storage facility; (d) installation of any additional monitoring bore(s), both up and down gradient of the CCP storage facility; (e) details of groundwater quality limits that would indicate impacts from the CCP storage facility, particularly as a result of seepage, and a contingency response plan in the events that impacts are identified; (f) provisions for periodic auditing and reporting of results to the Planning Secretary. The Applicant shall revise its groundwater monitoring regime, as necessary, and update its existing Groundwater Management Plan in accordance with the groundwater monitoring review. A copy of the updated Plan shall be submitted to the Planning Secretary for approval prior to its implementation.	See response to Schedule 2, Condition 2.8 above for response to Groundwater Management Plan. A revision of the GMP has commenced in the audit period but has not been submitted (MH pers comms).	Compliant	
4. ENVIRONMENTAL MANAGEMENT					
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN					
PA26	S2 C4.1	The Applicant shall prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be consistent with *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004) and shall include, but not necessarily be limited to:	• Viewed 'Ash Recycling Facilities, Eraring Power Station Construction Environmental Management Plan' dated October 2023. a) a description of all activities to be undertaken on the site during construction including an indication of stages of	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		(a) a description of all activities to be undertaken on the site during construction including an indication of stages of construction, where relevant; (b) statutory and other obligations that the Applicant is required to fulfil during construction including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; (c) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan: • measures to monitor and manage dust emissions; • measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities; • measures to monitor and control noise emissions during construction works; (d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; (e) the additional studies listed under condition 4.2 of this approval; and (f) complaints handling procedures during construction. The Plan shall be submitted for the approval of the Planning Secretary no later than one month prior to the commencement of any construction works associated with the project, or within such period otherwise agreed by the Planning Secretary. Construction works shall not commence until written approval has been received from the Planning Secretary.	construction, where relevant is located in Section 3; b) statutory and other obligations that the Applicant is required to fulfil during construction including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies is located in Section 1.4; c) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan (Section 5 – Section 7): • measures to monitor and manage dust emissions is located in Section 5.6; • measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities is located in Section 5.2; • measures to monitor and control noise emissions during construction works is located in Section 5.5. d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; is located in Section 4.3 e) the additional studies listed under condition 4.2 of this approval is		

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
			located in Section 5.1 – Section 5.5 f) complaints handling procedures during construction is located in Section 6.3 Viewed DPE approval letter of CEMP dated 30 October 2023. Viewed DPE email of CEMP receipt dated 3 November 2023 stating that "The Department has no comments on the document at this time."		
PA27	S2 C4.2	As part of the Construction Environmental Management Plan for the project, required under condition 4.1 of this approval, the Applicant shall prepare and implement the following: (a) a **Flora and Fauna Management Plan** to outline measures to protect and minimise loss of native vegetation and native fauna habitat. The Plan must include, but not necessarily be limited to: (i) plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities were recorded; and areas to be cleared. The plans must also identify vegetation adjoining the Site where this contains important habitat areas and/or threatened species, populations or ecological communities; (ii) details of the timing of clearing to ensure that it does not adversely affect critical periods in the lifecycles of significant species; (iii) methods to manage impacts on flora and fauna species (terrestrial and aquatic) and their habitat which may be directly or indirectly affected by the project; (iv) flora and fauna monitoring programs to be implemented during both construction and operation; and (v) a Vegetation Clearance Protocol.	Viewed 'Ash Recycling Facilities, Eraring Power Station Construction Environmental Management Plan' dated October 2023. This CEMP applies to Stage 1 of MOD 2 construction only, which incorporates the "construction of additional storage silos at the Daracon site (modification area 1)". a) Flora and Fauna Management Plan is located in Section 5.1 (i) Plans are located in Figure 5 (ii) Not triggered in this CEMP as "no vegetation clearing is required for Stage 1 of the Mod project" (iii) methods to manage impacts on flora and fauna species (terrestrial and aquatic) and their habitat which may be directly or indirectly affected by the project is located in Section 5.1.4	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		(b) a **Traffic Management Plan** to outline management of traffic conflicts that may be generated during construction of the project. The Plan must be prepared in consultation with Council and TfNSW and must include, but not necessarily be limited to: (i) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads; (ii) detailed consideration of measures to be employed to ensure traffic volume, acoustic and amenity impacts along the heavy vehicle routes are minimised; (iii) detailed consideration of alternative routes (where necessary); (iv) provisions for the management of disruptions to traffic, particularly on Wangi Road; and (v) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with. (c) a Construction Noise Management Plan to detail how construction noise and vibration impacts would be minimised and managed, including, but not necessarily be limited to: (i) details of construction activities and a schedule for construction works; (ii) identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas; (iii) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria/ guidelines; (iv) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and	(iv) flora and fauna monitoring programs to be implemented during both construction and operation is located in Section 5.1.4 (v) Not triggered in this CEMP as "no vegetation clearing is required for Stage 1 of the Mod project". b) Traffic Management Plan is located in Section 5.4. Viewed email dated 19 September 2023 from Lake Macquarie City Council. Viewed email dated 13 September 2023 from TfNSW. Both agencies had no comments or objections to the Plan. (i) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads is located in Section 5.4.1 (ii) detailed consideration of measures to be employed to ensure traffic volume, acoustic and amenity impacts along the heavy vehicle routes are minimised is located in Section 5.4. (iii) detailed consideration of alternative routes		

