

Table 3.10: Summary of non-compliances

| Non-compliance ID | Condition ID | Condition | Finding | Recommended Action | Proponent Response |
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| NC_1 | 18R | Within six months of commissioning the LTP and annually thereafter, unless otherwise agreed to by the Secretary, the Proponent shall commission and pay the full cost of an independent assessment of the leachate and water management system. This audit must be conducted by a suitably qualified, experienced and independent expert whose appointment has been endorsed by the Secretary. | Senversa was commissioned by Veolia to undertake the 2024 LWMS audit on 5 November 2024, approximately 16 months after the previous audit was completed and outside of the annual deadline. It is understood that Veolia was granted an extension request by the department. | NC Recommendation 1: Implement a process to ensure LWMS audits are planned and engaged in time to meet audit deadlines. | The submission of nominated independent experts to the Department for endorsement will now be scheduled to be undertaken in February of each year, to allow sufficient time for expert and scope endorsement. |
| NC_2 | 18R(b)(i) | Assess actual performance against the assumptions and predictions made in the project water balance prepared by WSP dated September 2017. This must include: actual versus predicted inputs and outputs into and out of each dam. | The actual inflows and outflows to the dams were not consistent with the water balance model (WSP 2017). It is noted that this water balance has since been updated (Engeny 2024) and has been calibrated using site information, and is pending approval by the Department, after which it is anticipated that the Development Consent conditions will be updated to reference the updated water balance model and management strategy. | NC Recommendation 2: Once the updated water balance model (Engeny, 2024) has been accepted, arrange to update the Consent Conditions to reference the 'current approved model' rather than a specific model report. It is suggested that the wording of the elements to be audited by the LWMS audit are also tailored to assessing progress towards agreed and predicted water management strategy and revised water balance outcomes, without the inferred need for the LWMS audit to duplicate modelling to validate water balance model assumptions. | The consent currently refers to the water balance required by the Site Wide Water Management Plan following approval of Modification 6, and Veolia will seek necessary administrative amendments to thoroughly exclude any reference to the previously approved WBM. Any necessary amendments will be requested by Veolia prior to 1 March 2026. |

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| | NC_3 | 18R(b)(iii) | Assess actual performance against the assumptions and predictions made in the project water balance prepared by WSP dated September 2017. This must include: actual versus predicted rainfall and evaporation. | Observed rainfall and evaporation data did not fit into any of the three climate sub-sets considered in the water balance (WSP 2017). It is noted that a revised water balance has since been prepared and calibrated (Engeny 2024), and was pending approval by the Department at the time this LWMS audit was closed. | Refer to NC Recommendation 2 above. | The updated Water Balance Model prepared by Engeny (2025) was approved by the Department. It is noted that the experienced rainfall for the years since 2017 included years that were outside (more than) even the worst case considered possible by WSP 2017. |
| | NC_4 | 18R(b)(iv) | Assess actual performance against the assumptions and predictions made in the project water balance prepared by WSP dated September 2017. This must include: the actual versus predicted volume of water or treated leachate stored in each dam. | Predicted reductions in total volume of leachate stored were not achieved. Overall, the data shows a reduction of 68 ML water stored across the dams considered (compared to an increase of 619 ML in the previous audit period), noting that 42 ML was transferred out of the system from ED1 to ED2, however, dams ED3S and ED3N's were above the required freeboard limit at the end of the audit period. | Refer to NC Recommendation 2 above. | Refer to NC Recommendation 2 response above. |
| | NC_5 | 18R(c)(ii) | Assess actual versus predicted performance of the LTP. This must include: actual versus target throughput. | The average annual LTP throughput during the audit period was 3.9 L/s, which is below the target throughput of 4 L/s. | NC Recommendation 3: Continue to optimise UF performance and LTP throughput, including progressing lines of inquiry recommended in the Membrane Futures and Membrane Works reports, as appropriate. | Veolia has progressed the works identified in these reports as required to operate at the 4L/s average treatment rate and has maintained 4L/s since. |

