

**FLYERS CREEK WIND FARM (MP 08\_0252)  
INDEPENDENT ENVIRONMENTAL AUDIT NO. 1 REPORT  
(within 1 year of the commencement of construction)**

**June 2023**

**Auditee:** Flyers Creek Wind Farm Pty Ltd (proponent)

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This Independent Environmental Audit report has been certified by Toby Hobbs, Lead Auditor (Exemplar Global) and Director of Vantage Environmental Management Pty Ltd.

Report Revision	Date	Comments	Prepared by	Approved for issue by
Draft	26 May 2023	Issued to proponent for comment	T. Hobbs S. Price	T. Hobbs
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## GLOSSARY

<b>Term</b>	<b>Definition</b>
ACHAR	Aboriginal Cultural Heritage Assessment Report
BCD	Biodiversity and Conservation Division of the Department of Planning and Environment
BCS	Biodiversity, Conservation and Science Directorate of the Department of Planning and Environment
BMP	Bushfire Management Plan
BOR	Biodiversity Offset Report
CAQMP	Construction Air Quality Management Plan
CHMP	Construction Heritage Management Plan
CCAFMP	Construction Compound and Ancillary Facilities Management Plan
CEMP	Construction Environmental Management Plan
CFFMP	Construction Flora and Fauna Management Plan
CHMP	Construction Heritage Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CSWQMP	Construction Soil and Water Quality Management Plan
CTAMP	Construction Traffic and Access Management Plan
Council	Blayney Shire Council
CTP	Compliance Tracking Program
(the) Department	NSW Department of Planning and Environment
DPE	NSW Department of Planning and Environment
DPIE	NSW Department of Planning, Industry and Environment (DPE known as DPIE from July 2019 to December 2021)
EEC	Endangered Ecological Community
EIS	Environmental Impact Statement
EP&A Act 1979	Environmental Planning & Assessment Act 1979
EPA	NSW Environment Protection Authority
FRNSW	Fire and Rescue NSW
HBT	Hollow-bearing trees
IAPAR	Independent Audit Post Approval Requirements (DP&E, May 2020)
IEA	Independent Environmental Audit

<b>Term</b>	<b>Definition</b>
PMO	Project Management Office
(the) Project	Flyers Creek Wind Farm
Project Approval	The Project Approval (under Section 75J of the <i>Environmental Planning &amp; Assessment Act 1979</i> ) NSW Department of Planning and Environment [DPE] Application Number MP 08_0252
Proponent	Flyers Creek Wind Farm Co Pty Ltd
RFS	Rural Fire Service
Secretary	Planning Secretary under the EP&A Act 1979, or nominee
Vantage	Vantage Environmental Management Pty Ltd (Auditor)

## 1 EXECUTIVE SUMMARY

This report presents the findings of an Independent Environmental Audit (IEA) that was undertaken to assess the environmental performance and compliance status of the Flyers Creek Wind Farm project (NSW Department of Planning and Environment [DPE] Application Number MP 08\_0252), herein referred to as the “Project”.

The IEA was undertaken by an audit team led by Toby Hobbs of Vantage Environmental Management Pty Ltd and included technical specialists in the fields of biodiversity/ecology and Aboriginal/European cultural heritage. IEA’s are a requirement of Schedule E, Condition E8 of the Project’s Project Approval (as modified) and this IEA was the first audit completed for the project and commissioned within one (1) year of the commencement of construction.

This audit covers the period of commencement of construction (04 April 2022) to the date of the audit site inspection on 10 May 2023 and was conducted in accordance with DPE’s *Independent Audit Post Approval Requirements* (IAPAR, May 2020).

A total of five (5) non-compliances were identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program as noted below:

- **Non-compliance No. 1 (FCWF-IEA1-NC1):** One (1) individual mature *Eucalyptus Canobolensis* tree, required to be retained in accordance with the Construction Flora and Fauna Management Plan (CFFMP), as per condition F21(f) of the Project Approval, was cleared without approval whilst undertaking works for the power line easement corridor. DPE issued a Penalty Notice to the construction contractor, GLC, on 27 September 2022 as a result of this clearing incident;
- **Non-compliance No. 2 (FCWF-IEA1-NC2):** Contact details, including a 24 hour telephone number and postal and email addresses, were not published in newspaper(s) circulating the local area prior to the commencement of construction as per the requirement of condition E2 of the Project Approval. This information was published on 19 May 2022 in the Central Western Daily and Blayney Chronicle which was after the notified date of construction commencement on 04 April 2022;
- **Non-compliance No. 3 (FCWF-IEA1-NC3):** The format of records associated with required monitoring in accordance with the DPE-approved Construction Environmental Management Plan (CEMP), as per condition F20 of the Project approval, were not consistent with the monitoring checklist template in the CEMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required CEMP and Sub-plan monitoring had been undertaken at the time of the audit;
- **Non-compliance No. 4 (FCWF-IEA1-NC4):** Records associated with required monitoring following receipt of noise complaints in accordance with the DPE-approved Construction Noise and Vibration Management Plan, as per condition F21(b) of the Project approval, and associated Noise Monitoring Protocol were not available at the time of the audit; as such, it could not be confirmed if all required monitoring had been undertaken at the time of the audit; and
- **Non-compliance No. 5 (FCWF-IEA1-NC5):** The format of records associated with required monitoring in accordance with the Construction Soil and Water Quality Management Plan (CSWQMP), as per condition F21(d) of the Project approval, were not consistent with the requirements of the CSWQMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required monitoring had been undertaken at the time of the audit. Following two (2) incidents related to erosion/sedimentation issues, non-compliance with the CSWQMP was formally reported to DPE. In addition, following reporting of erosion/sedimentation issues to the NSW EPA, Project EPL was varied to require implementation of a Pollution Reduction Program related to the management of potential erosion and sedimentation risks.

Based on the non-compliances identified during the audit program the following recommendations are made:

- **Recommendation No. 1 (FCWF-IEA1-R1):** In response to Non-compliance No. 1 all vegetation protection and exclusion measures should be reviewed on an ongoing basis to prevent a potential repeat occurrence of the clearing incident for which a Penalty Notice was issued by DPE;
- **Recommendation No. 2 (FCWF-IEA1-R2):** In response to Non-compliance No. 2, the publication schedule listed within condition E2 of the Project Approval should be reviewed and relevant management systems updated to ensure any future requirements are adhered to;
- **Recommendation No. 3 (FCWF-IEA1-R3):** In response to Non-compliance No. 3, the monitoring schedule listed within Section 10.1 of the Construction Environmental Management Plan should be reviewed to ensure all required monitoring programs, inclusive of documentation, are conducted on an on-going basis;
- **Recommendation No. 4 (FCWF-IEA1-R4):** In response to Non-compliance No. 4, the monitoring associated with post-complaint follow-up as presented with the Noise Monitoring Protocol of the Construction Noise and Vibration Management Plan should be reviewed and the required monitoring program, inclusive of documentation, instigated as soon as practicable; and
- **Recommendation No. 5 (FCWF-IEA1-R5):** In response to Non-compliance No. 5, the monitoring schedule listed within Section 8.1 of the Construction Soil and Water Quality Management Plan should be reviewed and the required monitoring program, inclusive of documentation, instigated as soon as practicable. All required measures associated with the EPA mandated Pollution Reduction Program should also be instigated following the reported non-compliances of February 2023 related to erosion and sedimentation issues.

In addition to the above noted recommendations, nine (9) opportunities for improvement identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program:

- **Opportunity for Improvement No. 1:** Install temporary bunding for capture of potential fuel spillage at vehicle/equipment fill point adjacent to the on-site fuel storage area;
- **Opportunity for Improvement No. 2:** Some co-mingling of waste within skip bins and overfilling of skip bins was noted during the audit site inspection. It is suggested that additional focus is placed on sorting of waste streams and the sizing of skip bins is optimised to ensure adequate capacity;
- **Opportunity for Improvement No. 3:** Review Waste Register and update as necessary with all required information within Waste Management Protocol;
- **Opportunity for Improvement No. 4:** Due to the relatively high number of complaints received on the project it is suggested that additional training for Project personnel could be conducted to focus on minimising the impacts of construction. Key areas for improvement, based on the nature of complaints already received, could include traffic management and interactions with neighbouring properties;
- **Opportunity for Improvement No. 5:** The CEMP and all required management plans should be updated to include references to MOD 5 (15 Oct 2021) where relevant and a register developed to document review and any associated updates. The Revision History table in plans was noted to be blank at the time of the audit and, as such, should be completed as part of upcoming revision;
- **Opportunity for Improvement No. 6:** In some instances, environmental controls associated with management of potential erosion and sedimentation risks were noted to either require maintenance or removal if redundant. Erosion/sedimentation controls should be reviewed on an on-going basis to ensure required maintenance is conducted and where controls are no longer deemed necessary they should be removed. In addition, Project-based resources such as mulch generated from vegetation clearing could be used for management of potential erosion and sedimentation risks;



- **Opportunity for Improvement No. 7:** Some evidence of mud-tracking/ drag-out was noted from Project access points onto Panuara Road and Errowanbang Road at the time of the audit site inspection. Additional measures to control potential mud-tracking such as sealing of gate areas, installation of shaker grids and routine street-sweeping should be considered if this issue continues to be observed;
- **Opportunity for Improvement No. 8:** The following opportunities relate to heritage management:
  - “Housekeeping” is required on temporary fencing around some Heritage sites through linking of all fencing panels and arrangement in an orderly fashion;
  - Suitable signage was observed on some temporary fences around heritage sites, but could be improved through consistent wording on professional printed signs;
  - Improved signage alerting personnel to the presence of an unfenced heritage site more than 50 metres from the Project track is warranted at the Old Hut site, FCWF-S-06 and other heritage sites close to tracks;
  - Discarded or redundant green barrier fencing materials should be removed from heritage sites, e.g. at FCWF-S-04;
  - A live register of all heritage investigations should be maintained as part of the CHMP;
  - A live register of all heritage sites should be maintained as part of the CHMP with verification of AHIMS registration through a search of the AHIMS register at the time of CHMP review;
  - The above should be included in an annual review of the CHMP in accordance with CHMP section 8.3;
  - The CHMP contact details for the relevant NSW Government regulatory agency need to be updated in CHMP Appendix D;
  - Recorded Aboriginal sites should be registered with the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) no later than one month after discovery, and all AHIMS site numbers noted in the live CHMP document; and
  - Heritage maps in GIS systems should be updated and physical maps displayed in relevant Project facilities should be replaced at least quarterly.
- **Opportunity for Improvement No. 9:** The following opportunities relate to ecology/biodiversity management:
  - *Update mapping of native vegetation and clearing data.* The mapped cleared areas need to include the full extent of land disturbance, particularly in areas of native vegetation. The disturbance needs to include the direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance associated with construction and revegetation of batters and drains/culverts;
  - *Fencing.* Improve fencing and demarcation of environmentally sensitive areas (e.g. Box-Gum Woodland). Areas to be retained should be fully fenced to minimise the risk of accidental clearing, or accidental disturbance by construction machinery;
  - *Rehabilitation Plan.* Specific details on rehabilitation in the form of a Rehabilitation Plan as described in the CFFMP. The rehabilitation needs to consider the varying landscapes and condition of previously mapped vegetation. The use of hydromulch with winter pasture blend is not recommended in areas previously containing a native grassy understorey. The pasture blend has the potential to prevent the successful re-establishment of native grassland. Some areas of Box-Gum Woodland EEC contain a native grassy understorey, while others are exotic pasture. These areas need to be accurately mapped and included in the Rehabilitation Plan;

- *Monitoring*. Improve details on monitoring as described in the Conditions of Consent is recommended. Monitoring details are limited within the CFFMP, other than stating that monitoring would be completed and the broad objectives and targets in Section 1.5 (Table 1), which are mostly relating to incidents, inductions and compliance with approvals. For example, there are no details on performance measures (e.g. for rehabilitation or weed cover) and how monitoring actions will be implemented and what happens if performance measures are not met;
- *Weed Management Control*. Improved details and emphasis on weed management control is required. Several invasive and prohibited weeds were identified during the site inspection in areas adjoining current construction and on rehabilitated areas. Left uncontrolled these weeds have the potential to affect rehabilitation success, and spread further into adjoining undisturbed land, including Box-Gum Woodland EEC. Considering the agricultural nature of the project area, there is a risk that most topsoil, even from areas with a native grassy understorey will have high weed loads. When this topsoil is re-spread after stockpiling and conditions are right (e.g. seasonal rain), weed cover has the potential to establish quickly preventing native species growth;
- *Woody debris*. Minor branches and leaves can be mulched and utilised in areas of high erosion risk (e.g. steep slopes) to reduce raindrop impact and assist in slope stabilisation. Stockpiled woody debris such as major branches and trunks could be placed on revegetated batter slopes to assist in long-term stability by slowly overland flow and capturing fine particulate matter, subject to landholder agreement; and
- *Biodiversity Offset Package*. Expediting the Biodiversity Offset Package to ensure compliance with requiring the offset liability within 2 years of start of construction of the project. Acquitting a project credit liability through a Biodiversity Stewardship Site Agreement (BSA) is typically an 18-to-24-month exercise. Payment into the Biodiversity Conservation Fund (BCF) and/or purchasing credits on the open market can be done relatively quickly, but is typically a much more expensive option and not favoured when there is a high credit liability.

A total of 107 complaints were received by the proponent during the audit period. The majority of the complaints (77) were in regard to traffic concerns and the remainder of the complaints (30) were in regard to general project issues, construction noise, dust, erosion/sedimentation issues and lighting.

Given the large number of complaints, it is considered that additional training for Project personnel could be conducted to focus on minimising the impacts of construction and this finding has been included as an Opportunity for Improvement (No. 4).

A total of three (3) reportable environmental incidents, in accordance with Project Approval condition E5, were recorded during the audit period as follows:

- One (1) of two (2) *Eucalyptus Canobolenis* trees requiring protection during forestry clearing activities was erroneously removed;
- Soil/sediment loss from the active construction corridor following a significant rainfall event; and
- Failure in environmental erosion and sediment controls were observed upstream of the drainage point, resulting in a loss of fine-grained sediment/soil to an adjacent property.

Following identification and reporting of the above noted incidents additional mitigation/control measures were instigated to avoid the potential for reoccurrence of such incidents.

The standard of environmental management evident during the completion of the audit was generally adequate at the time of the audit site inspection with no off-site impacts associated with construction works observed. Management plans associated with construction have been developed in accordance with relevant Project Approval conditions and are being implemented at the site.

While it is considered that the management strategies in place to mitigate potential construction impacts were generally appropriate and the impacts observed on site were, for the most part, consistent with those identified in the EA, evidence of environmental monitoring and record keeping in accordance with all management plan requirements was lacking. The standard of environmental monitoring requires improvement to ensure mitigation measures associated with appropriately managing potential risks are actively assessed and implemented.

In accordance with Condition E9 of the Project Approval, the proponent must submit a copy of this audit report and their response to the audit findings to the Department in a separate document to this report within three (3) months of the commissioning of this audit, i.e. by 03 July 2023. The proponent must respond to all audit findings, including recommendations and opportunities for improvement.

## 2 INTRODUCTION

### 2.1 Background

This report presents the findings of an Independent Environmental Audit (IEA) that was undertaken by an audit team led by Toby Hobbs of Vantage Environmental Management Pty Ltd to assess the environmental performance and compliance status of the Flyers Creek Wind Farm (NSW Department of Planning and Environment [DPE] Application Number MP 08\_0252), herein referred to as the “Project”). The IEA was a requirement of Schedule E, Condition E8 of the Project’s Project Approval (as modified) and was conducted in accordance with DP&E’s *Independent Audit Post Approval Requirements* (IAPAR, May 2020). This audit was the first IEA for the Project and commissioned within one (1) year of the commencement of construction.