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		(v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be undertaken and how the results of this monitoring would be recorded. (d) an Erosion and Sedimentation Management Plan to detail measures to minimise erosion and discharge of sediment and other pollutants to land and/or water during site preparation and construction works. The Plan must include, but not necessarily be limited to: (i) identification of the construction activities that could cause soil erosion or discharge sediment or water pollutants from the site; (ii) 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 during construction; (iii) demonstration that proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004); (iv) details of an erosion monitoring program during construction of the project, including measures to address erosion, should it occur, and to rehabilitate/ stabilise disturbed areas of the Site. (e) an Aboriginal Heritage Management Plan to detail outcomes of consultation with the Aboriginal stakeholders and the measures that will be implemented to identify, protect, monitor and/or manage Aboriginal heritage sites. The Plan must include, but not necessarily be limited to: (i) the outcome of consultation with the Aboriginal stakeholders, including a site visit(s) to identify any heritage items; (ii) managing the discovery of any human remains; (iii) maintaining and managing reasonable access for Aboriginal stakeholders to heritage items on site; and (iv) ongoing consultation with the Aboriginal stakeholders.	(where necessary) is located in Section 5.4. (iv) provisions for the management of disruptions to traffic, particularly on Wangi Road is located in Section 5.4. (v) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with is located in Table 1 and Section 5.4.3 c) Construction Noise Management Plan is located in Section 5.5 (i) details of construction activities and a schedule for construction works are included in section 5.5.1. (ii) identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas is located in Section 5.5.1 (iii) a detailed description of what actions and measures would be implemented to ensure that these works would		

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
			comply with the relevant noise and vibration criteria/ guidelines is located in Section 5.5.3 and Table 7. (iv) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints is located in Table 7 (v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works is included in section 5.5.1. d) Erosion and Sediment Management Plan is located in Section 5.2 (i) identification of the construction activities that could cause soil erosion or discharge sediment or water pollutants from the site is located in Section 5.3. (ii) description of the management methods to minimise soil erosion or discharge of sediment or water pollutants from		