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| | NC_6 | 18R(d) | <p>Determine whether the leachate and water management system is achieving its intended objectives. Construction of a suitably sized and lined coffer dam (referred to as ED1 Cofferdam) to store and evaporate treated leachate from its LTP from September 2018 for 4- year period without filling.</p> | <p>Based on Veolia records of dam survey levels, Cofferdam 1 reached 100% of capacity by December 2021. As noted in the previous LWMS audit, a tear in the liner of Cofferdam 1 was identified, with water level required to be lowered to approximately 80% capacity level to minimise loss through the liner tear. The dam level was reduced during the audit period, and Veolia advised of temporary repair made in November 2023 (temporary repair completion of exposed liner documented in Terra Firma CQA report, November 2023 and in Veolia Monthly Environment Management Reports to EPA, sighted February and March 2024 examples). Veolia also advised that it had submitted an updated repair proposal to the EPA in mid-May 2025 and were awaiting a response. It is understood that a drone/bathymetric survey was undertaken which identified 20 anomalies, and that the updated plan proposes to use divers to repair the liner which will avoid the need to empty the dam. In October 2025, Veolia provided a Construction Quality Assurance report dated July 2025 that documented the CD1 liner repair.</p> | <p>NC Recommendation 4: Continue to implement and assess effectiveness of the Engeny water management strategy actions, and amend /expand action options as necessary to progress reduction of leachate and water volumes stored on site.</p> | <p>Veolia is implementing the approved Water Balance Model and strategy (WBM) authored by Engeny 2025 and will assess whether any variations are required, and have any variations to the WBM considered and updated in a revised WBM.</p> |
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| | NC_7 | 18R(d) | <p>In accordance with Condition 18S of the Project Approval (MP 10_0012), as modified, the volume of mine water stored in ED1 must be no more than 10 ML by 31 December 2023.</p> | <p>LWMS audit review of dam survey and water levels showed the volume of water in ED1 at the end of the 2024 audit period was 1,248 ML.</p> <p>Table 7.2.1 of the Veolia Annual Environmental Management Report 2023-24, stated that the volume of mine water stored in ED1 was more than 10ML at the compliance date. Veolia response included the following activities: Provide an up-to-date water balance model (currently being reviewed by DPHI).</p> <p>Increase mechanical evaporation (completed).</p> <p>Continue to implement short, medium and long term strategies (completed and ongoing).</p> <p>The LWMS audit agrees that ongoing implementation and refresh of short, medium and long term strategies is required to reduce the quantity of water and leachate across all storages, including in ED1.</p> | <p>Refer to NC Recommendations 2 and 4 above.</p> | <p>Veolia is implementing the approved Water Balance Model and strategy (WBM) authored by Engeny 2025 and will assess whether any variations are required, and have any variations to the WBM considered and updated in a revised WBM.</p> |
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| | NC_8 | 18R(d) | In accordance with Condition 18T of the Project Approval (MP 10_0012), as modified, ED3N must be emptied of effluent from the existing leachate system by 31 December 2022. | LWMS audit review of dam survey and water levels showed the volume of water across the ED3N water storage dams at the end of the 2024 audit period was 191.5 ML. | Refer to NC Recommendations 2 and 4 above. | The updated Water Balance Model prepared by Engeny (2025) was approved by the Department. It is noted that the experienced rainfall for the years since 2017 included years that were outside (more than) even the worst case considered possible by WSP 2017. Veolia is implementing the approved Water Balance Model and strategy (WBM) authored by Engeny 2025 and will assess whether any variations are required, and have any variations to the WBM considered and updated in a revised WBM. |
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| NC_9 | 18R(d) | Effectively separate all classes of water. | <p>Due to the issues with Coffey Dam 1, treated leachate was discharged into ED1 prior to and during the 2024 audit period therefore mixing leachate with acid mine water and stormwater from the plant collection dam (PCD) already stored in ED1. This is not in line with consent condition 18J, which only permits discharge of treated leachate into the Coffey Dam section of ED1. Veolia stated that no notable change to the water quality was observed within ED1 post-transfer.</p> <p>A one-off transfer of approximately 42 ML of water from ED1 to ED2 occurred between 29 August and 15 September 2023 (reference: Engeny, December 2024) to lower the level of ED1.</p> <p>Based on interviews with Veolia and a review of documents, this LWMS audit has not identified any further mixing of water.</p> | Refer to NC Recommendation 4 above. | Veolia does not consider the transfer of water from ED1 to ED2 a failure to separate classes of water as both of these contain, by chemical composition, acid mine drainage with minimal potential for contamination with other sources. |
| Table 3.11: Summary of Opportunities for Improvement | | | | | |
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| ID | Aspect | Finding Summary and Recommendation | | | |

