

Tomago SPL Processing Facility Capacity Expansion

Compliance Monitoring and Reporting Program

Application Number

The Project is the subject of NSW Department of Planning, Industry and Environment (DPIE) Major Project Approval MP06_0050 as modified MOD 2 dated 22 August, 2019 (MP06_0050 MOD 2).

Version Control

Version	Date Prepared	Date Issued
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Program prepared by:

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1. Introduction

This Compliance Monitoring and Reporting Program (CMRP) has been prepared to support operation of the process plant required for increased processing capacity of the Spent Potlining Recycling Facility located inside the boundaries of the Tomago Smelter. The current facility operates under NSW Department of Planning, Industry and Environment Major Project Approval MP06_0050 dated 7th August 2009. The expanded capacity process plant is the subject of NSW Department of Planning, Industry and Environment (DPIE) Major Project Approval MP06_0050 as modified MOD 2 dated 22 August 2019 (MP06_0050 MOD 2).

Condition 28C of MP06_0050 MOD 2 requires that not later than six weeks before the date notified for the commencement of operations as described in Mod 2 a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.

2. Compliance Monitoring and Reporting Schedule

The Compliance Reports to be submitted along with the timing of the initial report and the frequency of submission of subsequent reports (if required) are set out in the following table.

Compliance Reporting Frequency Table

Compliance Report	Phase	Timing	Frequency
Pre-Operational Compliance Report	Pre-Operation	Report to be submitted to the Planning Secretary Prior to commencement of operation	Single report only
Operational Compliance Report	Operation	Reporting required for the duration of operation	At intervals no greater than 52 weeks from the date of commencement of operations
Post-Decommissioning Compliance Report	Decommissioning	Report to be submitted to the Planning Secretary within 12 weeks of completion of decommissioning	Single report only

3. Compliance Table

The Compliance Table which commences on the following page:

- identifies the requirements of MP06_0050 MOD 2 that must be complied with during each phase
- sets out the compliance monitoring methodology used to assess compliance with each compliance requirement
- sets out the type of data or evidence that is to be provided as evidence of compliance.

Compliance Table

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 1	The proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the project.	At all times	Include compliance as item on audits	Audit reports
Condition 2	The proponent shall carry out the project generally in accordance with the: <ol style="list-style-type: none"> a) Project Application 06_0050 b) EA c) MOD 1 d) MOD 2 e) Project layout plans and drawing listed in Appendix A f) Statement of commitments listed in MOD 2; and g) Conditions of this approval 	At all times	Include compliance as item on audits	Audit reports
Condition 3	If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.	At all times		Audit reports
Condition 4	The proponent shall comply with any reasonable requirement/s of the Planning Secretary arising from the Department's assessment: <ul style="list-style-type: none"> • Any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and • The implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence. 	At all times	Submission of documents to the Planning Secretary	Audit reports
Condition 5	The proponent must not receive or process more than 60,000 tonnes of SPL per year.	At all times	Production Reports	Annual Reporting – NSW EPA Audit reports
Condition 6	The SPL Recycling Facility shall recycle SPL into non-hazardous waste or a useable product.	At all times	Environmental Hazardous Chemicals Act (EHC Act) Licence – Licence Number 88	EHC Act Licence Annual Reports Audit reports
Condition 7	With the approval of the Planning Secretary, the Proponent may submit any management plan required by this approval on a progressive basis.	At all times	Submission of management plans to the Planning Secretary	Audit reports

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 8	<p>The proponent shall ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> Under part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works Part 8 of the EP&A Regulation sets out the requirements for the certification of the project. 	At all times	<p>Building Code of Australia (BCA)</p> <p>Appointed BCA Certifier</p>	<p>BCA Certifier Reporting</p> <p>Audit reports</p>
Condition 9	Prior to the construction of any utility works, the Proponent shall obtain the relevant approvals from the service providers, including Hunter Water.	At all times	Construction Certificate - BCA Certifier	BCA Certifier Reporting
Condition 10	<p>The Proponent shall ensure that all plant and equipment used on the site is:</p> <ul style="list-style-type: none"> Maintained in a proper and efficient condition; and Operated in a proper and efficient manner. 	At all times	<p>Lifecycle Management System (LMS)</p> <p>Regain Management System (RMS)</p>	Audit reports
Condition 11	The Proponent shall comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	At all times	<p>Stormwater Management Plan</p> <p>Site Environmental Protection Licence (EPL) Licence Number 13269</p>	<p>Annual EPL Returns</p> <p>Audit reports</p>
Condition 12	All SPL waste must be stored and processed under cover or within the thermal treatment plant	At all times	Include compliance as item on audits	Audit reports
Condition 13	All chemicals, fuels and oils shall be stored in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund.	At all times	<p>Regular housekeeping inspections</p> <p>Include compliance as item on audits</p>	<p>Housekeeping check sheets</p> <p>Audit reports</p>
Condition 14	Erosion and sediment control at the site during construction shall be consistent with the requirements of Landcom's (2004) <i>Managing Urban Stormwater: Soils and Construction manual</i> .	Pre-construction	Inspection during construction	<p>246C004 Erosion and Sediment Control Plan v2.2</p> <p>Inspection checklists</p>