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
			the site, including a strategy to minimise the area of bare surfaces during construction is located in Table 4 (iii) demonstration that proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004) is located in Table 4 and Appendix A; (iv) details of an erosion monitoring program during construction of the project, including measures to address erosion, should it occur, and to rehabilitate/ stabilise disturbed areas of the Site is included in section 5.2. e) not triggered as condition pertains to MOD 1. However, an ACHMP was included as part of the project's CEMP (Section 5.3).		
OPERATION ENVIRONMENTAL MANAGEMENT PLAN					
PA28	S2 C4.3	The Applicant shall prepare and implement an **Operation Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed during operation of the project. The Plan shall be consistent with *Guideline for the*	Viewed 'Operation Environmental Management Plan – Modification 2' dated November 2022. RPS confirms Origin submitted an OEMP to the Department 28 November 2022, and was formally approved by Department on 8 February 2023.	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		Preparation of Environmental Management Plans (DIPNR, 2004) and shall include, but not necessarily be limited to: (a) identification of all statutory and other obligations that the Applicant 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 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) preparation of a **Coal Combustion Product Management Plan** to outline how the CCP storage facility and associated infrastructure will be managed to minimise potential impacts on the surrounding environment. The Plan shall include, but not necessarily be limited to: (i) likely quality and quantity of groundwater seepage and surface water runoff from the CCP storage facility and likely impact on receiving waters; (ii) management system or measures to prevent overflows from the CCP storage facility and weir during rainfall events; and (iii) water quality monitoring of selenium and other contaminants (both concentration levels and total load) discharged to receiving waters. The Plan shall be submitted for the approval of the Planning Secretary no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the Planning Secretary.	On 9 March 2023 Origin formally notified Department of commencement of operations under Modification 2. In response Department issued a letter dated 16 March 2023 acknowledging commencement of operations and confirming ongoing reporting requirements. Additionally, RPS has sighted the following supporting documents: • CEMP dated 22 September 2023. • Integrated Project Management Plan (IPMP), the management plan for construction activities and the ”Integrated Facility Management Plan” (IFMP) for the operations of the plant. • Eraring Power Station Classifier, Blend Plant & Storage - Facility Integrated Facility Management Plan (IFMP). • Construction of Eraring Flyash Blend Plant - Integrated Project Management Plan (IPMP). • Induction records for Daracon operators for General Awareness Training, Ash Recycling Drivers Familiarisation, Drivers Online Induction. • Copies of Daracon DoneSafe report, incident notifications and copies of Daracon CEMP and OEMP. These were for internal incident notifications only, and were not required to be reported to regulators.		

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		Operation of the project shall not commence until written approval has been received from the Planning Secretary.			
PA29	S2 C4.4	The Applicant may satisfy condition 4.3 of this approval by demonstrating to the satisfaction of the Planning Secretary that existing, equivalent documentation has been appropriately updated to reflect the CCP storage facility expansion.	Not triggered as OEMP has been developed. Refer to above comment & evidence.	Not triggered	
PA30	S2 C4.5	The Applicant shall comply with the performance measures in Table 2 during the operation of the CCP storage facility expansion. ***Table 2:*** *Performance Objectives* ***Feature*** / ***Performance Objectives*** CCP storage facility expansion area, including western saddle embankment: • Safe, stable and non-polluting • Negligible subsidence impacts • Minimise seepage into underground workings New clean water diversions and storage infrastructure: • Design, install and maintain the clean water system to capture and convey the 100-year ARI flood event • Maximise, as far as reasonable, the diversion of clean water around the CCP storage facility and disturbed areas on the site Wetlands and aquatic ecosystems: • Negligible environmental consequences	Not triggered as condition pertains to MOD 1.	Not triggered	
MINE VOID REMEDIATION					
PA31	S2 C4.6	Prior to carrying out any mine void remediation activities associated with the MOD 1 CCP storage facility expansion, the Applicant must prepare a Mine Void Remediation Plan. The Mine Void Remediation Plan must be prepared in consultation with the EPA, DPIE DPE Water, Dams Safety Committee, Centennial Coal and SA NSW Subsidence Advisory NSW, and to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by suitability qualified and experienced hydrogeologist(s) and mine subsidence expert(s) whose appointment has been approved by the Planning Secretary; (b) be prepared with reference to and consideration of the recommendations of the WSP Review Report; (c) include detailed performance criteria and describe measures to ensure that the Applicant complies with the performance measures in Table 2; (d) include detailed hydrogeological investigations and groundwater modelling to better conceptualise the existing	Not triggered as condition pertains to MOD 1. However it is noted that the Mine Void Remediation Plan has been developed, approved and is provided on the Origin website.	Not triggered	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		groundwater system and any potential risks to groundwater; (e) include detailed geotechnical and mine subsidence investigations; (f) detail proposed remedial strategies to mitigate potential groundwater and mine subsidence impacts from extending the CCP storage facility over existing mine voids; (g) report on fill material trials conducted to investigate and verify the effectiveness of the mine fill design, including strength, conductivity, flowability, and leachability of fill mixes; (h) detail the final design, implementation and validation program, including QA/QC and independent verification program, for the preferred mine void remediation strategy(s); and (i) include a comprehensive surface and groundwater monitoring and reporting program to be installed prior to construction to monitor compliance against the performance objectives in Table 2 and detailed performance criteria in Condition 4.6(c). The Applicant must implement the approved Mine Void Remediation Plan. *Note: Condition 4.6 does not preclude the commencement of ground investigations, clearing activities, construction or upgrade of ancillary infrastructure and other works that may be required which are not directly associated with the implementation of a mine void remediation solution.*			
PA32	S2 C4.7	By the end of October each year, or other timeframe agreed by the Planning Secretary, a report shall be submitted to the Department to demonstrate annual progress of mine void remediation, to the satisfaction of the Planning Secretary.	Not triggered as condition pertains to MOD 1.	Not triggered	
AIR QUALITY MANAGEMENT					
PA33	S2 C4.8	The Applicant must prepare an Air Quality Management Plan to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s;	Not triggered as condition pertains to MOD 1. However it is noted that the AQMP has been developed, approved and is provided on the Origin website.	Not triggered	