The Project is a 145MW wind farm capable of generating approximately 450 GWhr of electricity per year. Approval of the Project allows for the construction (and operation and decommissioning) of 38 wind turbines and associated infrastructure such as access tracks, local road infrastructure upgrades, electrical connections between the turbines, a 33kV power line, an on-site substation and a 132kV power line and switching station. The Project is located off Errowanbang Road, approximately 20km south of Orange in central-west New South Wales with the majority of the Project located within the Blayney Shire Council local government area and part of the 132kV power line, switching station and grid connection point located within the Cabonne Shire Council local government area.

The site of the Project is located within low density rural residential development and has been mostly cleared for sheep and cattle grazing.

The Project proponent is Flyers Creek Wind Farm Pty Ltd (a subsidiary of Iberdrola Australia Limited [Iberdrola]) and the contractor responsible for construction of the Project is Green Light Contractors (GLC). To assist in Project delivery, a Project Management Office (PMO) has been established by Jacobs (Australia) on behalf of the proponent.

### 2.2 Audit Team

The audit team comprised Toby Hobbs as the Lead Auditor and Susannah Price as an assistant Auditor. In addition, technical specialists in the fields of biodiversity/ecology and Aboriginal/European cultural heritage were engaged as part of the audit team at DPE’s request. Martin Sullivan and Matthew Dowle of Scout Ecology were engaged as the biodiversity/ecology specialists and Neville Baker of Baker Archaeology was engaged as the heritage specialist.

Endorsement of the audit team, including the technical specialists, was provided by DPE via the correspondence of 24 March 2023, a copy which is included within Appendix A of this report.

### 2.3 Audit Objectives

The objective of the IEA was to obtain an independent and objective assessment of the environmental performance and compliance status of the Project in accordance with Schedule E, Condition E8 of the Project Approval and the *Independent Audit Post Approval Requirements* (DPIE, 2020). The audit scope, discussed below in section 2.4, provides further detail of the audit objectives.

### 2.4 Audit Scope

The audit scope consisted of:

1. An assessment of compliance with:
  - a. Project Approval for MP 08\_0252 dated 14 March 2014 including:
    - Modification 1 (13 March 2015);

- Modification 2 (14 September 2015);
  - Modification 3 (30 November 2017);
  - Modification 4 (22 August 2019); and
  - Modification 5 (15 October 2021).
- b. Post approval documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans during the construction phase including:
- Final Layout Plans (Schedule C, Condition C9);
  - Biodiversity Offset Report (Schedule D, Condition D5);
  - Design and Landscaping Plan (Schedule D, Condition D26);
  - Compliance Tracking Program (Schedule E, Condition E5);
  - Construction Environmental Management Plan (Schedule F, Condition F20);
  - Construction Compound and Ancillary Facilities Management Plan (Schedule F, Condition F21(a));
  - Construction Noise and Vibration Management Plan (Schedule F, Condition F21(b));
  - Construction Traffic and Access Management Plan (Schedule F, Condition F21(c));
  - Construction Soil and Water Quality Management Plan (Schedule F, Condition F21(d));
  - Construction Heritage Management Plan (Schedule F, Condition F21(e));
  - Construction Flora and Fauna Management Plan (Schedule F, Condition F21(f));
  - Construction Air Quality Management Plan (Schedule F, Condition F21(g)); and
  - Bushfire Management Plan (Schedule F, Condition F21(h)).
2. An assessment of the environmental performance of the development, including an assessment of:
- a. Actual impacts compared to predicted impacts documented in the Environmental Assessment and associated amendments;
  - b. The physical extent of the development in comparison with the approved boundary, and any potential off-site impacts;
  - c. Incidents, non-compliances and complaints that occurred or were made during the audit period;
  - d. The performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
  - e. Any feedback received from the Department, and other agencies and stakeholders, including the community, on the environmental performance of the project during the audit period.
3. The status of implementation of previous Independent Audit findings, recommendations and actions (if any);
4. A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and

5. Any other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance.

Further information regarding relevant matters raised by DP&E and other agencies are discussed within Section 3.6 of this report and have been addressed during completion of the IEA.

## 2.5 Audit Period

This IEA covers the period of commencement of construction (04 April 2022) to the date of the audit site inspection on 10 May 2023.

## 2.6 Audit Opening and Closing Meetings

As part of the IEA program, an Audit opening meeting was held on 21 April 2023 and a closing meeting was held on 26 May 2023.

# 3 AUDIT METHODOLOGY

## 3.1 Selection and Endorsement of Audit Team

The audit team was selected by the proponent and endorsed by DPE via their correspondence of 24 March 2023, a copy of which is included within Appendix A of this report.

## 3.2 Independent Audit scope development

Prior to the commencement of the audit, the scope was developed in accordance with Schedule E, Condition E8 of the Project Approval and the *Independent Audit Post Approval Requirements* (DPIE, 2020). On 04 April 2023, Vantage issued the proposed audit scope to DPE for comment. Correspondence from DPE was received on 14 April 2023 which discussed the areas the Department would like focused on during the audit and which stakeholders to consult with. Further information is provided within Section 3.6 of this report.

Copies of correspondence related to consultation undertaken as part of the audit scope are presented within Appendix B of this report.

## 3.3 Compliance Evaluation

In order to evaluate Project compliance, the following process was followed:

- Desktop audit of the documents provided by the contractor/proponent;
- Site inspection;
- Collection of further information from the contractor/proponent as required; and
- Assessment of documents for compliance and reporting in this audit report.

## 3.4 Site Personnel Interviews

Discussion regarding the environmental performance of the Project were held with the following site-based personnel during the audit program:

- Leigh Denton (Iberdrola – Senior Health Safety and Environment Lead);
- Damien Wagner (Jacobs – Project Management Office Environmental Lead);
- Mick Harrison (Jacobs – Project Management Office Civil and Safety Lead);
- Michael Hargans (GLC – Construction Manager);
- Mandy McLeod (GLC – Environmental Manager);

- Doug (Ian) Sutherland (Registered Aboriginal Party); and
- Various Project team representatives including construction personnel, vegetation clearing contractors and ecology consultants.

The site interviews provided the audit team with an opportunity to obtain relevant evidence regarding the compliance status and environmental performance of the Project to support the field and desk-based audit review process. It is noted that site personnel interviewed were most willing to assist the audit team and provided full and prompt disclosure with respect to the auditor's queries.

### 3.5 Site Inspections

A site inspection was undertaken by the following members of the audit team on 10 May 2023:

- Toby Hobbs (Lead Auditor);
- Martin Sullivan (biodiversity/ecology technical specialist); and
- Neville Baker (Aboriginal/European cultural heritage technical specialist).

The purpose of the site visit was to discuss the compliance status of the Project with relevant site personnel, view environmental management records, view the status of on-site environmental controls and observe general environmental performance and Project Approval (and associated management plans and strategies) compliance for the Project.

The site visit also provided the audit team with an opportunity to obtain appropriate evidence regarding the compliance status and environmental performance of the Project to support the desk-based audit review process. It is noted that all areas of the site were accessible to the audit team at the time of the site visit.

### 3.6 Consultation

Consultation associated with completion of this audit involved an emailed request for comment on the environmental performance of the construction of the project to the following stakeholders on 21 April 2023:

- Department of Planning and Environment;
- Blayney Shire Council;
- Cabonne Council;
- Orange City Council;
- Orange Local Aboriginal Land Council;
- NSW Environment Protection Authority;
- Heritage NSW (Heritage Division of DPE);
- Biodiversity Conservation Division of DPE;
- NSW Rural Fire Service;
- Transport for NSW;
- NSW Crown Lands (formerly Department of Industry – Lands and Water); and
- NSW Mining, Exploration and Geoscience (formerly Division of Resources & Geoscience).

Comments received by the above-listed stakeholders are summarised within Table 1, below, along with a reference to where each item is discussed in this audit report. Further, feedback regarding the audit scope received by DPE's Team Leader of Compliance is also listed within Table 1.

Copies of correspondence related to consultation undertaken as part of the audit program are presented within Appendix B of this report.

**TABLE 1: Summary of Agency Comments and Report Reference**

<b>Agency</b>	<b>Comment</b>	<b>Section of this report discussing the comment</b>
NSW Department of Planning and Environment (DPE)	Management and monitoring of vegetation clearing amounts and hollow trees removal and compliance with conditions of consent	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs Appendix E: Report (Scout Ecology) Technical Specialist – Biodiversity/Ecology
DPE	Aboriginal and European Heritage management and monitoring	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table Appendix D: Site Inspection Photographs Appendix F: Report (Neville Baker Archaeology: Technical Specialist – Aboriginal / European Heritage
DPE	Status of biodiversity offset package	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table Appendix E: Report (Scout Ecology): Technical Specialist – Biodiversity/Ecology
DPE	Road upgrades progress in accordance with requirements and compliance with clearing of vegetation limits	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table Appendix D: Site Inspection Photographs Appendix E: Report (Scout Ecology): Technical Specialist – Biodiversity/Ecology
DPE	Dust and noise management	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs
DPE	Tracking of material and off-site management	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table
DPE	Management and monitoring of OOHW protocol	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table
DPE	Recording, monitoring and management of complaints	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table
DPE	Waste management	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs



Agency	Comment	Section of this report discussing the comment
DPE	Erosion and soil management	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs
DPE	Visual management (colour of turbines, structures, etc)	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs
DPE	All other approvals obtained if required such as construction certificate/occupation certificates	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table
DPE	Website - ensuring all post approval and required documentation are up to date	Section 4.7: Compliance Documents, CEMP, Sub-plans Appendix C: Audit Table
DPE Biodiversity, Conservation and Science Directorate (BCS)	Conditions D1, D2 and D3 provide the restrictions on clearing and habitat impacts. A review of the clearing undertaken and whether it conforms to the clearing limits should be undertaken.	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs Appendix E: Report (Scout Ecology) Technical Specialist – Biodiversity/Ecology
BCS	Condition D5 requires an update the baseline mapping of the vegetation and key habitat within the final disturbance area and the biodiversity offset requirements to be calculated prior to the commencement of construction. Commentary on these would be appreciated.	Section 4.7.1: Biodiversity Offset Report Appendix C: Audit Table Appendix E: Report (Scout Ecology) Technical Specialist – Biodiversity/Ecology
NSW Environment Protection Authority (EPA)	The EPA has recently been involved with Flyers Creek Wind Farm (EPL 21404), in regard to some potential non-compliances.  In relation to the Independent Environmental Audit, some possible areas for consideration at the Premises would be: <ul style="list-style-type: none"> <li>• Adequacy of sediment and erosion controls</li> <li>• Consistency with the Environmental Impact Statement (EIS) and related management plans</li> <li>• Reporting procedures to Regulatory Authorities such as the EPA and DP&amp;E</li> </ul>	Section 4.7: Compliance Documents, CEMP, Sub-plans Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement Appendix C: Audit Table Appendix D: Site Inspection Photographs

Agency	Comment	Section of this report discussing the comment
Blayney Shire Council	<p>The General Manager of Blayney Shire Council (BSC) had the following comments:</p> <ul style="list-style-type: none"> <li>• After commencing construction in an unprecedented wet period, performance of the applicant has improved significantly in response to road impacts of the area. BSC would feel it has a respectful working relationship with the applicant</li> <li>• The applicant adapted and handled the impacts as a result of the Cadia Road closure (16 weeks) as a result of Newcrest Gold Mine necessary works in the area</li> <li>• The applicant has been open and communicated reasonably well in relation to works that are required and necessary to be undertaken out of hours</li> <li>• The applicant has taken feedback on board regarding improved communications required regarding works in / near road reserves (specifically Cadia Rd) that impact traffic movements and nearby residents</li> <li>• It is noted and disappointing that a native tree required to be retained was removed and a contractor fined by DPE as a result. BSC has not asked the applicant (but will seek a comment) how it intends to offset this tree removal (even if DPE don't). In this regard I am aware the Department of Planning &amp; Environment were following up on other alleged tree removal (media alerted me to this), I have not heard of an outcome on this.</li> <li>• Council has found the staff involved in this process to be; open, honest, respectful and response in relation to BSC and community matters. The project is complex and had significant challenges, which have been worked through as the project progresses.</li> </ul>	<p>Section 4.7: Compliance Documents, CEMP, Sub-plans  Section 4.11: Actual versus Predicted Environmental Impacts from Environmental Impact Statement  Appendix C: Audit Table  Appendix D: Site Inspection Photographs</p>
Heritage NSW	Heritage NSW advised they had no additional comments	N/A
Crown Lands (Orange office)	Orange DPE Crown Lands Office advised they had not received any comments about the environmental performance of the project.	N/A

Agency	Comment	Section of this report discussing the comment
NSW Rural Fire Service (RFS)	RFS advised that they did not have a regulatory role and therefore could not provide comment in relation to the audit.	N/A
Orange Local Aboriginal Land Council	No comment received as of 16 May 2023	N/A
Cabonne Council	No comment received as of 16 May 2023	N/A
Orange City Council	No comment received as of 16 May 2023	N/A
Transport for NSW	No comment received as of 16 May 2023	N/A
Mining, Exploration and Geoscience	No comment received as of 16 May 2023	N/A

### 3.7 Compliance Status Descriptors

The compliance status of each Project Approval condition presented in the audit table in Appendix C has been determined in accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020). The compliance status was recorded as one of the following:

- 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; or
- Not triggered – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

## 4 AUDIT FINDINGS

### 4.1 Approvals and Documents Audited

The following construction-related approvals and documents were considered as part of this IEA:

- Project Approval for MP 08\_0252 dated 14 March 2014 including:
  - Modification 1 (13 March 2015);
  - Modification 2 (14 September 2015);
  - Modification 3 (30 November 2017);
  - Modification 4 (22 August 2019); and
  - Modification 5 (15 October 2021);
- Final Layout Plans (Schedule C, Condition C9);

- Biodiversity Offset Report (Schedule D, Condition D5);
- Design and Landscaping Plan (Schedule D, Condition D26);
- Compliance Tracking Program (Schedule E, Condition E5);
- Construction Environmental Management Plan (Schedule F, Condition F20);
- Construction Compound and Ancillary Facilities Management Plan (Schedule F, Condition F21(a));
- Construction Noise and Vibration Management Plan (Schedule F, Condition F21(b));
- Construction Traffic and Access Management Plan (Schedule F, Condition F21(c));
- Construction Soil and Water Quality Management Plan (Schedule F, Condition F21(d));
- Construction Heritage Management Plan (Schedule F, Condition F21(e));
- Construction Flora and Fauna Management Plan (Schedule F, Condition F21(f));
- Construction Air Quality Management Plan (Schedule F, Condition F21(g)); and
- Bushfire Management Plan (Schedule F, Condition F21(h)).

## 4.2 Compliance Performance

There are a total of 100 conditions within the Project Approval as modified (Modifications 1-5) and all 100 conditions were assessed for environmental compliance as part of this IEA. 66 conditions were determined to be compliant, five (5) were determined to be non-compliant and 29 were not triggered as part of this IEA. Detailed audit outcomes are presented within Appendix C (Audit Table of Project Approval Conditions). In accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020) the audit table presents the following information:

- Project Approval condition (Approval ID);
- Project Approval requirements;
- Audit evidence collected;
- Audit findings and recommendations; and
- Compliance status.

## 4.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

DPE issued a Penalty Notice to Green Light Contractors Pty Ltd (GLC) on 27 September 2022 for the clearing of an individual mature *Eucalyptus Canobolensis* tree, required to be retained, whilst undertaking clearing for the power line easement corridor.

As far as the auditor of this report is aware, no other agency notices, orders, or prosecutions have been issued for the Project.