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
condition 15A.	<p>Prior to the commencement of Stage 1 operations, the Proponent must design, install and operate a stormwater management system (SMS) for the project. The SMS must:</p> <ol style="list-style-type: none"> be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary; be in accordance with the Project as modified by MOD 2 and the plans at Appendix A of this approval; be in accordance with applicable Australian Standards; and ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines. 	prior to stage 1 operations	<p>Submission of name of suitably qualified person to the Planning Secretary</p> <p>Drawings of stormwater management system prepared by suitably qualified person</p>	<p>DPIE approval of qualified person</p> <p>116C011 Stormwater Management Plan v2.2</p> <p>Stormwater Management System Drawings</p>
Condition 15B	Prior to the commencement of Stage 1 operations, works-as-executed drawing signed by a registered surveyor must be submitted to the certifying authority demonstrating the stormwater and drainage and finished ground levels have been constructed as approved.	Prior to the commencement of Stage 1 operations	Engage a registered surveyor to inspect the works	As-built drawings signed by registered surveyor
Condition 15C	The surface water management system must be operated and maintained for the duration of the project	At all times	Include compliance as item on audits	Audit report
Condition 16	<p>At least one month prior to the commencement of Stage 1 construction of the Project as modified by MOD 2 (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Proponent must prepare and submit for the approval of the Planning Secretary the studies set out under subsections 16(a) to 16(c) below (the preconstruction studies). Construction, other than the preliminary works that are outside the scope of the hazards studies must not commence until approval has been given by the Planning Secretary.</p> <ol style="list-style-type: none"> A Hazard and Operability Study for the Project inclusive of MOD 2, chaired by a qualified person, independent of the Project, approved by the Planning Secretary prior to the commencement of the study. Construction Safety Study prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 7 'Construction Safety'. 	Pre construction	HAZOP report and Construction Safety Study to be submitted to the Planning Secretary	<p>246R005 HAZOP Report for 40,000 tpa SPL Treatment Plant</p> <p>Planning Secretary approval of HAZOP</p> <p>246R007 Capacity Expansion Stage 1 Construction Safety Study</p> <p>Planning Secretary approval of Construction Safety Study</p>

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 16A	<p>The Proponent must develop and implement the plans and systems set out under subsections 16A(a) and 164(b) below. No later than two months prior to the commencement of commissioning of the Project, or within such further period as the Planning Secretary may agree, the Proponent must submit for the approval of the Planning Secretary documentation describing those plans and systems. Commissioning must not commence until approval has been given by the Planning Secretary.</p> <p>a) A comprehensive Emergency Plan and detailed emergency procedures for the proposal. The Emergency Plan shall include consideration of the safety of all people outside of the Project who may be at risk from the Project. The plan shall be prepared in accordance with the Department's Hazardous industry Planning Advisory Paper No. 1, 'Emergency Planning'.</p> <p>b) A document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Planning Secretary upon request. The Safety Management System shall be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p>	Pre-commissioning	Emergency Plan and Safety Management System document to be submitted to the Planning Secretary	<p>116C031 Emergency Response Plan</p> <p>Planning Secretary approval of Emergency Response Plan</p> <p>246R009 Safety Management System document</p> <p>Planning Secretary approval of Safety Management System document</p>
Condition 16B	<p>Within 12 months the commencement of stage 1 operations of the Project and every five years thereafter, or at such intervals as the Planning Secretary may agree, the Proponent shall carry out a comprehensive Hazard Audit of the Project and within one month of each audit submit a report to the satisfaction of the Planning Secretary. The Hazard Audit must:</p> <p>a) be carried out at the Proponent expense by a qualified person or team, independent of the Project, approved by the Planning Secretary prior to commencement of the audit. Hazard Audits shall be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No.5, 'Hazard Audit.</p> <p>b) include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit.</p> <p>c) be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.</p>	Within 12 months the commencement of stage 1 operations of the Project and every five years thereafter	<p>Independent auditor to be identified and submitted for approval of Planning Secretary</p> <p>Audits as scheduled</p>	<p>Planning Secretary approval of independent auditor</p> <p>Audit reports</p>