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		(b) be prepared in consultation with the EPA; (c) be submitted to the Planning Secretary for approval within 3 months of approval of MOD 1 or other timeframe agreed by the Planning Secretary, (d) describe the air quality management system in detail; and (e) describe the measures to be implemented to ensure: (i) compliance with the air quality operating conditions of this approval; and (ii) the air quality impacts of the project are minimised during adverse meteorological conditions and extraordinary events; (f) include an air quality monitoring program, undertaken in accordance with the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007), that: (i) uses monitors to evaluate the performance of the project to guide day to day operations; (ii) adequately supports the air quality management system; and (iii) includes a protocol for identifying any air quality-related incident or non-compliance and for notifying the Department and relevant stakeholders of these events. The Applicant must implement the approved Air Quality Management Plan. *Notes: Extraordinary events excludes events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents or any other activity agreed by the Planning Secretary.*			
REHABILITATION MANAGEMENT PLAN					
PA34	S2 C4.9	The Applicant must prepare a Rehabilitation Management Plan for all land disturbed by the project to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by a suitably qualified and experienced person/s; (b) be prepared in consultation with the Department and Council;	MOD 2 not disturbing land, MOD 1 not triggered as condition pertains to MOD. Rehab plan covers whole of ash dam (MH pers comms). Origin have provided evidence of ongoing consultation with Council and Department.	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		(c) be submitted to the Secretary for approval within 3 years of approval of Modification 1 or other timeframe agreed by the Planning Secretary; (d) be consistent with the Long-Term Ash Management Strategy required under section 4A of this approval; (e) include detailed performance indicators and completion criteria for each rehabilitation domain, and triggers for remedial actions; (f) describe the measures to be implemented on the site to achieve the criteria in paragraph e); (g) include a program to monitor, independently audit and report on progress against the criteria in paragraph e) and the effectiveness of the measures in paragraph f); and (h) describe any further studies, work, research or consultation that will be undertaken to expand the site-specific rehabilitation knowledge base, reduce uncertainty and improve rehabilitation outcomes. The Applicant must implement the approved Rehabilitation Management Plan.	Noting the following dated correspondence as evidence: • 15 July 2022 – Letter to DPE re: rehab management plan extension. • 20 July 2022 – Letter from DPE denying extension. • 15 August 2022 – Letter to DPE re: RMP extension. • 7 September 2022 – letter to DPE re: RMP extension after meeting with DPE on 1 September. • 10 September 2022 – extension request approved. • 15 December 2023 – letter to DPE re extension request. • 20 December 2023 – letter from DPE approving extension request. • 18 January 2024 – RMP submitted.		
OPERATIONAL TRAFFIC MANAGEMENT PLAN					
PA35	S2 C4.10	The Applicant must prepare an Operational Traffic Management Plan to the satisfaction of the Planning Secretary prior to commencing road haulage associated with MOD 2. The Plan must: (a) be prepared by suitably qualified and experienced person/s; (b) be prepared in consultation with the TfNSW and Council; (c) include details of traffic routes for heavy vehicles, including any necessary route or timing restriction for heavy or oversized loads associated in particular with bridge upgrades on Wilton Road; (d) include detailed measures to minimise impacts on traffic performance, road safety and noise amenity along the	Viewed 'Operational Traffic Management Plan' dated January 2024.	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		heavy vehicle routes, including specific measures to minimise traffic volumes: through the Morisset town centre (Dora Street) between 4 pm and 6 pm; during the night time period 10 pm and 7 am; (e) include detailed measures to manage potential cumulative traffic impacts, including other projects undertaken at Eraring Power Station; (f) include processes to demonstrate compliance with statutory requirements for road traffic impacts; (g) include a Driver Code of Conduct including: (i) initiatives for haulage through residential areas and/or school zones; (ii) an induction process for vehicle operators and regular toolbox meetings including education regarding access routes and measures to avoid platooning; (iii) a public complaint management and disciplinary procedure; and (iv) protocols for noise minimisation. The Applicant must implement the approved Operational Traffic Management Plan.			
LONG-TERM ASH MANAGEMENT STRATEGY					
PA36	S2 C4A.1	The Applicant shall prepare and implement a Long-Term Ash Management Strategy for the site, to the satisfaction of the Planning Secretary. The Strategy shall be developed in consultation with the EPA and Council, and shall include, but not necessarily be limited to: a) a mandatory goal of 80% reuse or recycling of ash from the Eraring Power Station by 31 December 2021. This goal may only be altered with the prior written agreement of the Planning Secretary, based on a demonstration by the Applicant that market conditions reasonably preclude this goal being achieved;	The Department has provided year-on-year extension approvals upon review of each subsequent submission of the Long-Term Ash Management Strategy Department had previously granted an extension of time until 30 June 2024 to meet the 80% reuse or recycle goal.	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		b) a program for the investigation of alternative ash management measures over time, with a particular focus on the minimisation of ash disposal on site and beneficial reuse of ash; c) a framework for the identification and assessment of alternative ash management measures from time to time, having regard to the operational needs of the Eraring Power Station, and social, economic and environmental implications of those measures; d) a staging strategy for the implementation of works the subject of this approval; e) a strategic management framework for the optimisation of ash disposal capacity on the site, and periodic review of ash management practices to achieve this outcome; f) an environmental management framework for the on-going management of ash disposal and ash management measures on site, consistent with contemporary best environmental practice; g) a rehabilitation strategy that outlines proposed rehabilitation, with consideration of the ash reuse potential, including a: (i) description of techniques to restore the area; (ii) timetable for the progressive staging of the rehabilitation program; and (iii) monitoring and auditing program; and (h) a strategy for the reconciliation of the generating life of the Eraring Power Station and the availability and management of ash produced by the Power Station. In respect to a), if reuse options are slow to emerge, or they are not feasible on economic, environmental, or industrial reliability criteria, the timeframe goal be may			