## 4.4 Non-compliances

There were five (5) non-compliances identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program as noted below:

- **Non-compliance No. 1 (FCWF-IEA1-NC1):** One (1) individual mature *Eucalyptus Canobolensis* tree, required to be retained in accordance with the Construction Flora and Fauna Management Plan (CFFMP), as per condition F21(f) of the Project Approval, was cleared without approval whilst undertaking works for the power line easement corridor. DPE issued a Penalty Notice to the construction contractor, GLC, on 27 September 2022 as a result of this clearing incident;

- **Non-compliance No. 2 (FCWF-IEA1-NC2):** Contact details, including a 24 hour telephone number and postal and email addresses, were not published in newspaper(s) circulating the local area prior to the commencement of construction as per the requirement of condition E2 of the Project Approval. This information was published on 19 May 2022 in the Central Western Daily and Blayney Chronicle which was after the notified date of construction commencement on 04 April 2022;
- **Non-compliance No. 3 (FCWF-IEA1-NC3):** The format of records associated with required monitoring in accordance with the DPE-approved Construction Environmental Management Plan (CEMP), as per condition F20 of the Project approval, were not consistent with the monitoring checklist template in the CEMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required CEMP and Sub-plan monitoring had been undertaken at the time of the audit;
- **Non-compliance No. 4 (FCWF-IEA1-NC4):** Records associated with required monitoring following receipt of noise complaints in accordance with the DPE-approved Construction Noise and Vibration Management Plan, as per condition F21(b) of the Project approval, and associated Noise Monitoring Protocol were not available at the time of the audit; as such, it could not be confirmed if all required monitoring had been undertaken at the time of the audit; and
- **Non-compliance No. 5 (FCWF-IEA1-NC5):** The format of records associated with required monitoring in accordance with the Construction Soil and Water Quality Management Plan (CSWQMP), as per condition F21(d) of the Project approval, were not consistent with the requirements of the CSWQMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required monitoring had been undertaken at the time of the audit. Following two (2) incidents related to erosion/sedimentation issues, non-compliance with the CSWQMP was formally reported to DPE. In addition, following reporting of erosion/sedimentation issues to the NSW EPA, Project EPL was varied to require implementation of a Pollution Reduction Program related to the management of potential erosion and sedimentation risks.

#### 4.5 Opportunities for Improvement

There were nine (9) opportunities for improvement identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program.

- **Opportunity for Improvement No. 1:** Install temporary bunding for capture of potential fuel spillage at vehicle/equipment fill point adjacent to the on-site fuel storage area;
- **Opportunity for Improvement No. 2:** Some co-mingling of waste within skip bins and overfilling of skip bins was noted during the audit site inspection. It is suggested that additional focus is placed on sorting of waste streams and the sizing of skip bins is optimised to ensure adequate capacity;
- **Opportunity for Improvement No. 3:** Review Waste Register and update as necessary with all required information within Waste Management Protocol;
- **Opportunity for Improvement No. 4:** Due to the relatively high number of complaints received on the project it is suggested that additional training for Project personnel could be conducted to focus on minimising the impacts of construction. Key areas for improvement, based on the nature of complaints already received, could include traffic management and interactions with neighbouring properties;
- **Opportunity for Improvement No. 5:** The CEMP and all required management plans should be updated to include references to MOD 5 (15 Oct 2021) where relevant and a register developed to document review and any associated updates. The Revision History table in plans was noted to be blank at the time of the audit and, as such, should be completed as part of upcoming revision;
- **Opportunity for Improvement No. 6:** In some instances, environmental controls associated with management of potential erosion and sedimentation risks were noted to either require maintenance

or removal if redundant. Erosion/sedimentation controls should be reviewed on an on-going basis to ensure required maintenance is conducted and where controls are no longer deemed necessary they should be removed. In addition, Project-based resources such as mulch generated from vegetation clearing could be used for management of potential erosion and sedimentation risks;

- **Opportunity for Improvement No. 7:** Some evidence of mud-tracking/ drag-out was noted from Project access points onto Panuara Road and Errowanbang Road at the time of the audit site inspection. Additional measures to control potential mud-tracking such as sealing of gate areas, installation of shaker grids and routine street-sweeping should be considered if this issue continues to be observed;
- **Opportunity for Improvement No. 8:** The following opportunities relate to heritage management:
  - “Housekeeping” is required on temporary fencing around some Heritage sites through linking of all fencing panels and arrangement in an orderly fashion;
  - Suitable signage was observed on some temporary fences around heritage sites, but could be improved through consistent wording on professional printed signs;
  - Improved signage alerting personnel to the presence of an unfenced heritage site more than 50 metres from the Project track is warranted at the Old Hut site, FCWF-S-06 and other heritage sites close to tracks;
  - Discarded or redundant green barrier fencing materials should be removed from heritage sites, e.g. at FCWF-S-04;
  - A live register of all heritage investigations should be maintained as part of the CHMP;
  - A live register of all heritage sites should be maintained as part of the CHMP with verification of AHIMS registration through a search of the AHIMS register at the time of CHMP review;
  - The above should be included in an annual review of the CHMP in accordance with CHMP section 8.3;
  - The CHMP contact details for the relevant NSW Government regulatory agency need to be updated in CHMP Appendix D;
  - Recorded Aboriginal sites should be registered with the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) no later than one month after discovery, and all AHIMS site numbers noted in the live CHMP document; and
  - Heritage maps in GIS systems should be updated and physical maps displayed in relevant Project facilities should be replaced at least quarterly.
- **Opportunity for Improvement No. 9:** The following opportunities relate to ecology/biodiversity management:
  - *Update mapping of native vegetation and clearing data.* The mapped cleared areas need to include the full extent of land disturbance, particularly in areas of native vegetation. The disturbance needs to include the direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance associated with construction and revegetation of batters and drains/culverts;
  - *Fencing.* Improve fencing and demarcation of environmentally sensitive areas (e.g. Box-Gum Woodland). Areas to be retained should be fully fenced to minimise the risk of accidental clearing, or accidental disturbance by construction machinery;
  - *Rehabilitation Plan.* Specific details on rehabilitation in the form of a Rehabilitation Plan as described in the CFFMP. The rehabilitation needs to consider the varying landscapes and condition of previously mapped vegetation. The use of hydromulch with winter pasture blend is not recommended in areas previously containing a native grassy understorey. The pasture blend has

the potential to prevent the successful re-establishment of native grassland. Some areas of Box-Gum Woodland EEC contain a native grassy understorey, while others are exotic pasture. These areas need to be accurately mapped and included in the Rehabilitation Plan;

- *Monitoring*. Improve details on monitoring as described in the Conditions of Consent is recommended. Monitoring details are limited within the CFFMP, other than stating that monitoring would be completed and the broad objectives and targets in Section 1.5 (Table 1), which are mostly relating to incidents, inductions and compliance with approvals. For example, there are no details on performance measures (e.g. for rehabilitation or weed cover) and how monitoring actions will be implemented and what happens if performance measures are not met;
- *Weed Management Control*. Improved details and emphasis on weed management control is required. Several invasive and prohibited weeds were identified during the site inspection in areas adjoining current construction and on rehabilitated areas. Left uncontrolled these weeds have the potential to affect rehabilitation success, and spread further into adjoining undisturbed land, including Box-Gum Woodland EEC. Considering the agricultural nature of the project area, there is a risk that most topsoil, even from areas with a native grassy understorey will have high weed loads. When this topsoil is re-spread after stockpiling and conditions are right (e.g. seasonal rain), weed cover has the potential to establish quickly preventing native species growth;
- *Woody debris*. Minor branches and leaves can be mulched and utilised in areas of high erosion risk (e.g. steep slopes) to reduce raindrop impact and assist in slope stabilisation. Stockpiled woody debris such as major branches and trunks could be placed on revegetated batter slopes to assist in long-term stability by slowly overland flow and capturing fine particulate matter, subject to landholder agreement; and
- *Biodiversity Offset Package*. Expediting the Biodiversity Offset Package to ensure compliance with requiring the offset liability within 2 years of start of construction of the project. Acquitting a project credit liability through a Biodiversity Stewardship Site Agreement (BSA) is typically an 18-to-24-month exercise. Payment into the Biodiversity Conservation Fund (BCF) and/or purchasing credits on the open market can be done relatively quickly, but is typically a much more expensive option and not favoured when there is a high credit liability.

#### 4.6 Previous Audit Recommendations

As far as the auditor is aware, there have not been any previous external environmental audits undertaken for the Project.

#### 4.7 Compliance Documents

The Project Approval for the Project required that specific post approval documents be prepared and submitted to the Department prior to the commencement of construction. As part of this audit, the following post approval documents were assessed to determine if they had been developed and implemented in accordance with the conditions of consent and their content was generally adequate:

- Biodiversity Offset Report (Schedule D, Condition D5);
- Design and Landscaping Plan (Schedule D, Condition D26);
- Compliance Tracking Program (Schedule E, Condition E5);
- Construction Environmental Management Plan (Schedule F, Condition F20);
- Construction Compound and Ancillary Facilities Management Plan (Schedule F, Condition F21(a));
- Construction Noise and Vibration Management Plan (Schedule F, Condition F21(b));
- Construction Traffic and Access Management Plan (Schedule F, Condition F21(c));



- Construction Soil and Water Quality Management Plan (Schedule F, Condition F21(d));
- Construction Heritage Management Plan (Schedule F, Condition F21(e));
- Construction Flora and Fauna Management Plan (Schedule F, Condition F21(f));
- Construction Air Quality Management Plan (Schedule F, Condition F21(g)); and
- Bushfire Management Plan (Schedule F, Condition F21(h)).

The adequacy of the documents was determined on the basis of whether there were any non-compliances resulting from the implementation of the document or whether there were any opportunities for improvement. A technical review of the documents was not undertaken as part of this audit.

#### **4.7.1 Biodiversity Offset Report**

The Biodiversity Offset Report (BOR) was prepared by NGH Consulting and the most recent version viewed as part of this audit was Revision Final V.1.2 dated 19 October 2021 to satisfy Schedule D, Condition D5. The BOR was approved by the Planning Secretary on 15 July 2022, prior to commencement of construction.

The BOR was developed in consultation with NSW Biodiversity Conservation Division (of DPE), formerly BCS, as discussed in Section 1 of the BOR, and contains updated vegetation and key habitat mapping and has calculated the biodiversity credit liabilities in accordance with the Biodiversity Assessment Method (BAM).

The auditor considers the BOR has been generally developed in accordance with the Project Approval conditions and relevant approvals and that the content is generally adequate.

Further information regarding the implementation of the BOR is provided in the Independent Audit Table in Appendix C and the accompanying Technical Specialist's report in Appendix E.

#### **4.7.2 Design and Landscaping Plan**

The Design and Landscaping Plan (DALP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision E dated 12 August 2020 to satisfy Schedule D, Condition D26. The DALP was approved by the Planning Secretary on 08 September 2020, prior to commencement of construction.

The proponent reported that they were in the process of updating the DALP due to the final substation and switching station plans being approved by the Planning Secretary on 21 March 2023.

The DALP was developed in consultation with Blayney Shire Council and Cabonne Council as discussed in Section 1.4 and Appendix A of the DALP.

The auditor considers the DALP has been developed in general accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the DALP is provided in the Independent Audit Table in Appendix C.

#### **4.7.3 Compliance Tracking Program**

The Compliance Tracking Program (CTP) was prepared by Arcadis and the most recent version viewed as part of this audit was Revision 2 dated 23 September 2021 to satisfy Schedule E, Condition E5. The CTP was approved by the Planning Secretary on 24 September 2021, prior to commencement of construction.

The auditor considers the CTP has been generally developed in accordance with the Project Approval conditions and relevant approvals and that the content is generally adequate and being implemented on site.

Further information regarding the implementation of the CTP is provided in the Independent Audit Table in Appendix C.



#### **4.7.4 Construction Environmental Management Plan**

The Construction Environmental Management Plan (CEMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision F dated 21 August 2020 to satisfy Schedule F, Condition F20. The CEMP was approved by the Planning Secretary on 04 September 2020, which is more than one (1) month prior to commencement of construction.

The CEMP was developed in consultation with Blayney Shire Council, Cabonne Council, NSW Biodiversity Conservation Division (Dubbo), Crown Lands and Natural Resources and Access Regulator as discussed in Section 1.7 and Appendix B of the CEMP.

The auditor considers the CEMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is generally adequate and being implemented on site, aside from the non-compliance matter discussed within Section 4.4 of this report.

Further information regarding the implementation of the CEMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.5 Construction Compound and Ancillary Facilities Management Plan**

The Construction Compound and Ancillary Facilities Management Plan (CCAFMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision F dated 29 October 2021 to satisfy Schedule F, Condition F21(a). The CCAFMP was approved by the Planning Secretary on 05 November 2021, which is more than one (1) month prior to commencement of construction.

The auditor considers the CCAFMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the CCAFMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.6 Construction Noise and Vibration Management Plan**

The Construction Noise and Vibration Management Plan (CNVMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision D dated 11 May 2020 to satisfy Schedule F, Condition F21(b). The CNVMP was approved by the Planning Secretary on 14 May 2020, which is more than one (1) month prior to commencement of construction.

The auditor considers the CNVMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site, aside from the non-compliance matter discussed within Section 4.4 of this report.

Further information regarding the implementation of the CNVMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.7 Construction Traffic and Access Management Plan**

The Construction Traffic and Access Management Plan (CTAMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision G dated 19 August 2021 to satisfy Schedule F, Condition F21(c). The CTAMP was approved by the Planning Secretary on 17 September 2021, which is more than one (1) month prior to commencement of construction.

The CTAMP was developed in consultation with Transport for NSW, Blayney Shire Council and Cabonne Council as discussed in Section 1.8 and Appendix B of the CTAMP.

The auditor considers the CTAMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the CTAMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.8 Construction Soil and Water Quality Management Plan**

The Construction Soil and Water Management Plan (CSWQMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision E dated 25 June 2020 to satisfy Schedule F, Condition F21(d). The CSWQMP was approved by the Planning Secretary on 03 July 2020, which is more than one (1) month prior to commencement of construction.

The CSWQMP was developed in consultation with Natural Resources and Access Regulator, Crown Lands, Blayney Shire Council and Cabonne Council as discussed in Section 1.6 and Appendix A of the CSWMP.

The auditor considers the CSWQMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site, aside from the non-compliance and opportunity for improvement matters discussed within Section 4.4 and Section 4.5 of this report.

Further information regarding the implementation of the CSWQMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.9 Construction Heritage Management Plan**

The Construction Heritage Management Plan (CHMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision F dated 10 June 2020 to satisfy Schedule F, Condition F21(e). The CHMP was approved by the Planning Secretary on 18 June 2020, which is more than one (1) month prior to commencement of construction.

The CHMP was developed in consultation with the NSW Biodiversity Conservation Division (of DPE) and registered Aboriginal stakeholders (for Aboriginal heritage) as discussed in Section 1.8 and Appendices E and F of the CHMP.

The auditor considers the CHMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the CHMP is provided in the Independent Audit Table in Appendix C and the associated Technical Specialist's report within Appendix F.

#### **4.7.10 Construction Flora and Fauna Management Plan**

The Construction Flora and Fauna Management Plan (CFFMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision F dated 16 December 2021 to satisfy Schedule F, Condition F21(f). The CFFMP was approved by the Planning Secretary on 17 February 2022, which is more than one (1) month prior to commencement of construction.

The CFFMP was developed in consultation with the NSW Biodiversity Conservation Division (of DPE), as discussed in Section 1.6 and Appendix A of the CFFMP, and includes:

- Maps of PCTs, project layout, watercourses, etc. These maps are supported by other plans, GIS and a spreadsheet documenting the monthly project clearing;
- Procedures for minimising the extent of clearing, and measures for identification of clearing limits, such as implementation of micro-siting surveys and pre-clearing surveys;
- Rehabilitation measures with the principal method of regeneration and restoration of disturbed areas being the re-spreading of the preserved topsoil containing existing seed bank stock and propagules associated with the pre-disturbance vegetation communities or pastures;

- Information relating to weed management, including the implementation of a Weed Hygiene Register, weed monitoring and recommended methods for control;
- Details on inspections, monitoring, audits and CFFMP review and improvements; and
- Unexpected finds protocol that provides guidance to construction personnel (and contractors) in the event that a threatened species is un-expectedly found within the Project area.