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 16C	The Proponent must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of Conditions 16, 16A and 168 inclusive, within such time as the Planning Secretary may agree.	At all times	Respond to requirements of the Planning Secretary	Correspondence with the Planning Secretary
Condition 17	The Proponent must carry out all reasonable and feasible measures to minimise dust generated by the project	At all times	Include in technical design and OEMP management reviews	Records of review meetings
Condition 18	The Proponent must install and operate all SPL plant equipment in line with best practice to ensure the Project complies with all load limits, air quality criteria and air quality monitoring requirements as specified in the EPL for the site.	At all times	6 monthly emissions monitoring	Emissions monitoring reports
Condition 18A	<p>The Proponent must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by Condition 26D and be prepared in accordance with Condition 26. The AQMP must:</p> <ol style="list-style-type: none"> a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary; b) detail and rank all emissions from all sources of the Project, including particulate emissions; c) describe a program that is capable of evaluating the performance of the operation and determining d) compliance with key performance indicators; e) identify the control measures that that will be implemented for each emission source; and f) nominate the following for each of the proposed controls: <ol style="list-style-type: none"> i.) key performance indicator; ii.) monitoring method; iii.) location, frequency and duration of monitoring; iv.) record keeping; v.) complaints register; vi.) response procedures; and vii.) compliance monitoring 	prior to stage 1 operations	<p>Suitable qualified person to be identified and submitted for approval of Planning Secretary</p> <p>AQMP to be submitted to the Planning Secretary</p>	<p>Planning Secretary approval of Emergency Response Plan</p> <p>246R009 Safety Management System document</p> <p>Planning Secretary approval of Safety Management System document</p>
Condition 18B	<p>The Proponent must:</p> <ol style="list-style-type: none"> a) not commence operations until the AQMP required by Condition 184 is approved by the Planning Secretary; and b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the Project. 	prior to stage 1 operations	Include compliance as item on audits	Audit report

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments									
Condition 19	<p>Within 12 months of commissioning Stage 1 operations and Stage 2 operations, the Proponent must submit a post commissioning air emission verification report (AEVR) to the satisfaction of the Planning Secretary (the report). The AEVR must:</p> <ol style="list-style-type: none"> must be prepared by a suitably qualified and experienced person(s); include all emission test and analytical results from post commissioning emission monitoring required to be undertaken by the EPL; compare the results of the post commissioning monitoring against emission limits contained in the EPL for the relevant emission points where the comparison shows monitored discharge concentrations higher than the EPL limits; must identify mitigation measures to achieve the EPL emission limits; and include details of any amendments to the EPL as a result of the EPA's review of the AEVR. 	Within 12 months of commissioning Stage 1 operations and Stage 2 operations	Suitable qualified person to be engaged to undertake analysis and prepare AEVR	AEVR submitted to Planning Secretary									
Condition 20	<p>The Proponent shall comply with the following restrictions:</p> <ul style="list-style-type: none"> • Construction <ul style="list-style-type: none"> ○ Mon-Fri 7:00am - 6:00pm ○ Sat 6:00am - 1:00pm ○ Sun and Public Holidays Nil • Operation <ul style="list-style-type: none"> ○ All days Anytime 	At all times	Monitor site access gate logs	Site access gate logs									
Condition 21	<p>The proponent shall ensure that the noise from the operation of the project does not exceed the noise limits presented in Table 2.</p> <p>Table 2: Project Noise Limits (dB(A))</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Day/Evening/Night</th> <th>Night</th> </tr> </thead> <tbody> <tr> <td>Residences on Tomago Road</td> <td>35 dBAL_{Aeq} (15 minutes)</td> <td>45 dBAL_{Aeq} (1 minute)</td> </tr> <tr> <td>Industrial Receivers</td> <td>70 dBAL_{Aeq}</td> <td>70 dBAL_{Aeq} (1 minute)</td> </tr> </tbody> </table>	Location	Day/Evening/Night	Night	Residences on Tomago Road	35 dBAL _{Aeq} (15 minutes)	45 dBAL _{Aeq} (1 minute)	Industrial Receivers	70 dBAL _{Aeq}	70 dBAL _{Aeq} (1 minute)	At all times	Conduct noise survey after commencement of operations	Noise survey report
Location	Day/Evening/Night	Night											
Residences on Tomago Road	35 dBAL _{Aeq} (15 minutes)	45 dBAL _{Aeq} (1 minute)											
Industrial Receivers	70 dBAL _{Aeq}	70 dBAL _{Aeq} (1 minute)											
Condition 22	<p>At all times the Proponent shall ensure that:</p> <ul style="list-style-type: none"> • all trucks entering or leaving the site with loads have their loads covered; • trucks associated with the project do not track dirt onto the public road network; and • the public roads used by these trucks are kept clean of any Regain products or materials. 	At all times	Housekeeping inspections	Housekeeping inspection check sheets									