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		extended with the agreement of the Planning Secretary, in consultation with the EPA. Extension of the goal shall be subject to the Applicant providing to the satisfaction of the Planning Secretary information on available reuse options, justification of why these cannot be – or have not been - adopted, and a description of what measures will be implemented to facilitate the reuse of all ash generated on the premises for a beneficial purpose. After reviewing this information, the Planning Secretary in consultation with the EPA, may approve a modified timeframe goal(s), and may require the Applicant to carry out further investigations or works into reuse of all ash generated on the premises for a beneficial purpose.			
PA37	S2 C4A.2	By the end of October each year, or other timeframe agreed by the Planning Secretary, a report shall be submitted to the Department to demonstrate annual progress of reuse and recycling of ash, to the satisfaction of the Planning Secretary.	Condition pertains to MOD 1, however copies of annual reports are available on the Project website.	Compliant	
5. ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
INCIDENT NOTIFICATION, REPORTING AND RESPONSE					
PA38	S2 C5.1	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant 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 C.	No incidents have occurred within the audit period (JE pers comms).	Compliant	
NON-COMPLIANCE NOTIFICATION					
PA39	S2 C5.2	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	No incidents have occurred within the audit period (JE pers comms).	Compliant	
PA40	S2 C5.3	A non-compliance 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-	No incidents have occurred within the audit period (JE pers comms).	Compliant	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.			
PA41	S2 C5.4	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Note.	Noted	
COMPLIANCE REPORTING					
PA42	S2 C5.5	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)* or its latest version.	Viewed 'PA 07_0084 Modification 2 – Pre-Operation Compliance Report dated 15 May 2023 which covers the period 21 June 2022 to 10 March 2023. This compliance report relates "to the operational activities associated with MOD 2 due to no current construction phase of the project. The report stated that the purpose of the report is to comply with Compliance Reporting Requirements. Viewed Department letter granting approval for an extension to submit the first Operational Compliance Report until the 9 May 2024.	Compliant	
PA43	S2 C5.6	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the *Compliance Reporting Post Approval Requirements (2020)* or its latest version, unless otherwise agreed to by the Planning Secretary.	Viewed Compliance Post Approval Requirements (2020) which states that operational compliance reports are required "at intervals, no greater than 52 weeks from the date of commencement of operation (annually)". Next report anticipated 9 May 2024 (outside of the audit period).	Compliant	
PA44	S2 C5.7	The Applicant must make each Compliance Report publicly available within 60 days of submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	Viewed email stating Compliance report dated 15 May 2023 was uploaded onto the Origin website on 15 May 2023.	Compliant	
PA45	S2 C5.8	Notwithstanding the requirements of *the Compliance Reporting Post Approval Requirements (2020)* or its latest version, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	No requests were submitted to the Planning Secretary for the cessation of operational annual compliance reports during the audit period (JE pers comms).	Not triggered	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
NOTIFICATION OF DEPARTMENT					
PA46	S2 C5.9	Prior to commencing the construction, operations, upgrading or decommissioning of the project or the cessation of operations, the Applicant must notify the Department via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.	Viewed notification letter to DPE dated 9 March 2023 stating that operations under modification 2 are planned to commence on 10 March 2023, and Department letter dated 16 March 2023 acknowledging commencement of operations and confirming ongoing reporting requirements. Viewed notification letter to DPE dated 2 November 2023 stating that construction under modification 2 is planned to commence on 13 November 2023. Viewed email receipt dated 3 November stating that the notification has been submitted through the Major Projects portal.	Compliant	
PA47	S2 C5.10	If any of these phases of the project are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the project that would be carried out during the relevant stage.	Viewed Department letter dated 5 September 2022 acknowledging receipt of Origin letter dated 5 August 2022 regarding Staging and timing of management plans. Viewed letter to DPE dated 31 July 2023 relating to consistency assessment and management plans due to revised design for MOD 2. In addition Origin have provided evidence of ongoing consultation with Department. Noting the following dated correspondence: • 13 September 2022 – Origin letter to department regarding staging and timing of management plans. • 23 June 2023 – AECOM Consistency Assessment report. To date no further information has been requested.	Compliant	
INDEPENDENT ENVIRONMENTAL AUDIT					