The auditor considers the CFFMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the CFFMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.11 Construction Air Quality Management Plan**

The Construction Air Quality Management Plan (CAQMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision D dated 05 May 2020 to satisfy Schedule F, Condition F21(g). The CAQMP was approved by the Planning Secretary on 08 May 2020, which is more than one (1) month prior to commencement of construction.

The auditor considers the CAQMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the CAQMP is provided in the Independent Audit Table in Appendix C.

#### **4.7.12 Bushfire Management Plan**

The Bushfire Management Plan (BMP) was prepared by Nacap and the most recent version viewed as part of this audit was Revision E dated 15 June 2020 to satisfy Schedule F, Condition F21(h). The BMP was approved by the Planning Secretary on 18 June 2020, which is more than one (1) month prior to commencement of construction.

The BMP was developed in consultation with Forestry Corporation NSW and Canobolas Rural Fire Service (Fire Control Centre) as discussed in Section 1.6 and Appendix A of the BMP.

The auditor considers the BMP has been developed in accordance with the Project Approval conditions and relevant approvals and that the content is adequate and generally being implemented on site.

Further information regarding the implementation of the BMP, and the “Bushfire Risk” Project Approval conditions (D15 – D19), is provided in the Independent Audit Table in Appendix C.

### **4.8 Environmental Performance**

Based on the review of activities undertaken during the current audit program, it is considered that the mitigation measures detailed in the DPE-approved Construction Environmental Management Plan, as well as other strategies and plans required within the Project Approval, are generally appropriate and were being effectively implemented to assist in minimising impacts associated with construction of the Project.

Following completion of the auditor’s interviews and site visit of 10 May 2023, it was deemed that a range of environmental controls were in place to assist in managing and mitigating potential environmental risks associated with the construction activities that were in progress. In some instances, additional measures were considered to be necessary, and it is noted that evidence of all required environmental monitoring and associated record keeping were not available at the time of the audit. Key environmental protection measures observed during the site visit included:

- Upgraded environmental controls, in accordance with the EPL Pollution Reduction Program, were being progressively implemented to assist in the management of potential erosion and/or sedimentation. In particular, it was noted that active stabilisation of work areas with hydro-mulch was in progress;
- Posting of speed limits and signage in accordance with the Traffic Management Plan;
- Posting of signage with Project team contact information;
- Installation of variable message signage to advise road users of the presence of construction vehicles/ equipment and advise construction vehicles of no-entry zones on public roads;
- Provision of appropriately stocked and secured spill kits;
- Use of watercarts, vegetation retention and progressive stabilisation to minimise potential dust generation;
- Signage and exclusion zone fencing for protection of heritage and vegetation areas; and
- Active collection and storage of waste resulting in a high standard of house-keeping at turbine sites and subsequent reduction in potential for wind-borne transport of waste on to neighbouring properties.

#### 4.9 Complaints

A total of 107 complaints were received by the proponent during the audit period. These complaints were detailed in the Project Complaints Register which provides the following information:

- Date of complaint;
- Mode of complaint, i.e. phone/email/SMS/in-person/pre-start/Council/contractor;
- Nature of complaint;
- Response and action taken (including updates as required); and
- Close-out status.

The majority of the complaints (77) were in regard to traffic concerns including:

- Unsafe driving including light and heavy vehicle speeding and heavy braking;
- Site vehicles, concrete trucks, machinery unloading and logging trucks blocking roads or causing disruption;
- Construction personnel not leaving gates how they found them while passing through, i.e. in an open or closed position to allow or stop transit of livestock;
- Construction traffic driving off marked access roads, i.e. onto access roads not associated with the Project or onto the grass verge or paddocks; and
- Road maintenance issues, e.g. increasing damage, potholes, etc.

The remainder of the complaints (30) were in regard to the following issues:

- General project issues, including general performance issues, lack of notification of works and disagreement with project - 20 complaints;
- Construction noise, including from fencing works, tree pruning works, log trucks braking (during the night) and concrete trucks (working at night) – five (5) complaints;
- Dust on roads – two (2) complaints;
- Erosion/sedimentation issues – two (2) complaints; and
- Light (from excavator) – one (1) complaint.

The Complaints Register indicated that 101 of the 107 complaints had been closed out and the remaining six (6) complaints were still open. The reasons that some of the complaints were still open included:

- Consideration of a compensation claim;
- Ongoing consultation regarding visual impact from a property and provision of additional screening; and
- Remedial works underway, but not completed, regarding placement of erosion and sediment controls.

The auditor considers that the reasons some of these complaints are yet to be closed out are valid and considers that the proponent is working towards closing out each of these complaints.

It is considered that there have been a relatively high number of complaints to date for the Project which in part could be due to factors including, but not limited to:

- The large footprint of the Project area and consequent interactions with numerous properties and public road areas; and
- The extended periods of higher-than-average rainfall that have occurred and contributed to degradation of road conditions and erosion/sedimentation.

Notwithstanding the above, it is considered that additional training for Project personnel could be conducted to focus on minimising the impacts of construction. Key areas for improvement relate to traffic management and interactions with neighbouring properties.

Based on the information obtained during the audit, it is considered that an appropriate complaints management and handling system is in place for the Project.

It is noted that the Project website (<https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/>) provides contact information to allow for members of the community to provide feedback or make a complaint such as phone number, postal address and email address.

#### 4.10 Incidents

A total of three (3) reportable environmental incidents, in accordance with Project Approval condition E5, were recorded during the audit period. Details of the incidents are discussed in Table 2, below.

**TABLE 2: Summary of DPE-Reported Environmental Incidents**

DPE Reference No.	Date of Incident	Date reported to DPE	Location/Description	Status/Follow-up
MP08_0252-PA-26	07 July 2022	12 July 2022	Location: 132kV transmission line route  Description: One (1) of two (2) <i>Eucalyptus Canobolenis</i> trees requiring protection during forestry clearing activities was erroneously removed.	Status: Closed  The proponent immediately suspended clearing activities of any native vegetation and liaised with their ecology consultant.  Following receipt of information related to the incident and subsequent investigation, DPE issued a Penalty Notice to the construction contractor, GLC, on 27 September 2022 for the clearing of an individual mature <i>Eucalyptus Canobolenis</i> tree, required to be retained, whilst undertaking clearing for the power line easement corridor.

DPE Reference No.	Date of Incident	Date reported to DPE	Location/Description	Status/Follow-up
MP08_0252-PA-26	08-09 February 2023	01 March 2023	<p>Location: East of WTG33 – Collector Group 1 West (CG1W) inside the property boundary.</p> <p>Description: Soil/sediment loss from the active construction corridor following a significant rainfall event.</p>	<p>Status: Closed</p> <p>The incident was reported to the NSW EPA in accordance with the Project EPL. The incident was also reported to DPE as a non-compliance with Project Approval condition F21(d) – Construction Soil and Water Quality Management Plan.</p> <p>Erosion and sediment controls were reviewed and improvement implemented including temporary batter/drainage controls for the area.</p>
MP08_0252-PA-26	08-09 February 2023	16 March 2023	<p>Location: East of the entrance to CG1 Collector Group 1 West (CG1W) predominantly adjacent to the downstream side of the drainage headwall inside the road reserve.</p> <p>Description: Failure in environmental erosion and sediment controls were observed upstream of the drainage point, resulting in a loss of fine-grained sediment/soil to an adjacent property.</p>	<p>Status: Closed</p> <p>The incident was reported to the NSW EPA in accordance with the Project EPL.</p> <p>The incident was also reported to DPE as a non-compliance with Project Approval condition F21(d) – Construction Soil and Water Quality Management Plan.</p> <p>Erosion and sediment controls were reviewed and improvement implemented including temporary batter / drainage controls for the area</p>

Following identification and reporting of the above noted incidents additional mitigation / control measures were instigated to avoid the potential for reoccurrence of such incidents.

In addition, a further 22 non-DPE reportable incidents were identified during the audit period and recorded on the Project's Incident Register as follows:

- 11 incidents related to minor spills of hydraulic fluid, ADBLUE, fuel and septic tank waste water;
- Seven (7) incidents related to erosion and sedimentation issues following significant rain events; three (3) of which were reported to EPA in accordance with the Project Environmental Protection Licence;
- One (1) incident related to a subcontractor beginning work without a pre-clearing permit;
- One (1) incident related to the extinguishing of a tree stump which was smouldering;
- One (1) incident related to concrete waste being left on site; and
- One (1) incident related to a subcontractor utilising a laydown area prior to internal approval.

#### 4.11 Actual versus Predicted Environmental Impacts from Environmental Impact Statement

A detailed environmental risk assessment was undertaken in the Project Environmental Assessment (EA, Aurecon Australia Pty Ltd, Rev 1, June 2011) and the following environmental risks were identified:

- Visual;
- Flora and Fauna;
- Heritage;
- Noise and Vibration;
- Traffic;
- Safety Aspects; and
- Other Environmental Risks.

As part of this audit, specific potential impacts listed in the EA within each of the identified environmental risks areas were considered and comment provided on the actual impacts during construction (see Table 3, below). Comment is not provided regarding potential operational impacts as the Project was under construction at the time of the audit and, therefore, an assessment of operational phase impact management was beyond the scope of the audit.

It is considered that the management strategies in place to mitigate potential construction impacts were, in the majority, appropriate and the construction-related impacts observed on site were generally consistent with those identified in the EA. Table 3, below, presents a summary of audit observations associated with above-noted environmental risks.

**TABLE 3: Actual versus Predicted Environmental Impacts**

Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
<b>VISUAL</b>		
Visual impact on local community, perceived changes to local landscape characteristics caused by large turbines	Turbines have been set back at least 1km from neighbouring residences and landscape screening to be completed where necessary as part of Project design.	EA, management plan and design documentation adhered to during siting of Project infrastructure.  Non-reflective materials and off-white/grey colours used on wind turbines and subdued/blending visual appearance for permanent infrastructure used to minimise visual impact where possible.
Shadow flicker exceeding the NSW Government guidelines of 30 hours per year	Turbines have been set back at least 1km from neighbouring residences  Modelling of shadow flicker potential indicates it will be less than 3 hours per year at neighbouring residences.	EA, management plan and design documentation adhered to during siting of project infrastructure.  Potential shadow flicker impacts have been incorporated into siting of turbines.  Modelling of potential shadow flicker impacts is considerably lower than maximum allowable.



Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
Sun reflecting off turbine blades causing annoyance to local community or distractions to drivers on local roads, visibility of associated infrastructure	Low reflective finishes on turbine blades and associated infrastructure. Turbines set back from residences and relatively sparsely located at differing elevations and aspects	EA, management plan and design documentation adhered to during siting of Project infrastructure.  Non-reflective materials and subdued colours for permanent infrastructure used to minimise glare and reflections.
<b>FLORA AND FAUNA</b>		
<p>Vegetation and habitat clearance (native woodland vegetation, scattered paddock trees and fauna habitat, including rocky outcrops)</p> <p>Predicted 37 ha of native vegetation to be cleared, including 23.8 ha of EEC</p> <p>Predicted 11.15 ha of Squirrel Glider habitat and 23 ha of Superb Parrot habitat to be cleared as part of the native vegetation above.</p>	<p>Clearing has been conducted within the approved disturbance footprint in accordance with the approved CEMP and CFFMP.</p> <p>The total EEC cleared is less than 28.1 ha</p> <p>This audit noted that the clearing of EEC (Box-gum Woodland) is less than the approved 28.1 ha, but the actual clearing is higher than the 7.95 ha mapped by the Project.</p> <p>The project clearing to date is less than the disturbance footprint assessed by NGH in the Biodiversity Offset Report.</p>	<p>Clearing has been minimised through micro-siting and subsequent re-design of the construction footprint by the project team. A good example of this is part of the access track through Canobolas State Forest where the clearing in the corridor has been reduced to about 10m width through native vegetation to accommodate line sag.</p> <p>Environmental protection measures are in place as per the CEMP and CFFMP, such as flagging of the construction footprint, however, the demarcation of sensitive biodiversity areas (such as Box-Gum) was incomplete in most areas inspected and needs improvement. Previous internal audits identified non-conformances in relation to clearly marking no-go and sensitive areas, which needs to be rectified.</p> <p>Major branches and trunks from cleared vegetation have been retained for future habitat enhancement (coarse woody debris). However, the coarse woody debris stockpile could be spread now using a grabber into areas of suitable habitat, or on revegetated batters.</p>
<p>Hollow-bearing Trees (HBTs)</p> <p>169 HBTs have been identified within the project area, of which 57 estimated to be retained and 101 removed</p>	<p>Currently there have been 67 HBTs mapped as being cleared by the project. The number is likely to be slightly higher as the audit site inspection identified HBTs that have been cleared but were not mapped.</p>	<p>If a HBT is identified, the project team including the project engineer and environmental specialists seek to micro-site / re-align internal access, turbine pads and cable routes.</p> <p>The CFFMP has detailed procedures for dealing with a HBT, including a pre-clearing survey and HBT felling procedure. The response to DPE's Request for Information confirms the procedures and includes additional detail.</p>



Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
		<p>All hollows (where possible) are being salvaged for future use for Flyers Creek Wind Farm (rehabilitation areas, habitat enhancement or project offset), or for use on future projects.</p> <p>Habitat innovation (a company) is carving additional logs for hollows and trees are being salvaged for reuse as Glider poles.</p>
<b>HERITAGE</b>		
<p>Aboriginal Heritage</p> <p>Potential disturbance or damage to Aboriginal artefacts</p>	No impacts observed	The Project's active protection measures (temporary fencing) and passive protection measures (signage to avoid a site more than 50 metres away from construction) are effective – subject to the improvement measures identified in this audit.
<p>European Heritage</p> <p>Potential disturbance of Non-Indigenous heritage: primarily trig stations and mining areas</p>	No impacts observed	The Project's active protection measures (temporary fencing) and passive protection measures (signage to avoid a site more than 50 metres away from construction) are effective – subject to the improvement measures identified in this audit.
<b>NOISE AND VIBRATION</b>		
<p>Exceedance of construction noise limits from operation of mechanical equipment such as cranes, excavators, earth moving activities. Vibration related to construction activities, Potential that noise from construction will impact on amenity and health</p>	<p>Excessive and/or high-noise generating activities were not observed at the time of the audit.</p> <p>Noise complaints had been received since the commencement of construction that related to vehicle movements and construction activities during both standard and non-standard construction hours.</p>	<p>Strategies are in place to minimise noise generation including training, monitoring of plant/equipment to ensure it is well maintained and operated to manufacturer's specifications and scheduling of high noise generating works during standard construction hours.</p> <p>Attended noise monitoring has been conducted during construction and confirmed compliance with predicted levels.</p>
<b>TRAFFIC</b>		
<p><b>Off-site</b></p> <p>Movement of oversize and over mass vehicles in the area impacting on traffic flows. Increased numbers of vehicles transporting others supplies and workers impacting traffic flow in local area. Increased traffic impacting on road safety in local area. Heavy loads</p>	<p>Evidence of additional construction-related vehicle movements was noted during the audit.</p> <p>Evidence of degradation of local roads noted, especially in low-lying areas subject to water inundation during storm/flood events. The Project has received</p>	<p>A Construction Traffic and Access Management Plan has been developed for the Project.</p> <p>Signage is in place to advise construction vehicles when/where off-site road use is prohibited.</p> <p>Monitoring has been conducted to assess the implementation and effectiveness of management practices.</p>

Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
causing degradation to local roads	complaints related to these issues.  Repairs to local roads have occurred and liaison with Blayney Shire Council on-going to facilitate this.  Traffic controllers present, inclusive of escorts for oversize/over-mass loads.	
<b><u>On-site</u></b>  Vehicles driving off road causing disturbance to natural habitats and causing erosion and sedimentation.  Degradation of access tracks due to vehicles movements.	Construction of site access tracks noted to be of a generally high standard and no vehicles observed off formed tracks/work areas at time of Audit.  Erosion and sedimentation controls have been implemented in consultation with EPA.  Complaints have been received from landowners due to construction traffic potentially damaging farm tracks / paddocks.	Tool-boxing and training has been conducted in response to complaints and/or when required traffic management protocols have not been adhered to.  Monitoring has been conducted to assess the implementation and effectiveness of management practices.
<b>SAFETY ASPECTS</b>		
There is potential for construction and operational activities to initiate a bush fire.	No construction-based activities with the potential to initiate a bush fire were observed during the Audit site inspection.  Fire-fighting water is stored in on-site tanks and liaison with Rural Fire Service representatives has occurred as part of emergency planning.	A Bushfire Management Plan has been developed in accordance with the Project Approval.
<b>OTHER ENVIRONMENTAL RISKS</b>		
<b><u>Soil Management</u></b>  Construction activities may initiate erosion of soils. Controls inadequate to minimise erosion and sedimentation	Erosion and sedimentation controls have been implemented in accordance with the Construction Soil and Water Management Plan.  Incidents and complaints related to potential erosion and/or sedimentation have been recorded since the commencement of construction.	A range of relevant management practices and strategies are in place to minimise potential erosion and/or sedimentation impacts.  The NSW EPA have requested additional measures to be implemented to reduce erosion and sedimentation risks as part of a Pollution Reduction Program.

Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
	<p>EPA personnel have reviewed site conditions during regular inspections and as detailed in EPL No. 21404 (Licence version 03 April 2023) have requested implementation of a Pollution Study and Reduction Program related to implementation of a risk-based classification and assessment of erosion and sedimentation priority work schedules.</p> <p>As of the date of the Audit site inspection (10 May 2023), it was evident that additional erosion and sedimentation controls were being implemented across identified high-risk areas of the site.</p>	<p>An expert soil and water management consultant has been retained to review and prepare required erosion and sedimentation control plans.</p>
<p><b>Air Quality</b></p> <p>Dust and minor air emissions generated during construction phase may impact upon air quality in local area. Emissions resulting from vehicle use.</p>	<p>Vehicles maintained in accordance with manufacturer's requirements to minimise emissions.</p> <p>Reduced speed limits are in place to assist in minimising dust generation.</p> <p>Watercarts observed to be present on site to assist with dust suppression.</p> <p>Disturbed areas revegetated as soon as practicable.</p>	<p>A range of relevant management practices and strategies are in place to minimise potential air quality impacts.</p> <p>Monitoring has been conducted to assess the implementation and effectiveness of management practices.</p>
<p><b>Water Management</b></p> <p>Waterways impacted by sediment runoff resulting from works for tracks, cables and transmission lines crossing watercourses. Sewage effluent incorrectly managed. Spills from fuel, oil, chemicals and battery leakage.</p>	<p>Controls have been implemented in accordance with the Construction Soil and Water Management Plan.</p> <p>Spill kits are present. Bunded storage is utilised for hazardous materials.</p> <p>Sewage is pumped from on-site ablution blocks on a regular basis to prevent potential over-fill/spills.</p> <p>Incidents and complaints related to potential erosion and/or</p>	<p>A range of relevant management practices and strategies are in place to minimise potential erosion and/or sedimentation impacts.</p> <p>The NSW EPA have requested additional measures to be implemented to reduce erosion and sedimentation risks that could impact waterways.</p> <p>An expert soil and water management consultant has been retained to review and prepare required erosion and sedimentation control plans.</p>

Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
	<p>sedimentation have been recorded since the commencement of construction.</p> <p>EPA personnel have reviewed site conditions during regular inspections and as detailed in EPL No. 21404 (Licence version 03 April 2023) have requested implementation of a Pollution Study and Reduction Program related to implementation of a risk-based classification and assessment of erosion and sedimentation priority work schedules.</p> <p>As of the date of the Audit site inspection (10 May 2023), it was evident that additional erosion and sedimentation controls were being implemented across identified high-risk areas of the site.</p>	
<p><b><u>Waste Management</u></b></p> <p>Improper management of excavated material, garbage, construction waste.</p>	<p>Sorting of waste observed on site. Some co-mingling of waste and over-filling of skip bins also observed.</p> <p>No evidence of dumped or burned waste noted at time of Audit inspection.</p> <p>Wastes generated on-site are minimised as bulk of turbine infrastructure does not require packaging for transportation.</p>	<p>A dedicated Waste Management Protocol has been developed as part of the DPE-approved Construction Environmental Management Plan.</p> <p>Recycling of materials is prioritised.</p>
<p><b><u>Water Use</u></b></p> <p>Use of excessive local water supplies</p>	<p>Evidence of on-site stormwater collection and reuse noted on site during Audit inspection of 10 May 2023</p> <p>Agreements in place with adjoining landholders to purchase dam water for construction and dust suppression.</p>	<p>Water use is managed in accordance with the DPE-approved Construction Soil and Water Management Plan with a focus on minimisation of water use where possible.</p> <p>Due to the extended period of greater than average rainfall the projected volumes of water required for construction have been less than initially calculated.</p>

Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
	<p>No leakage or uncontrolled release of potable water for on-site use observed.</p> <p>No on-site groundwater bores are utilised.</p>	

#### 4.12 Site Inspection

A site inspection was conducted by the Lead Auditor, Toby Hobbs, and the nominated Technical Specialists Martin Sullivan and Neville Baker, on 10 May 2023. The site was noted to be under active construction with a range of activities occurring that included development and maintenance of access tracks, cable trenching, ancillary site operation, construction of wind turbines and construction of the electrical substation.

The weather at the time of the inspection was clear with light winds and a temperature of approximately 15°C. It is noted that there had been approximately 9mm of rainfall in the 48hr period prior to the site visit (Orange Agricultural Institute Bureau of Meteorology monitoring station). All required areas of the site were accessible to the audit team at the time of the site visit.

Evidence for the audit collected during the site inspection is presented within the column titled “Evidence Collected” in the Independent Audit Table (Appendix C). In addition, site inspection photographs are presented within Appendix D.

#### 4.13 Site Interviews

As mentioned previously, discussions were held with the following Project personnel on 10 May 2023 as part of the site visit for the audit:

- Leigh Denton (Iberdrola – Senior Health Safety and Environment Lead);
- Damien Wagner (Jacobs – Project Management Office Environmental Lead);
- Mick Harrison (Jacobs – Project Management Office Civil and Safety Lead);
- Michael Hargans (GLC – Construction Manager);
- Mandy McLeod (GLC – Environmental Manager);
- Doug (Ian) Sutherland (Registered Aboriginal Party); and
- Various Project team representatives including construction personnel, vegetation clearing contractors and ecology consultants.

Evidence for the audit collected during the site interviews is presented within the column titled “Evidence Collected” in the Independent Audit Table (Appendix C).

#### 4.14 Previous Annual Review or Compliance Report Recommendations

The auditor understands that there have not been any Annual Reviews or compliance reports prepared for the Project from the commencement of construction up until completion of this audit.

In accordance with Project Approval Schedule E, Condition E5(c), a Pre-Construction Compliance report was prepared during February 2022 and did not identify any non-compliance matters.

#### 4.15 Key Strengths

Areas of higher performance related to environmental management during construction are noted below:

- On-going and proactive liaison with Blayney Shire Council was occurring to fund and manage local road repair and other impacts associated with construction;
- The use of car-pooling and mini-buses to reduce traffic on local roads was evident;
- Frequent and well resources community information sessions and well managed direct liaison with stakeholders;
- Recent focus on stabilisation of disturbed work areas in high-risk settings using hydro-mulching was apparent;
- Good house-keeping evident across broader area of the site. No wind-borne waste was noted to have entered adjoining properties and wind turbine construction pads, access road, etc. were free of surface waste;
- Well stocked spill kits presented at key locations across the project site including at access gates, ancillary sites and location where fuels and chemicals were stored/dispensed;
- An Enhancement plan is being prepared by GLC and includes tree planting days, weed control measures and seed collection procedures;
- Squirrel Gliders are being recorded regularly on site in recent monitoring and the project is seeking to minimise clearing impacts on habitat. Habitat innovation (a company) is carving additional logs for hollows and trees are being salvaged for reuse as Glider poles;
- Cabling routes, internal access tracks and turbine pads have been re-routed and/or re-designed to avoid mature trees, Box-Gum Woodland (EEC) and HBTs;
- The unexpected finds procedure was followed with an additional five potential *Eucalyptus canobolensis* identified on Halls Lane and fenced off from construction; and
- Identification and management of unexpected heritage finds appeared to have been managed proactively.

## 5 RECOMMENDATIONS

### 5.1 Non-compliances

There were five (5) non-compliances identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program as noted below:

- **Non-compliance No. 1 (FCWF-IEA1-NC1):** One (1) individual mature *Eucalyptus Canobolensis* tree, required to be retained in accordance with the Construction Flora and Fauna Management Plan (CFFMP), as per condition F21(f) of the Project Approval, was cleared without approval whilst undertaking works for the power line easement corridor. DPE issued a Penalty Notice to the construction contractor, GLC, on 27 September 2022 as a result of this clearing incident;
- **Non-compliance No. 2 (FCWF-IEA1-NC2):** Contact details, including a 24 hour telephone number and postal and email addresses, were not published in newspaper(s) circulating the local area prior to the commencement of construction as per the requirement of condition E2 of the Project Approval. This information was published on 19 May 2022 in the Central Western Daily and Blayney Chronicle which was after the notified date of construction commencement on 04 April 2022;

- **Non-compliance No. 3 (FCWF-IEA1-NC3):** The format of records associated with required monitoring in accordance with the DPE-approved Construction Environmental Management Plan (CEMP), as per condition F20 of the Project approval, were not consistent with the monitoring checklist template in the CEMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required CEMP and Sub-plan monitoring had been undertaken at the time of the audit;
- **Non-compliance No. 4 (FCWF-IEA1-NC4):** Records associated with required monitoring following receipt of noise complaints in accordance with the DPE-approved Construction Noise and Vibration Management Plan, as per condition F21(b) of the Project approval, and associated Noise Monitoring Protocol were not available at the time of the audit; as such, it could not be confirmed if all required monitoring had been undertaken at the time of the audit; and
- **Non-compliance No. 5 (FCWF-IEA1-NC5):** The format of records associated with required monitoring in accordance with the Construction Soil and Water Quality Management Plan (CSWQMP), as per condition F21(d) of the Project approval, were not consistent with the requirements of the CSWQMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required monitoring had been undertaken at the time of the audit. Following two (2) incidents related to erosion/sedimentation issues, non-compliance with the CSWQMP was formally reported to DPE. In addition, following reporting of erosion/sedimentation issues to the NSW EPA, Project EPL was varied to require implementation of a Pollution Reduction Program related to the management of potential erosion and sedimentation risks.

Based on the non-compliances identified during the audit program the following recommendations are made:

- **Recommendation No. 1 (FCWF-IEA1-R1):** In response to Non-compliance No. 1 all vegetation protection and exclusion measures should be reviewed on an ongoing basis to prevent a potential repeat occurrence of the clearing incident for which a Penalty Notice was issued by DPE;
- **Recommendation No. 2 (FCWF-IEA13-R2):** In response to Non-compliance No. 2, the publication schedule listed within condition E2 of the Project Approval should be reviewed and relevant management systems updated to ensure any future requirements are adhered to;
- **Recommendation No. 3 (FCWF-IEA1-R3):** In response to Non-compliance No. 3, the monitoring schedule listed within Section 10.1 of the Construction Environmental Management Plan should be reviewed to ensure all required monitoring programs, inclusive of documentation, are conducted on an on-going basis;
- **Recommendation No. 4 (FCWF-IEA1-R4):** In response to Non-compliance No. 4, the monitoring associated with post-complaint follow-up as presented with the Noise Monitoring Protocol of the Construction Noise and Vibration Management Plan should be reviewed and the required monitoring program, inclusive of documentation, instigated as soon as practicable; and
- **Recommendation No. 5 (FCWF-IEA1-R5):** In response to Non-compliance No. 5, the monitoring schedule listed within Section 8.1 of the Construction Soil and Water Quality Management Plan should be reviewed and the required monitoring program, inclusive of documentation, instigated as soon as practicable. All required measures associated with the EPA mandated Pollution Reduction Program should also be instigated following the reported non-compliances of February 2023 related to erosion and sedimentation issues.

## 5.2 Opportunities for Improvement

A total of nine (9) opportunities for improvement identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program:



- **Opportunity for Improvement No. 1:** Install temporary bunding for capture of potential fuel spillage at vehicle/equipment fill point adjacent to the on-site fuel storage area;
- **Opportunity for Improvement No. 2:** Some co-mingling of waste within skip bins and overfilling of skip bins was noted during the audit site inspection. It is suggested that additional focus is placed on sorting of waste streams and the sizing of skip bins is optimised to ensure adequate capacity;
- **Opportunity for Improvement No. 3:** Review Waste Register and update as necessary with all required information within Waste Management Protocol;
- **Opportunity for Improvement No. 4:** Due to the relatively high number of complaints received on the project it is suggested that additional training for Project personnel could be conducted to focus on minimising the impacts of construction. Key areas for improvement, based on the nature of complaints already received, could include traffic management and interactions with neighbouring properties;
- **Opportunity for Improvement No. 5:** The CEMP and all required management plans should be updated to include references to MOD 5 (15 Oct 2021) where relevant and a register developed to document review and any associated updates. The Revision History table in plans was noted to be blank at the time of the audit and, as such, should be completed as part of upcoming revision;
- **Opportunity for Improvement No. 6:** In some instances, environmental controls associated with management of potential erosion and sedimentation risks were noted to either require maintenance or removal if redundant. Erosion/sedimentation controls should be reviewed on an on-going basis to ensure required maintenance is conducted and where controls are no longer deemed necessary they should be removed. In addition, Project-based resources such as mulch generated from vegetation clearing could be used for management of potential erosion and sedimentation risks;
- **Opportunity for Improvement No. 7:** Some evidence of mud-tracking/ drag-out was noted from Project access points onto Panuara Road and Errowanbang Road at the time of the audit site inspection. Additional measures to control potential mud-tracking such as sealing of gate areas, installation of shaker grids and routine street-sweeping should be considered if this issue continues to be observed;
- **Opportunity for Improvement No. 8:** The following opportunities relate to heritage management:
  - “Housekeeping” is required on temporary fencing around some Heritage sites through linking of all fencing panels and arrangement in an orderly fashion;
  - Suitable signage was observed on some temporary fences around heritage sites, but could be improved through consistent wording on professional printed signs;
  - Improved signage alerting personnel to the presence of an unfenced heritage site more than 50 metres from the Project track is warranted at the Old Hut site, FCWF-S-06 and other heritage sites close to tracks;
  - Discarded or redundant green barrier fencing materials should be removed from heritage sites, e.g. at FCWF-S-04;
  - A live register of all heritage investigations should be maintained as part of the CHMP;
  - A live register of all heritage sites should be maintained as part of the CHMP with verification of AHIMS registration through a search of the AHIMS register at the time of CHMP review;
  - The above should be included in an annual review of the CHMP in accordance with CHMP section 8.3;
  - The CHMP contact details for the relevant NSW Government regulatory agency need to be updated in CHMP Appendix D;