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 23	<p>The Proponent shall ensure that:</p> <ul style="list-style-type: none"> • all parking generated by the project is accommodated on site, and that no vehicles associated with the project shall park on the public road system at any stage; • that the project does not result in any vehicles queuing on the public road network; • vehicles associated with the project are operated at low speed or power within the TAC site and are turned off when not being used; and • vehicles are not to be left idling for prolonged periods. 	At all times	Housekeeping inspections	Housekeeping inspection check sheets
Condition 24	The proponent shall ensure that waste would be reused, recycled and if necessary, appropriately construction/operation treated and disposed of in accordance with DECC's Waste Classification Guidelines.	At all times	Include compliance as item on audits	Audit reports
Condition 25	<p>The Proponent shall ensure that the lighting associated with the project:</p> <ol style="list-style-type: none"> a) complies with the latest version of Australian Standard AS 4282/(N7)-Control of Obtrusive Effects of Outdoor Lighting; and b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network. 	At all times	Electrical lighting design check	Document on lighting design check

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 26	<p>Management plans required under this approval must be prepared in accordance with relevant guidelines, and include:</p> <p>a) details of:</p> <p>i.) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>ii.) any relevant limits or performance measures and criteria; and</p> <p>iii.) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p> <p>b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>c) a program to monitor and report on the:</p> <p>i.) impacts and environmental performance of the development; and</p> <p>ii.) effectiveness of the management measures set out pursuant to paragraph (b) above;</p> <p>d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>e) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>f) a protocol for managing and reporting any:</p> <p>i.) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>ii.) complaint;</p> <p>iii.) failure to comply with statutory requirements; and</p> <p>g) a protocol for periodic review of the plan.</p>	At all times	Review each plan	Documented plans
Condition 26A	The Proponent must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of Condition 26 and to the satisfaction of the Planning Secretary.	Prior to construction	CEMP to be submitted to the Planning Secretary	246C003 Construction Environmental Management Plan Approval of the Planning Secretary
Condition 26B	<p>The Proponent must:</p> <p>a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and</p> <p>b) (b) carry out the construction of the Project in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.</p>	Prior to and during construction	<p>Inspections during construction</p> <p>Audit during construction</p>	<p>Inspection check sheets</p> <p>Audit Report</p>

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 26C	The Proponent must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of Schedule 4 Condition 26 and to the satisfaction of the Planning Secretary.	Prior to stage 1 operations	OEMP to be submitted to the Planning Secretary	116C004 Environmental Management Approval of the Planning Secretary
Condition 26D	As part of the OEMP required under Condition 26C. of this approval, the Proponent must include the following: a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project; b) describe the procedures that would be implemented to: i.) keep the local community and relevant agencies informed about the operation and environmental performance of the Project; ii.) receive, handle, respond to, and record complaints; iii.) resolve any disputes that may arise; iv.) respond to any non-compliance; v.) respond to emergencies; and c) include the following environmental management plans: (i) Air Quality Management Plan (see Condition 18A).	At all times	Review OEMP against requirement items	Documented OEMP
Condition 26E	The Proponent must: a) not commence operation until the OEMP is approved by the Planning Secretary; b) operate the Project in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	At all times	Audit	Audit reports
Condition 26F	Within three months of: a) the submission of a Compliance Report under Condition 28C; b) the submission of an incident report under Condition 27; c) the submission of an Independent Audit under Condition 29; d) the approval of any modification of the conditions of this approval, or e) the issue of a direction of the Planning Secretary under Condition 261 which requires a review	At all times	See condition 26F below	See condition 26F below
Condition 26G	The strategies, plans and programs required under this approval must be reviewed, and the Department must be notified in writing that a review is being carried out.	At all times	Reviews conducted and strategies, plans and programs revised	Management review records Revised strategies, plans and program documents