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| | OFI_1 | Condition 18R(c)(i) | <p>The LTP effluent quality generally met the targets, with exceedances reported for pH, COD and ammonia. Veolia indicated that internal testing for ammonia and nitrate is undertaken daily which did not show elevated ammonia concentrations (confirmed by LWMS audit), however, the adverse laboratory result was not followed-up by reanalysis of the exceeding samples by the external laboratory.</p> <p>Institute a process to formally follow up with the laboratory in a timely manner to request re-analysis or reassessment of potentially erroneous results.</p> | | | <p>The process in question has been updated to include requests to third party laboratories to expedite review of potentially erroneous results.</p> |
| | OFI_2 | ERP/PIRMP | <p>Both plans include the same details for "Bioreactor Emergency Response Procedures - Dam breach, fault or overflow". The preventative measures include the following items which are not consistent with current practice or information.</p> <p>For prescribed dams – water volumes to be maintained with freeboard not less than 1 m.</p> <p>Recording of volume of water pumped into ED3 from mine void.</p> <p>Annual Dam Inspection by an authorised inspector – Neill Mattes URS Australia Pty Ltd</p> <p>Update the ERP and PIRMP sections on dam breach or overflow to remove obsolete information and reflect current site operations.</p> | | | <p>The ERP and PIRMP has been updated to reflect current operations.</p> |

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| | OFI_3 | ERP/PIRMP | <p>Prescribed dams are not defined in the LMP, LEMP or SWMP. A default freeboard of 0.5 m has been adopted for all leachate dams and ED3S in the management plans and water balance models, and URS Australia ceased to operate in 2016. No information on metered flow inputs to ED1 was provided for the audit period. Veolia also advised that the dam freeboard requirements were being reassessed. For example, a recent ANCOLD inspection of ED1 has recommended a new freeboard level of 1.3 m. Veolia Dam Emergency Management Plan - Evaporation Dam 1, December 2023 also sighted. It nominates ED1 as a prescribed dam and includes inspection and alert levels and a TARP. Section 5.1.1 refers to a weekly visual check for >600mm freeboard in each cell. Incorporate updated dam freeboard requirements into all relevant plans and processes, to ensure ongoing dam stability.</p> | | | <p>The updated Site Wide Water Management Plan will include freeboards to be operated within each dam on a basis consistent with the latest freeboard calculations undertaken per the applicable guideline for each asset (ANCOLD for Prescribed and Landfill guidelines for the smaller landfill dams)</p> |
| | OFI_4 | SWMP | <p>The SWMP currently reflects the existing Consent conditions (e.g. reduction of ED1 volume to 10 ML by December 2023) and includes outdated information in parts of Section 3.1. Update the SWMP to be consistent with the latest water balance model understanding, current water handling and reflect the revised short, medium and long term leachate management strategies and revised Consent conditions (once amended – refer to NC2).</p> | | | <p>The updated Site Wide Water Management Plan wil include all approved strategies.</p> |