- Recorded Aboriginal sites should be registered with the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) no later than one month after discovery, and all AHIMS site numbers noted in the live CHMP document; and
- Heritage maps in GIS systems should be updated and physical maps displayed in relevant Project facilities should be replaced at least quarterly.
- **Opportunity for Improvement No. 9:** The following opportunities relate to ecology/biodiversity management:
  - *Update mapping of native vegetation and clearing data.* The mapped cleared areas need to include the full extent of land disturbance, particularly in areas of native vegetation. The disturbance needs to include the direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance associated with construction and revegetation of batters and drains/culverts;
  - *Fencing.* Improve fencing and demarcation of environmentally sensitive areas (e.g. Box-Gum Woodland). Areas to be retained should be fully fenced to minimise the risk of accidental clearing, or accidental disturbance by construction machinery;
  - *Rehabilitation Plan.* Specific details on rehabilitation in the form of a Rehabilitation Plan as described in the CFFMP. The rehabilitation needs to consider the varying landscapes and condition of previously mapped vegetation. The use of hydromulch with winter pasture blend is not recommended in areas previously containing a native grassy understorey. The pasture blend has the potential to prevent the successful re-establishment of native grassland. Some areas of Box-Gum Woodland EEC contain a native grassy understorey, while others are exotic pasture. These areas need to be accurately mapped and included in the Rehabilitation Plan;
  - *Monitoring.* Improve details on monitoring as described in the Conditions of Consent is recommended. Monitoring details are limited within the CFFMP, other than stating that monitoring would be completed and the broad objectives and targets in Section 1.5 (Table 1), which are mostly relating to incidents, inductions and compliance with approvals. For example, there are no details on performance measures (e.g. for rehabilitation or weed cover) and how monitoring actions will be implemented and what happens if performance measures are not met;
  - *Weed Management Control.* Improved details and emphasis on weed management control is required. Several invasive and prohibited weeds were identified during the site inspection in areas adjoining current construction and on rehabilitated areas. Left uncontrolled these weeds have the potential to affect rehabilitation success, and spread further into adjoining undisturbed land, including Box-Gum Woodland EEC. Considering the agricultural nature of the project area, there is a risk that most topsoil, even from areas with a native grassy understorey will have high weed loads. When this topsoil is re-spread after stockpiling and conditions are right (e.g. seasonal rain), weed cover has the potential to establish quickly preventing native species growth;
  - *Woody debris.* Minor branches and leaves can be mulched and utilised in areas of high erosion risk (e.g. steep slopes) to reduce raindrop impact and assist in slope stabilisation. Stockpiled woody debris such as major branches and trunks could be placed on revegetated batter slopes to assist in long-term stability by slowly overland flow and capturing fine particulate matter, subject to landholder agreement; and
  - *Biodiversity Offset Package.* Expediting the Biodiversity Offset Package to ensure compliance with recommitting the offset liability within 2 years of start of construction of the project. Acquitting a project credit liability through a Biodiversity Stewardship Site Agreement (BSA) is typically an 18-to-24-month exercise. Payment into the Biodiversity Conservation Fund (BCF) and/or purchasing credits on the open market can be done relatively quickly, but is typically a much more expensive option and not favoured when there is a high credit liability.

## 6 CONCLUSION

Vantage Environmental Management Pty Ltd has conducted an Independent Environmental Audit (IEA) to assess the environmental performance and compliance status of the Flyers Creek Wind Farm (NSW Department of Planning and Environment [DPE] Application Number MP 08\_0252), herein referred to as the “Project”). The IEA was a requirement of Schedule E, Condition E8 of the Project’s Project Approval (as modified) and was conducted in accordance with DP&E’s *Independent Audit Post Approval Requirements* (IAPAR, May 2020). This audit was the first IEA for the Project and commissioned within one (1) year of the commencement of construction.

There were five (5) non-compliances identified with Project Approval conditions and the associated management plans and strategies reviewed during the audit program. Recommendations to address the identified non-compliances have been presented by the auditor. In addition, nine (9) opportunities for improvement were identified.

A total of 107 complaints were received by the proponent during the audit period. The majority of the complaints (77) were in regard to traffic concerns and the remainder of the complaints (30) were in regard to general project issues, construction noise, dust, erosion/sedimentation issues and lighting.

Given the large number of complaints, it is considered that additional training for Project personnel could be conducted to focus on minimising the impacts of construction and this finding has been included as an Opportunity for Improvement (No. 4).

A total of three (3) reportable environmental incidents, in accordance with Project Approval condition E5, were recorded during the audit period as follows:

- One (1) of two (2) *Eucalyptus Canobolenis* trees requiring protection during forestry clearing activities was erroneously removed;
- Soil/sediment loss from the active construction corridor following a significant rainfall event; and
- Failure in environmental erosion and sediment controls were observed upstream of the drainage point, resulting in a loss of fine-grained sediment/soil to an adjacent property.

Following identification and reporting of the above noted incidents additional mitigation/control measures were instigated to avoid the potential for reoccurrence of such incidents.

The standard of environmental management evident during the completion of the audit was generally adequate at the time of the audit site inspection with no off-site impacts associated with construction works observed. Management plans associated with construction have been developed in accordance with relevant Project Approval conditions and are being implemented at the site.

While it is considered that the management strategies in place to mitigate potential construction impacts were generally appropriate and the impacts observed on site were, for the most part, consistent with those identified in the EA, evidence of environmental monitoring and record keeping in accordance with all management plan requirements was lacking. The standard of environmental monitoring requires improvement to ensure mitigation measures associated with appropriately managing potential risks are actively assessed and implemented.

The overall impacts on biodiversity observed on site were deemed consistent with Project Approval conditions, and below what was predicted by the environmental assessment (Biodiversity Offset Report) and below the approved EEC and HBT clearing limits.

In accordance with Condition E9 of the Project Approval, the proponent must submit a copy of this audit report and their response to the audit findings to the Department in a separate document to this report within three (3) months of the commissioning of this audit, i.e. by 03 July 2023. The proponent must respond to all audit findings, including recommendations and opportunities for improvement.

# Appendix A

DPE Audit Team Endorsement

Mr Damien Wagner  
Environment Manager  
FLYERS CREEK WIND FARM PTY LTD  
13 SANCTUARY AVENUE  
AVALON BEACH NSW 2107

24/03/2023

Dear Mr Wagner,

**Flyers Creek Windfarm MP 08 \_0252  
Request for Independent Environmental Audit (IEA) -within 1 year of commencement of  
construction**

I refer to your letters dated 14 March 2023 and 24 March 2023, seeking the agreement of the Planning Secretary of the Department of Planning and Environment (“the department”) of the suitability of the Auditors’ qualifications, experience and independence to undertake the Independent Environmental Audit (IEA) and prepare the IEA report for the Flyers Creek Windfarm MP 08 \_0252 (as modified) the approval.

Having considered the qualifications and experience of the audit team the Secretary endorses the appointment of the below persons (the audit team) to undertake the IEA and prepare the IEA report in accordance with Schedule E, Condition E8 (a) of the approval.

Toby Hobbs (Lead auditor) of Vantage Environmental Management;  
Susannah Price (Assistant auditor) of Vantage Environmental Management;  
Martin Sullivan (Ecologist) of Scout Ecology;  
Mathew Doyle (Ecologist) of Scout Ecology and  
Neville Baker (Heritage) of Baker Archaeology Pty Limited.

This approval is conditional on the audit team being independent of the development. Please ensure this correspondence is appended to the Audit Report.

The audit is to be conducted in accordance with the conditions of E8 of the approval and the Department’s Independent Audit Post Approval Requirements (May 2020) (IPARS). A copy of the requirements can be located at <https://www.planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Compliance-policy-and-guidelines/Independent-audit-post-approval-requirements>. Failure to undertake the IEA in accordance with the conditions of approval and IPARS will require revision.

The Audit Report, including the response to any recommendations contained in the audit report and a timetable to implement the recommendations is to be submitted to the Secretary within 3 months of commissioning the IEA.

If have any questions please call me on 0429400261

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly', is written over a light grey rectangular background.

Katrina  
Team Leader  
Compliance  
As nominee of the Planning Secretary

O'Reilly  
Compliance

# Appendix B

Consultation

**From:** [David Geering](#)  
**To:** [Susannah Price](#)  
**Subject:** FW: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW) [ref:\_00D7F6iTix.\_5007F1NXQaM:ref ]  
**Date:** Thursday, 4 May 2023 12:07:05 PM  
**Attachments:** [image001.png](#)  
[BCS Comments - Flyers Creek Wind Farm - IEA.pdf](#)

---

Hi Susannah

Please find attached the BCS response in regards the Independent Environmental Audit of the Flyers Creek Wind Farm.

Feel free to contact me directly should you8 have any questions.

David

**David Geering**  
**Senior Conservation Planning Officer, Planning North West**  
**Biodiversity, Conservation and Science Directorate**  
**Department of Planning and Environment**

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

48-52 Wingewarra Street, Dubbo 2830  
PO Box 2111 Dubbo NSW 2830  
T: 02-6883-5335 | E [david.geering@environment.nsw.gov.au](mailto:david.geering@environment.nsw.gov.au)  
48-52 Wingewarra Street, Dubbo NSW 2830



----- Forwarded Message -----

**From:** Susannah Price [[sprice@venv.com.au](mailto:sprice@venv.com.au)]  
**Sent:** 21/04/2023 9:36 AM  
**To:** [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)  
**Subject:** FW: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)

**ATTENTION: Biodiversity Conservation Division (BCD)**

Good morning,

I am member of an audit team that has been endorsed by the NSW Department of Planning and Environment to undertake an Independent Environmental Audit of the Flyers Creek Wind Farm, south of Orange, covering the period from the commencement of construction in April 2022 to April 2023.



As part of the audit, we are seeking input from BCD as to whether you have any comment regarding the environmental performance of the project during construction.

As we have a limited time frame to conduct the audit, it would be most appreciated if you could supply any comments by 05 May 2023, i.e. in 2 weeks.

Thanks in advance for your time.

Regards  
Susannah

**SUSANNAH PRICE**

Project Manager/Auditor

**Vantage Environmental Management Pty Ltd**

PO Box 378 Albury NSW 2640

T (02) 6021 8655 M 0421 871 433

[www.venv.com.au](http://www.venv.com.au)



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Our ref: DOC23/339898  
Your ref:

Susannah Price  
Project Manager/Auditor  
Vantage Environmental Management Pty Ltd  
[sprice@venv.com.au](mailto:sprice@venv.com.au)

Dear Susannah

**Flyers Creek Wind Farm**

Thank you for your request via the NSW Planning Portal on 18 April 2023 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning and Environment (DPE) inviting input into the scope of Construction Independent Environmental Audit for Flyers Creek Wind Farm.

The specific items that we are interested in (in addition to compliance against all other biodiversity and flooding conditions) are:

1. Conditions D1, D2 and D3 provide the restrictions on clearing and habitat impacts. A review of the clearing undertaken and whether it conforms to the clearing limits should be undertaken.
2. Condition D5 requires an update the baseline mapping of the vegetation and key habitat within the final disturbance area and the biodiversity offset requirements to be calculated prior to the commencement of construction. Commentary on these would be appreciated.

BCS is interested in the outcomes of this audit of the project, and we are willing to meet with you to provide any further background if needed.

If you have any questions about this advice, please do not hesitate to contact David Geering, Senior Conservation Planning Officer, via [david.geering@environment.nsw.gov.au](mailto:david.geering@environment.nsw.gov.au) or (02) 6883 5335.

Yours sincerely



**Liz Mazzer**  
A/ Senior Team Leader Planning North West  
Biodiversity, Conservation and Science Directorate

3 May 2023

**From:** [Mark Dicker](#)  
**To:** [Susannah Price](#)  
**Cc:** [Andrew Muir](#); [Lauren Ferson](#); [Jacob Hogan](#); [Claire Johnstone](#)  
**Subject:** Fwd: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)  
**Date:** Monday, 24 April 2023 7:52:19 PM

---

Hi Susannah,

As someone who has watched this project commence over my 9 years at Blayney Shire Council (8 as Director Planning & Environmental Services), it is good to see the project finally progress and my comments are;

- The project is west of Blayney (not south of Orange). The project has no impact on Orange (nor the Orange Local Government Area),
  - After commencing construction in an unprecedented wet period, performance of the applicant has improved significantly in response to road impacts of the area. BSC would feel it has a respectful working relationship with the applicant,
  - The applicant adapted and handled the impacts as a result of the Cadia Road closure (16 weeks) as a result of Newcrest Gold Mine necessary works in the area,
  - The applicant has been open and communicated reasonably well in relation to works that are required and necessary to be undertaken out of hours,
  - The applicant has taken feedback on board regarding improved communications required regarding works in / near road reserves (specifically Cadia Rd) that impact traffic movements and nearby residents,
  - It is noted and dissapointing that a tree native tree required to be retained was removed and a contractor fined by DPE as a result. BSC has not asked the applicant (but will seek a comment) how it intends to offset this tree removal (even if DPE don't). In this regard I am aware the Department of Planning & Environment were following up on other alleged tree removal (media alerted me to this), I have not heard of an outcome on this.
- 
- Council has found the staff involved in this process to be; open, honest, respectful and response in relation to BSC and community matters. The project is complex and had significant challenges, which have been worked through as the project progresses.

My number is 0409742432 if you wish to disucss the above further.

Regards

Mark Dicker  
General Manager  
Blayney Shire Council

**Mark Dicker**  
**General Manager**  
Blayney Shire Council

---

**From:** Blayney Shire Council <council@blayney.nsw.gov.au>  
**Sent:** Friday, April 21, 2023 10:25 am  
**To:** Andrew Muir <AMuir@blayney.nsw.gov.au>; Claire Johnstone

<CJohnstone@blayney.nsw.gov.au>; Evatt Bourne <EBourne@blayney.nsw.gov.au>; Jacob Hogan <JHogan@blayney.nsw.gov.au>; markbakker2@aapt.net.au  
<markbakker2@aapt.net.au>

**Cc:** Mark Dicker <MDicker@blayney.nsw.gov.au>

**Subject:** FW: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)

FYI

**Jennifer Evans**

**Administration Officer**

Blayney Shire Council

---

**From:** Susannah Price <sprice@venv.com.au>

**Sent:** Friday, 21 April 2023 9:29 AM

**To:** Blayney Shire Council <council@blayney.nsw.gov.au>

**Subject:** Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)

Good morning,

I am member of an audit team that has been endorsed by the NSW Department of Planning and Environment to undertake an Independent Environmental Audit of the Flyers Creek Wind Farm, south of Orange, covering the period from the commencement of construction in April 2022 to April 2023.

As part of the audit, we are seeking input from your organisation as to whether you have any comment regarding the environmental performance of the project during construction.

As we have a limited time frame to conduct the audit, it would be most appreciated if you could supply any comments by 05 May 2023, i.e. in 2 weeks.

Thanks in advance for your time.

Regards

Susannah

**SUSANNAH PRICE**

Project Manager/Auditor

**Vantage Environmental Management Pty Ltd**

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**From:** [Steve Pearson](#)  
**To:** [Susannah Price](#)  
**Cc:** [Crownland Orange Mailbox](#)  
**Subject:** Enquiry RE Flyers Creek Windfarm - multiple parcels  
**Date:** Monday, 24 April 2023 12:36:50 PM  
**Attachments:** [image.png](#)  
[Outlook-ik2i1jt0.png](#)

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Dear Susannah,

Thank you for your enquiry regarding Flyers Creek Windfarm correspondence with NSW DPE Crown Lands during Construction phase ( pril 2022 to April 2023.)

The Orange DPE Crown lands office has recieved no comment from April 2022 to April 2023 about the environmental performance of the project proposal.