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
PA48	S2 C5.11	Within one year of the date of physical commencement of development under Modification 2, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the project. The audit must: (a) be prepared in accordance with the *Independent Audit Post Approval Requirements* (NSW Government 2020); and (b) be submitted, to the satisfaction of the Planning Secretary, within two months of undertaking the independent audit site inspection, unless otherwise agreed by the Planning Secretary.	This audit inspection (6-7 March 2024) has been undertaken within one year of the date of physical commencement of development under Mod 2 (10 March 2023). This audit has been prepared in accordance with the Independent Audit Post Approval Requirements.	Compliant	
PA49	S2 C5.12	In accordance with the specific requirements of the Independent Audit Post Approval Requirements (NSW Government 2020), the Applicant must: (a) review and respond to each Independent Audit Report prepared under Condition 7 above; (b) submit a response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations of the Independent Audit Report; (c) implement the recommendations to the satisfaction of the Planning Secretary; and (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary.	Not triggered as this IEA is first audit pertaining to MOD 2.	Not triggered	
MONITORING AND ENVIRONMENTAL AUDITS					
PA50	S2 C5.13	Any condition of this approval that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance report and independent audit. For the purposes of this condition, as set out in the Act, "monitoring" means monitoring of the project to provide	Noted	Noted	