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| | | | <p>Section 4.3 of the LMP summarises the void water balance from the EA, based on background data from 2004 to 2010. Water inflows and outflows may have significantly changed since that time (i.e. from past few years wet weather) and it is unknown if this information has been reviewed.</p> <p>Consider updating the summary information in Sections 4.1, 4.2 and 4.3 of the LMP to reflect latest void water balance, LTP operation and site knowledge. For information that will continue to evolve (e.g. the number, type and capacity of mechanical evaporators) consider providing either a date of currency and/ or a cross reference to where the latest information can be found in Veolia's system, to minimise the amount of potentially obsolete information in the LMP.</p> | | | | <p>The updated Site Wide Water Management Plan wil include all current evaporators operating accross all storages, not just specific to leachate.</p> |
| | OFI_5 | LMP | | | | | |
| | | | <p>Section 5.1.3 (Control of Leachate within Bioreactor) refers to installation of surveillance cameras to identify any surface leachate spills. During the site interviews, Veolia advised this related to installation of cameras to detect spills from container transport from the Crisps Creek interchange.</p> <p>Review and update (as necessary) the reference to use of surveillance cameras in the bioreactor void for detection of leachate spills in Section 5.1.3 of the LMP, or install and monitor cameras if these are deemed required.</p> | | | | <p>Veolia considers the potential for leachate spills from the IMF to be captured by the approved surveillance monitoring cameras operated at the IMF under the relevant license condition.</p> <p>The reference to this within the Bioreactor LMP will be considered for removal.</p> |
| | OFI_6 | LMP | | | | | |

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| | OFI_7 | LMP | Section 5.2 of the LMP refers to flow meters and automatic level sensors used as part of leak-detection systems on pipework between LTP and Coffer Dam 1, and from Coffer Dam 1 to Coffer Dam 2. No evidence was provided during the audit to confirm this was actually in place. Implement pipeline leak detection systems as described in Section 5.2 of the LMP. | | | Leak detection between these dams is operated via flow meters and automatic level sensors |
| | OFI_8 | LMP | Section 5.2 of the LMP refers to use of a weekly checklist of drainage and LTP bund wall, and daily checklist for LTP to Coffer Dam 1 pipeline sump. Veolia advised that a daily and weekly LTP checklist has not been formalised or implemented. Implement formalised checks of key elements of the LTP based on an assessment of risk and document the outcomes. Update the LMP Section 5.2 to reference the process. | | | This checklist has been implemented, noting that the bund wall is cinder block and has never been used Veolia may seek removal of this commitment in the updated Site Wide Water Management Plan |
| | OFI_9 | LEMP | It is noted that the document is dated 2018 and predates commissioning of the LTP. In addition, the detailed list of calibration and maintenance items included in Appendix E of the LEMP for the LTP is likely to have been revised following commissioning of the plant. Update the LEMP to reflect current landfill, water and leachate management practices, and check all sections for currency – e.g. updates are needed to roles and responsibilities and regulatory guideline references, as well as reference to current LTP testing, calibration and asset management regime. | | | The updated Site Wide Water Management Plan will be updated to include roles and responsibilities as indicated |

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| | OFI_10 | LEMP | <p>Samples of monthly LTP and Bioreactor inspections were provided. The example provided for the LTP (dated 5 July 2024 – outside the audit period) did not have the section on Site level detection function tests filled in. These checks related to confirming inspection, cleaning and checking of switches, probes and leak detection systems had occurred.</p> <p>Review and update (if necessary) the scope of monthly environmental testing and inspections specified in Section 5.1.1 of the LEMP and ensure that they are fully completed at the designated frequency.</p> | | | <p>The completion of checklists to include manually confirming each item rather than grouping these together with a confirmatory tick has been updated within the relevant teams</p> |
| | OFI_11 | LEMP | <p>No evidence was able to be provided to demonstrate that annual management reviews of the LEMP and performance of the Bioreactor were formally conducted in the manner described in Section 5.2 of the LEMP.</p> <p>Ensure annual management reviews of the LEMP are conducted and outcomes documented in accordance with Section 5.2 of the LEMP.</p> | | | <p>The submission of the updated LEMP was not approved, and Veolia is not pursuing further update to this document as the updated consent required submission of a Site Wide Water Management Plan that will be reviewed annually.</p> |