Departmental records (CM9) that are viewable from our office - suggest that there has been no correspondence about this proposal during this period of time with any Crown lands section. (the previously most most recent prior to this was doc22/056846) regarding the progress of an easement process during March 2022. (see image below of related records)

All other records prior to this were in regarding planning processes, authorisation for Crown land or land status matters.

Kind regards

**Steve Pearson** | Senior Natural Resource Management Officer, Orange  
**Crown Lands** | Department of Planning and Environment  
**T:** 02 6391 4317 | **E:** [steve.pearson@crownland.nsw.gov.au](mailto:steve.pearson@crownland.nsw.gov.au)  
105 Prince St Orange NSW 2800 | PO Box 2185 Dangar NSW 2309  
**W:** [www.industry.nsw.gov.au/lands](http://www.industry.nsw.gov.au/lands)



Record Number	Date Created	Creator	Title
DOC23/082525	21/04/2023 at 4:12 PM	Matthews, Tracy	RE: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)
DOC22/056846	28/03/2022 at 1:44 PM	Donaldson, Laura	Email - Easement terms - Lessee beneficiary of easement - Flyers Creek Wind Farm
DOC22/056899	25/03/2022 at 12:07 PM	Donaldson, Laura	Internal email - Lease to be dominant tenement in easement - Flyers Creek Wind Farm
DOC22/049726	17/03/2022 at 2:32 PM	Donaldson, Laura	Email trail - Easement terms - Flyers Creek Wind Farm
DOC22/034767	28/02/2022 at 9:52 AM	Keen, Jenni	CrownTracker_Request - REQ_STATUS_2022_216 - Megan Richardson (Iberdrola) - Flyers Creek Wind Farm - relates to DOC22/034640
DOC22/034640	25/02/2022 at 5:53 PM	Keen, Jenni	Crown land status search - Megan Richardson (Iberdrola) - Flyers Creek Wind Farm - 101/8851593, Flyers Creek watercourse, Enclosure Permits
DOC21/173457	25/08/2021 at 5:15 PM	Carr, Kerrelle	RE: Flyers Creek Wind Farm - Licence Extension
DOC21/173456	25/08/2021 at 3:58 PM	Carr, Kerrelle	Flyers Creek Wind Farm - Licence Extension
DOC21/154221	30/07/2021 at 7:12 AM	Lawrence, Daryl	E-mail request - Acquisition - Megan Richardson - Flyers Creek Wind Farm - 29.07.2021.pdf
19/0319401	5/07/2021 at 9:07 AM	Pearson, Steve	Crown Lands Management - Assessment - LOC 628329 - Mod 5 of planning MP_08_252 Flyers Creek Wind Farm PL
DOC21/132354	30/06/2021 at 12:52 PM	Pearson, Steve	Landowner Consent Application - Flyers Creek Wind Farm - 30 June 2021
DOC21/116325	9/06/2021 at 7:02 PM	Saffy, Leanne	Flyers Creek Wind Farm Minor Mod 5
DOC20/072412	9/04/2020 at 7:56 AM	Tennant, Lauren	Response to SEARs request, Flyers Creek Wind Farm - Construction Environment Management Plan
DOC19/252899	4/11/2019 at 9:34 AM	Carr, Kerrelle	Executed Licence 606166 Flyers Creek Wind Farm Pty Ltd
DOC19/233875	11/10/2019 at 1:54 PM	Carr, Kerrelle	Amended Licence Offer 606166 Flyers Creek Wind Farm Pty Ltd
DOC19/096968	13/05/2019 at 12:27 PM	Salim, Aileen	Advice from Leasing Team - Flyers Creek Wind Farm Project
DOC19/096964	13/05/2019 at 12:25 PM	Salim, Aileen	Email Enquiry from Flyers Creek Wind Farm - Easement on Crown land
19/01963#14	13/05/2019 at 12:23 PM	Salim, Aileen	Crown Lands Management - Assessment - Flyers Creek Wind Farm - easement on Crown land at Errowanbang
DOC19/094936	9/05/2019 at 1:38 PM	Lawrence, Daryl	E-mail advice from Danny Young - re Licence 606166 - Flyers Creek Wind Farm - Stat Min rent - 07.05.2019
DOC19/087375	1/05/2019 at 8:22 AM	Carr, Kerrelle	New S2.18 Licence Coversheet - 606166 Flyers Creek Wind Farm Pty Ltd - Telephone Lines, Power-Transmission Lines, Access
19/03194	10/04/2019 at 10:50 AM	Burch, Taylor	Crown Lands Authorisations - Leasing Out - Licences - General Licences - Flyers Creek Wind Farm Pty Ltd - Power/Transmission Line - Licence 60
DOC19/072743	10/04/2019 at 8:15 AM	Burch, Taylor	Application, ASIC, Email correspondence, mapFwd: Flyers Creek Wind Farm - Crown Land Licence



**From:** [Aron Quinn](#)  
**To:** [Susannah Price](#)  
**Subject:** RE: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW) [ref:\_00D7F6iTix.\_5007F1NXQZs:ref ]  
**Date:** Wednesday, 10 May 2023 1:35:41 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Good afternoon Susannah, apologies for the response delay.

The EPA has recently been involved with Flyers Creek Wind Farm (EPL 21404), in regard to some potential non-compliances.

In relation to the Independent Environmental Audit, some possible areas for consideration at the Premises would be:

- Adequacy of sediment and erosion controls,
- Consistency with the Environmental Impact Statement (EIS) and related management plans,
- Reporting procedures to Regulatory Authorities such as the EPA and DP&E.

If you have any further questions please feel free to contact me directly.

Kind regards,

**Aron Quinn**  
Operations Officer  
Regulatory Operations  
NSW Environment Protection Authority  
D 6333 3802



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**From:** Susannah Price [sprice@venv.com.au]

**Sent:** 21/04/2023 9:32 AM

**To:** [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

**Subject:** Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)

Good morning,

I am member of an audit team that has been endorsed by the NSW Department of Planning and Environment to undertake an Independent Environmental Audit of the Flyers Creek Wind Farm, south of Orange, covering the period from the commencement of construction in April 2022 to April 2023.

As part of the audit, we are seeking input from your organisation as to whether you have any comment regarding the environmental performance of the project during construction.

As we have a limited time frame to conduct the audit, it would be most appreciated if you could supply any comments by 05 May 2023, i.e. in 2 weeks.

Thanks in advance for your time.

Regards

Susannah

**SUSANNAH PRICE**

Project Manager/Auditor

**Vantage Environmental Management Pty Ltd**

PO Box 378 Albury NSW 2640

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**From:** [Nicole Davis](#)  
**To:** [Susannah Price](#)  
**Subject:** Heritage NSW Reply - Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)  
**Date:** Wednesday, 10 May 2023 7:06:36 PM  
**Attachments:** [image001.png](#)

---

Hi Susannah,

This request took a long time to fine me. Always address any correspondence for Heritage NSW to our generic mailbox [HERITAGEMailbox@environment.nsw.gov.au](mailto:HERITAGEMailbox@environment.nsw.gov.au)

Environment line is for reporting potential or known harm to the environment and/or heritage. DPE should have provided you with the relevant contact details, or you should have at least looked at our website. Irrespective, Heritage NSW has no additional comments with respect to your proposed audit.

Kind Regards  
Nicole Davis

Nicole Davis  
Manager Assessments  
Heritage NSW  
Department of Planning and Environment  
T 02 4927 3156 M 0409 394 343 E [nicole.davis@environment.nsw.gov.au](mailto:nicole.davis@environment.nsw.gov.au)  
Locked Bag 5020 Parramatta 2124



---

**From:** Environment Line <[info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)>  
**Sent:** Friday, 21 April 2023 10:45 AM  
**To:** OEH HD Heritage Mailbox <[HERITAGEMailbox@environment.nsw.gov.au](mailto:HERITAGEMailbox@environment.nsw.gov.au)>  
**Subject:** FW: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW) [ ref:\_00D7F6iTix.\_5007F1NXQa7:ref ]

Dear Heritage

Please find the attached enquiry.

Kind Regards  
Matt

Environment Line  
Corporate Services | Department of Planning and Environment  
T.131 555 | Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

4 Parramatta Square, 12 Darcy St, Parramatta NSW 2150  
<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past,

present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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**Sent:** 21/04/2023 9:34 AM

**To:** [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

**Subject:** Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)

**ATTENTION: Heritage NSW**

Good morning,

I am member of an audit team that has been endorsed by the NSW Department of Planning and Environment to undertake an Independent Environmental Audit of the Flyers Creek Wind Farm, south of Orange, covering the period from the commencement of construction in April 2022 to April 2023.

As part of the audit, we are seeking input from Heritage NSW as to whether you have any comment regarding the environmental performance of the project during construction.

As we have a limited time frame to conduct the audit, it would be most appreciated if you could supply any comments by 05 May 2023, i.e. in 2 weeks.

Thanks in advance for your time.

Regards

Susannah

**SUSANNAH PRICE**

Project Manager/Auditor

**Vantage Environmental Management Pty Ltd**

PO Box 378 Albury NSW 2640

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**From:** [Adam Small](#)  
**To:** [Susannah Price](#)  
**Cc:** [Nika Fomin](#); [Kalpana Varghese](#); [Kimberley Tadic](#)  
**Subject:** RE: Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)  
**Date:** Wednesday, 26 April 2023 11:25:15 AM

---

Hi Susannah,

Thank you for your email.

Please be advised that the NSW Rural Fire Service does not have a regulatory role in relation to compliance and construction matters, and therefore cannot provide comment in relation to the audit.

Kind regards,



**Adam Small** | Supervisor -  
Development Assessment  
& Planning  
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**PREPARE. ACT. SURVIVE.**

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**From:** Susannah Price <[sprice@venv.com.au](mailto:sprice@venv.com.au)>  
**Sent:** Friday, 21 April 2023 9:37 AM  
**To:** Webmaster <[webmaster@rfs.nsw.gov.au](mailto:webmaster@rfs.nsw.gov.au)>  
**Subject:** Independent Environmental Audit - Flyers Creek Wind Farm (south of Orange, NSW)

Good morning,

I am member of an audit team that has been endorsed by the NSW Department of Planning and Environment to undertake an Independent Environmental Audit of the Flyers Creek Wind Farm, south of Orange, covering the period from the commencement of construction in April 2022 to April 2023.

As part of the audit, we are seeking input from your organisation as to whether you have any comment regarding the environmental performance of the project during construction.

As we have a limited time frame to conduct the audit, it would be most appreciated if you could supply any comments by 05 May 2023, i.e. in 2 weeks.

Thanks in advance for your time.

Regards  
Susannah

**SUSANNAH PRICE**

Project Manager/Auditor

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# Appendix C

## Independent Audit Table

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>SCHEDULE C - ADMINISTRATIVE CONDITIONS</b>				
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
C1	In addition to meeting the specific environmental performance criteria established under this approval, the Proponent must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, or decommissioning of the Project.	All evidence collected and observations made during this audit (for construction phase of development).  Evidence was not collected regarding the operation or decommissioning phases of the development as these phases have not yet occurred.	The environmental management and mitigation measures in place for construction of the Project were deemed to be generally suitable and consistent with Consent conditions.	Compliant
<b>TERMS OF APPROVAL</b>				
C2	The Proponent shall carry out the Project: (a) generally in accordance with the EA; and (b) in accordance with the conditions of this approval.  <i>Note: The general layout of the project is depicted in Figure 1-1 in Appendix 1.</i>	The findings of this audit	The development is being carried out generally in accordance with the EA and the conditions of this Project Approval. No significant off-site environmental impacts associated with construction were observed during the audit inspection on 10/05/23.  One (1) individual mature <i>Eucalyptus Canobolensis</i> tree, required to be retained, was cleared whilst undertaking clearing for the power line easement corridor. DPE issued a Penalty Notice to the construction contractor, GLC, on 27 September 2022 as a result of this clearing incident.  <b>Non-compliance No. 1 (FCWF-IEA1-NC1):</b> One (1) individual mature <i>Eucalyptus Canobolensis</i> tree, required to be retained in accordance with the Construction Flora and Fauna Management Plan (CFFMP), as per condition F21(f) of the Project Approval, was cleared without approval whilst undertaking works for the power line easement corridor. DPE issued a Penalty Notice to the construction contractor, GLC, on 27 September 2022 as a result of this clearing incident.  <b>Recommendation No. 1 (FCWF-IEA1-R1):</b> In response to Non-compliance No. 1 all vegetation protection and exclusion measures should be reviewed on an ongoing basis to prevent a potential repeat occurrence of the clearing incident for which a Penalty Notice was issued by DPE.	Non-compliant
C3	In the event of an inconsistency between the documents referred to in condition C2, the most recent document shall prevail to the extent of any inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	N/A	There have been no reported inconsistencies between the plans and documentation referred to in this condition.	Not triggered
C4	The Proponent shall comply with any reasonable requirement/s of the <b>Planning Secretary</b> arising from the Department's assessment of: <ul style="list-style-type: none"> <li>any strategies, plans, programs, reviews, audit correspondence that are submitted in accordance with the requirements of this approval;</li> <li>any report, reviews or audits commissioned by the Department regarding compliance with this approval; and</li> <li>the implementation of any actions or measures contained in these documents.</li> </ul>	- All evidence collected and observations made during this audit	The proponent has complied with requests and requirements from the Secretary.	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>LIMITS OF APPROVAL</b>				
C5	This project approval shall lapse five years after the date on which it was granted, unless works the subject of this approval have physically commenced before this time.	- Project Approval (unmodified) dated 14/03/14  - Pre-construction Compliance Report (PCCR), Flyers Creek Wind Farm (Rev. 1, 23/02/22), prepared by Arcadis	Pre-construction works (i.e. survey pegging, geotechnical surveys, construction of access tracks and temporary laydown areas) were completed prior to 13/03/19, i.e. within five years of the Project Approval (as unmodified) date.	Compliant
C6	The Proponent may install up to 38 wind turbines.  <i>Note: To identify the approved wind turbine locations, see Figure 1-1 and corresponding GPS coordinates in Appendix 1.</i>	- Final Layout Plans (Condition C7 and C9), Flyers Creek Wind Farm, 21/01/22 prepared by Iberdrola	Final Layout Plans and project personnel confirmed that 38 wind turbines are currently being installed.	Compliant
C7	The Proponent may micro-site the wind turbines and ancillary infrastructure without further approval provided: (i) no wind turbine is moved more than 100 metres from the relevant GPS coordinates in Appendix 1; (ii) turbines 1 and 9 are not moved closer to the residences “Hillvue” and “Cooramilla” from the relevant GPS coordinates in Appendix 1 respectively; (iii) the revised location of the wind turbine is at least 50 metres from existing hollow-bearing trees; or where the approved turbine location is already within 50 metres of existing hollow-bearing trees, the revised location of the turbine is not moved any closer to existing hollow-bearing trees; and (iv) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this approval.	- Final Layout Plans (Condition C7 and C9), Flyers Creek Wind Farm, 21/01/22 prepared by Iberdrola  - Verification of GPS coords of Wind Turbine Generators 1 and 9 during site visit	Detailed Final Layout Plans were submitted to DPE prior to the commencement of construction. Plans included details of the micro-siting of the wind turbines and ancillary infrastructure and the GPS coordinates of the final wind turbine locations.  The GPS coords of turbines 1 and 9 were verified to be in accordance with permitted design locations at time of audit inspection on 10/05/23.	Compliant
C8	If any wind turbine is not used for the generation of electricity for a continuous period of 12 months, it shall be decommissioned by the Proponent, unless otherwise agreed by the Planning Secretary. The Proponent shall keep independently-verified annual records of the use of wind turbines for electricity generation. Copies of these records shall be provided to the Planning Secretary upon request. The relevant wind turbine and any associated infrastructure is to be dismantled and removed from the site by the Proponent within 18 months from the date that the wind turbine was last used to generate electricity.	N/A	N/A - no turbines were in commission at the time of this audit	Not triggered
<b>FINAL LAYOUT PLANS</b>				
C9	Prior to the commencement of construction, the Proponent must submit detailed plans of the final layout of the Project to the Planning Secretary, including: (a) details on the micro-siting of any wind turbines and/or ancillary infrastructure; and (b) the GPS coordinates of the final wind turbine locations.  <i>Note: If the construction of the Project is to be staged, then the provision of these plans may be staged.</i>	- Final Layout Plans (Condition C7 and C9), Flyers Creek Wind Farm, 21/01/22 prepared by Iberdrola  - Correspondence dated 18/02/22 from DPE acknowledging submission of Final Layout Plans	Detailed Final Layout Plans were submitted to DPE prior to the commencement of construction. Plans included details of the micro-siting of the wind turbines and ancillary infrastructure and the GPS coordinates of the final wind turbine locations.	Compliant