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 26H	If necessary to either improve the environmental performance of the Project, cater for a modification or comply with a direction, the strategies, plans and programs required under this approval must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.	At all times	Revised documents to be submitted to the Planning Secretary	Approval of the Planning Secretary
Condition 27	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Proponent becomes aware of an incident. The notification must identify the Project (including the Project 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 B.	At all times	The Department to be notified in accordance with 116D002 Notifiable Incident Procedure v2.1 Subsequent investigation in accordance with 105B041 Hazard Incident and Investigation Reporting Standard v2.0 - 6 June 201	Notifications to the Department
Condition 28	The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Proponent becomes aware of any non-compliance.	At all times	The Department to be notified in accordance with 116D002 Notifiable Incident Procedure v2.1	Notifications to the Department
Condition 28A	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-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	Notifications to include information required	Content of notifications to the Department
Condition 28B	A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.	At all times	See condition 27	See condition 27
Condition 28C	No later than six weeks before the date notified for the commencement of operations as described in Mod 2 a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.	6 weeks prior to the commencement of operations	Compliance Monitoring and Reporting Program to be prepared and submitted to the Planning Secretary	246G002 Compliance Monitoring and Reporting Program Approval of the Planning Secretary
Condition 28D	Compliance Reports of the Project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	At all times	Review Compliance reports against Compliance Reporting Post Approval Requirements (Department 2018)	Compliance Reports
Condition 28E	The Proponent must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least seven days before this is done.	At all times	Post Compliance Reports in Regain website	Compliance Reports on Regain website

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 29	No later than four weeks before the date notified for the commencement of operations as described in MOD 2 an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.	4 weeks prior to commencement of operations	Independent Audit Program to be submitted to the Department	Independent Audit Program document submitted
Condition 30	Independent Audits of the Project must be carried out in accordance with: a) the Independent Audit Program submitted to the Department under Condition 29 of this approval; and b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018)."	Operations	Conduct Independent Audits in accordance with the program	Independent Audit Reports
Condition 31	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Proponent must: a) review and respond to each Independent Audit Report prepared under Condition 30 of this approval; b) submit the response to the Department; and c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least seven days before this is done.	Operations	Post Audit Reports in Regain website	Independent Audit Reports submitted to the Department and posted on Regain website
Condition 32	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 EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.	At all times	Audit review of compliance with requirement of condition 32	Audit reports

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Condition 33	<p>At least 48 hours before the commencement of construction until the completion of all works under this approval, the Proponent must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> i.) the documents referred to in Schedule 2 Condition 2 of this approval; ii.) all current statutory approvals for the Project; iii.) (all approved strategies, plans and programs required under the conditions of this approval; iv.) the proposed staging plans for the Project if the construction, operation or decommissioning of the Project is to be staged; v.) regular reporting on the environmental performance of the Project in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval; vi.) a comprehensive summary of the monitoring results of the Project, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs; vii.) a summary of the current stage and progress of the Project; viii.) contact details to enquire about the Project or to make a complaint; ix.) a complaints register, updated monthly; x.) the Compliance Report of the Project; xi.) audit reports prepared as part of any Independent Audit of the Project and the Proponent's response to the recommendations in any audit report; xii.) any other matter required by the Planning Secretary; and <p>b) keep such information up to date, to the satisfaction of the Planning Secretary.</p>	48 hrs prior to the commencement of construction	Required information to be posted on Regain website	Information posted on Regain website at www.regainmaterials.com/about/operations/Tomago
Appendix B Item 1	<p>A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 27 or, having given such notification, subsequently forms the view that an incident has not occurred.</p>	At all times	<p>The Department to be notified in accordance with 116D002 Notifiable Incident Procedure v2.1</p> <p>Subsequent investigation in accordance with 105B041 Hazard Incident and Investigation Reporting Standard v2.0 - 6 June 201</p> <p>Include compliance with the requirements of Appendix B Items 1 and 1 in audits</p>	Incident notifications to the Department Audit Reports

Unique ID	Compliance Requirement	Development phase	Monitoring methodology	Evidence and comments
Appendix B Item 2	Written notification of an incident must: a) identify the development and application number; b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c) identify how the incident was detected; d) identify when the applicant became aware of the incident; e) identify any actual or potential non-compliance with conditions of consent; f) describe what immediate steps were taken in relation to the incident; g) identify further action(s) that will be taken in relation to the incident; and h) identify a project contact for further communication regarding the incident.	At all times	See Appendix B, Item 1 above	See Appendix B, Item 1 above
Appendix B Item 3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	At all times	Include compliance with the requirements of Appendix B Items 3 and 4 in audits	Incident Reports to the Department Audit reports
Appendix B Item 4	4. The Incident Report must include: a) a summary of the incident; b) outcomes of an incident investigation, including identification of the cause of the incident; c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d) details of any communication with other stakeholders regarding the incident.	At all times	See Appendix B, Item 3 above	See Appendix B, Item 3 above