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		data on compliance with the approval or on the environmental impact of the project, and an "environmental audit" means a periodic or particular documented evaluation of the project to provide information on compliance with the approval or the environmental management or impact of the project.			
REVISION OF STRATEGIES, PLANS AND PROGRAMS					
PA51	S2 C5.14	Within 3 months of: (a) the submission of an incident report under condition 5.1 above; (b) any modification to the conditions of this approval (unless the conditions require otherwise); (c) the submission of an audit report in accordance with condition 5.11 of this approval; or (d) a direction of the Secretary under condition 1 of Schedule 2, the Applicant must review and, if necessary, revise the strategies, plans and programs required under this approval to the satisfaction of the Planning 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 Planning Secretary for approval. *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.*	Conditions (a) – (d) have not been triggered in the audit period (JE pers comms).	Not triggered	
ACCESS TO INFORMATION					
PA52	S2 C5.15	The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the project: (i) the EAs; (ii) current statutory approvals for the project; (iii) approved strategies, plans and programs required under the conditions of this approval; (iv) a comprehensive summary of the monitoring results of the project, which have been reported in accordance with	Viewed EPS website on 4 March 2024 at 3:00 pm. The following documents are available: i) the EAs (MOD 1 and MOD 2) ii) current statutory approvals for the project. EPL was not identified as being publicly available. iii) approved strategies, plans and programs (OEMP, OTMP, CEMP) iv) Environmental Monitoring data	Non-compliant	Ensure all relevant documents are made publicly available, including the EPL. As documents are reviewed make current versions publicly available. Additionally management plans should include a document control/versions table. It is noted that the EPL has been made available on the project website since the audit site inspection.

Ref No.	Cond No.	Audit Finding & Recommendations	Comments & Evidence	Audit Findings	Recommendations
		the various strategies, plans and programs approved under the conditions of this approval; (v) a complaints register, which is to be updated on a monthly basis; (vi) any independent environmental audit, and the Applicant's response to the recommendations in any audit; and (vii) any other matter required by the Secretary; and (b) keep this information up to date, to the satisfaction of the Planning Secretary.	v) Complaints register vi) Not applicable as this is the first IEA under MOD 2 vii) No other reports have been required to be uploaded to the website (JE pers comm).		

Appendix C
Stakeholder Consultation

AUDIT CHECKLIST – CONSULTATION SUMMARY

AUDIT CHECKLIST – CONSULTATION SUMMARY 1
NSW Department of Planning, Housing and Infrastructure 2
Community Consultative Committee 2

Table 1: AUDIT CHECKLIST – CONSULTATION SUMMARY

Topic	Comment	Response
NSW Department of Planning, Housing and Infrastructure		
General	Please ensure **all conditions** of Project Approval MP07_0084 are audited. The compliance status of each condition must be determined as "compliant", "not compliant" or "not triggered", as described in Section 3.8 of the Independent Audit Post Approval. Requirements (2020).	Noted – refer to the findings of this audit report.
Community Consultative Committee		
General	Response received advising that *"Our next CCC meeting is on the 13th of February. I will circulate this information and this request at least a week before that meeting but will suggest that members communicate directly to you if required."* No further response received.	Noted – no further response received.

Appendix D
Site Inspection Photographs

PHOTOGRAPHIC RECORD



Plate 1 – MOD 2 Storage silos



Plate 2 – Bunded silo area and sediment erosion controls



Plate 3 – MOD 2 Storage Silos



Plate 4 – MOD 2 Silos and dispatch area



Plate 5 – MOD 2 Stormwater Intercept Pit



Plate 6 – Decant Pond



Plate 7 – Decant Pond



Plate 8 – Area K Perimeter Bund Rehabilitation



Plate 9 – Area ABC Rehabilitation



Plate 10 – Boral Project Area 2