**Audit Table of Project Approval (including Modifications 1 – 5) Conditions: Flyers Creek Wind Farm, MP 08\_0252**

[Original Project Approval text in black, Modifications 1-4 text in blue, Modification 5 text in red]

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>NOTIFICATION TO DEPARTMENT</b>				
C10	<p>Prior to the commencement of the construction, operation and/or decommissioning of the Project or the cessation of operations, the Proponent must notify the Department in writing of the date of commencement or cessation.</p> <p>If the construction, operation and/or decommissioning of the Project is to be staged, then the Proponent must:</p> <p>(a) notify the Department in writing prior to the commencement of the relevant stage, and clearly identify the development that would be carried out during the relevant stage; and</p> <p>(b) inform the local community and the Community Consultation Committee (CCC) about the proposed staging plans.</p>	<p>- Correspondence to DPE dated 28/03/22 from proponent providing date of commencement of construction as 04/04/22 (and associated acknowledgement of receipt by DPE on 28/03/22)</p>	<p>DPE were notified of the date of commencement of construction prior to commencement of construction.</p> <p>The proponent reported that construction is not being staged and therefore there was no need to notify the Department or inform the local community or CCC regarding staging of plans.</p>	Compliant
<b>STRUCTURAL ADEQUACY</b>				
C11	<p>The Proponent must ensure that:</p> <p>(a) the wind turbines are constructed in accordance with the relevant standards, including the structural design requirements of <i>IEC 61400-1 Wind turbines – Part 1: Design Requirements</i> (or equivalent); and</p> <p>(b) all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.</li> <li>• Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the project.</li> </ul>	<p>- Safe Access and Access Provisions Compliance and Performance Based Review issued by LeBLANC (dated 16/06/22) including a “Design Evaluation Conformity Statement” by Tuv Nord</p> <p>- Construction Certificate No. 899.6/2021 and approval issued by Pro Cert Group for Stage 6 – Installation of Wind Turbine Generators No. 1 through to and including No. 38 (dated 10/08/22)</p> <p>- Construction Certificate No. 899.4/2021 and approval issued by Pro Cert Group for Stage 4 – Onsite Civil Earthworks Associated with the Substation (dated 27/06/22)</p> <p>- Construction Certificate No. 899.8/2021 issued by Pro Cert Group for Stage 8 – Substation Foundations &amp; Installation of Equipment (dated 07/11/22)</p> <p>- Construction Certificate No. 899.9/2021 issued by Pro Cert Group for Stage 9 – Onsite Civil Earthworks Associated with the Switching Station (dated 21/11/22)</p> <p>- DPE email regarding acceptance of Application for Construction Certificate (CFT-173877) dated 10/08/22</p>	<p>A performance-based review, completed by LeBLANC, concluded that the design considerations of the wind turbines exceeded or met the Australian standards. The Tuv Nord Design Evaluation Conformity Statement references the IEC 61400-1 (Design requirements) and IEC 61400-22 (Conformity testing and certification).</p> <p>The proponent has obtained Construction Certificates for the 38 Wind Turbine Generators, on-site civil earthworks associated with the substation and switching station, and substation foundation (and installation of equipment).</p>	Compliant
<b>DEMOLITION</b>				
C12	<p>The Proponent must ensure that all demolition work on site is carried out in accordance with <i>AS 2601-2001: The Demolition of Structures</i>, or its latest version.</p>	N/A	<p>The proponent is not undertaking any demolition work as part of this development.</p>	Not triggered

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
C13	Unless the Proponent and the applicable authority agree otherwise, the Proponent must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Project; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Project. This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this approval.	N/A	No evidence of damage or relocation of any public infrastructure identified during the audit.	Not triggered
<b>OPERATION OF PLANT AND EQUIPMENT</b>				
C14	The Proponent must ensure that all plant and equipment used on site, or in connection with the Project, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	- Equipment Induction register covering period of 20/09/22 to 11/04/23 and list of on-site vehicles with details such as "Date of last service" and "Date of next service" - Individual Equipment Induction record for A ONE Earthworks (subcontractor) Excavator dated 25/01/23. Inspection noted as "Passed" - Individual Equipment Induction record for Oestermark Grouting Australia (subcontractor) light vehicle dated 01/02/23. Inspection noted as "Passed" - Individual Equipment Induction record for Sherrin Rentals (subcontractor) boom lift dated 03/03/23. Inspection noted as "Passed" - Daily pre-start checklists	Completed register/inspections/maintenance records held on site. Relevant information presented within the registers. Information was current to date of audit site visit. No evidence of defective or poorly maintained/operated plant and equipment was noted during the audit.	Compliant
<b>UPDATING &amp; STAGING OF STRATEGIES, PLANS OR PROGRAMS</b>				
C15	With the approval of the <b>Planning Secretary</b> , the Proponent may submit any strategy, plan or program required by this approval on a progressive basis. To ensure the strategies, plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised strategies, plans or programs to the <b>Planning Secretary</b> for approval. With the agreement of the <b>Planning Secretary</b> , the Proponent may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this approval. Notes: • While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times. • If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future critical stages, and the trigger for updating the strategy, plan or program.	N/A	The proponent reported that the construction of the development is not being staged and therefore strategies, plans and programs have not been submitted on a progressive basis.	Not triggered



Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>PLANNING AGREEMENT</b>				
C16	From the date of the commencement of construction, unless the <b>Planning Secretary</b> agrees otherwise, the Proponent must implement the VPA executed with Blayney Shire Council on 22 October 2015.	<ul style="list-style-type: none"> <li>- Voluntary Planning Agreement (VPA) executed on 22/10/15</li> <li>- Letter from proponent providing clarification of VPA dated 07/08/19</li> <li>- Proponent letter to Blayney Shire Council (BSC) discussing payments during 2023 in accordance with VPA, including CPI adjustments dated 29/11/22</li> <li>- Iberdrola payment spreadsheet to BSC</li> <li>- BSC feedback collected as part of this audit</li> </ul>	<p>All three (3) required payments associated with the VPA have been made to BSC since the VPA-defined "Construction Commencement" of 17/03/22 and proof of payment was sighted for each of the payments.</p> <p>Positive feedback was received by the BSC General Manager as part of this audit which included a comment that the staff involved in the project were open, honest, respectful and responsive in relation to BSC and community matters.</p>	Compliant
<b>SCHEDULE D – ENVIRONMENTAL PERFORMANCE</b>				
<b>BIODIVERSITY</b>				
<b>Restrictions on Clearing and Habitat Impacts</b>				
D1	<p>The Proponent must:</p> <p>(a) ensure that no more than <del>4.03</del> <b>28.1</b> ha of EEC is cleared for the project, unless the <b>Planning Secretary</b> agrees otherwise; and</p> <p>(b) minimise the clearing of native woodland vegetation, scattered paddock trees and fauna habitat (including rocky outcrops) within the approved disturbance footprint.</p>	<ul style="list-style-type: none"> <li>- Planning secretary agreement letter of 13/08/21 with the following revisions:                             <ul style="list-style-type: none"> <li>• No more than 28.1 ha of critical EEC may be cleared for the project (increased from 4.03 ha)</li> </ul> </li> <li>- Audit site visit observations</li> <li>- Copies of relevant checklists, survey records etc.</li> <li>- FCWF_NV_Calculations_20230503 (excel spreadsheet)</li> <li>- Iberdrola response to DPE's Request for Information (dated 29 March 2022)</li> </ul>	<p>As of the end of April 2023, approximately 7.95 ha of EEC (Box-Gum Woodland) was mapped by GIS as cleared.</p> <p>The audit site inspection of 10 May 2023 identified several small areas (at a number of locations) of additional EEC disturbance outside the mapped cleared areas. However, these areas were only small, and the total amount of EEC clearing is still well below the approved clearing limit of 28.1 ha and is within the approved disturbance footprint.</p> <p>The additional unmapped cleared areas pose a future compliance risk for the project. Updated mapping of all disturbed areas is required for improved accountability and to accurately track all project clearing. The disturbed areas need to include the full extent of land disturbance, including direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance for revegetated batters and drains/culverts.</p> <p>The desktop audit and site inspection identified several instances where the clearing of native vegetation and HBTs have been minimised and/or avoided either through micro-siting and re-routing of access tracks. Example, re-routing of MV cable between WTG 1 and WTG 2 and between WTG 6 and WTG 7 to avoid HBTs, and realignment of the access track to WTG 34 to avoid an old mature tree with hollows (refer to Iberdrola response to DPE's Request for Information and noted during site inspection).</p>	Compliant

**Audit Table of Project Approval (including Modifications 1 – 5) Conditions: Flyers Creek Wind Farm, MP 08\_0252**

[Original Project Approval text in black, Modifications 1-4 text in blue, Modification 5 text in red]

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
D2	Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (coarse woody debris) in rehabilitated areas or in derived native grassland (either in offset areas or areas adjoining impacted areas) and details included in the Construction Flora and Fauna Management Plan required by condition F21(f).	<ul style="list-style-type: none"> <li>- Audit site visit observations</li> <li>- GLC internal audits</li> <li>- Jacobs FCWF Environmental Mobilisation Audit</li> <li>- Project photos</li> </ul>	<p>Some felled trees and major branches have been used to enhance coarse woody debris habitat and for erosion and sedimentation control.</p> <p>The audit site inspection noted that trunks and larger branches are being stockpiled on site at several locations. There is an opportunity for this stockpiled timber to be spread with a grabber either into areas of suitable habitat (subject to landholder approval), or on revegetated batters to prevent long-term stockpiling.</p> <p>It is noted that hollows (where possible) are being salvaged for future use for Flyers Creek Wind Farm (rehabilitation areas or project offset), or for use on future projects.</p>	Compliant
D3	No more than <del>26</del> 189 hollow bearing trees shall be removed for the project, unless the Planning Secretary agrees otherwise.	<ul style="list-style-type: none"> <li>- Planning secretary agreement letter of 13/08/21 with the following revisions:                             <ul style="list-style-type: none"> <li>• No more than 189 hollow bearing trees may be removed for the project (increased from 26)</li> </ul> </li> <li>- Copies of relevant checklists, clearing certificates, survey records, etc</li> <li>- FCWF_NV_Calculations_20230503 (excel spreadsheet)</li> </ul>	<p>The audit site inspection identified additional HBTs that had been cleared, and at least one HBT (retained) that was not mapped.</p> <p>These additionally cleared and retained HBTs should be added to the dataset (and tree register updated) for accurate tracking for compliance, and for future avoidance planning and micro-siting (e.g. pre-clearing surveys), respectively.</p> <p>It is noted that the number of cleared HBTs is currently well below the approved limit.</p>	Compliant
<b>Bird and Bat Monitoring and Management</b>				
D4	<p>Prior to the commencement of operations, the Proponent shall, in consultation with the BCS, prepare and submit for the approval of the Planning Secretary a <b>Bird and Bat Adaptive Management Program</b>, which takes into account bird / bat monitoring methods identified in the current editions of AusWEA <i>Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia</i> and <i>Wind Farm and Birds: Interim Standards for Risk Assessment</i>. The Program shall be prepared and implemented by a suitably qualified expert, approved by the Planning Secretary. The Program shall incorporate Monitoring, and a Decision Matrix that clearly sets out how the Proponent will respond to the outcomes of monitoring. It shall:</p> <p>(a) incorporate an ongoing role for the suitably qualified expert;</p> <p>(b) set out monitoring requirements in order to assess the impact of the Project on bird and bat populations, including details on survey locations, parameters to be measured, frequency of surveys and analyses and reporting. The monitoring program shall be capable of detecting any changes to the population of birds and / or bats that can reasonably be attributed to the operation of the Project, that is, data may be required to be collected prior to the commencement of construction;</p> <p>(c) incorporate a decision making framework that sets out specific actions and when they may be required to be implemented to reduce any impacts on bird and bat populations that have been identified as a result of the monitoring;</p>	<ul style="list-style-type: none"> <li>- Bird and Bat Adaptive Management Program (BBAMP), Flyers Creek Wind Farm, January 2020 (Report No. 18090 [4.6]), prepared by Nature Advisory.</li> <li>- DPE approval letter of BBAMP dated 14/02/20</li> </ul>	<p>The BBAMP is required to be prepared and submitted for approval prior to commencement of operations. The BBAMP has already been approved and the proponent has reported that implementation of the BBAMP will commence upon the commissioning of the first turbine.</p> <p>No monitoring has yet been undertaken as the project is still in the construction phase.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>(d) identify 'at risk' bird and bat groups (inclusive of the Superb Parrot), seasons, and / or areas within the Project site which may attract high levels of mortality and include monthly mortality assessments and periodic local population census' and bird utilisation surveys;</p> <p>(e) identify potential mitigation measures and implementation strategies in order to reduce impacts on birds and bats such as minimising the availability of raptor perches, swift carcass removal, pest control including rabbits, use of deterrents, and sector management including switching off turbines that are predicted to or have had an unacceptable impact on bird / bat mortality at certain times; and</p> <p>(f) identify matters to be addressed in periodic reports in relation to the outcomes of monitoring, the application of the decision making framework, the mitigation measures identified, progress with the implementation of such measures, and their success.</p> <p>The Reports referred to under part (f) shall be submitted to the <b>Planning Secretary</b> and <b>BCS</b> on an annual basis for the first five years of operation and every two years thereafter (unless otherwise agreed to by the <b>Planning Secretary</b>), and shall be prepared within two months of the end of the reporting period. The <b>Planning Secretary</b> may, at the request of the Proponent at anytime, vary the reporting requirement or period by notice in writing to the Proponent.</p> <p>The Proponent is required to implement feasible and reasonable mitigation measures as identified under part (e) where the need for further action is identified through the Bird and Bat Adaptive Management Program, or as otherwise agreed with the <b>Planning Secretary</b>.</p>			
<b>Biodiversity Offset Package</b>				
D5	<p>Prior to the commencement of construction, unless the <b>Planning Secretary</b> agrees otherwise, the Proponent must:</p> <p>(a) update the baseline mapping of the vegetation and key habitat within the final disturbance area; and</p> <p>(b) calculate the biodiversity offset credit liabilities for the project in accordance with the <i>Biodiversity Assessment Methodology</i> under the <i>NSW Biodiversity Offsets Scheme</i>, in consultation with <b>BCS</b>, and to the satisfaction of the <b>Planning Secretary</b>.</p>	<p>- Biodiversity Offset Report (BOR), Flyers Creek Wind Farm (October 2021), prepared by NGH Consulting.</p> <p>- DPE approval letter of BOR (inc. Mapping and Credits) dated 10/11/2021</p> <p>- Planning secretary agreement letter of 13/08/21 with the following revisions:</p> <ul style="list-style-type: none"> <li>• No more than 28.1 ha of critical EEC may be cleared for the project; and</li> <li>• No more than 189 hollow bearing trees may be removed for the project</li> </ul>	<p>The Biodiversity Offset Report (BOR) was prepared by NGH Environmental, and the most recent version viewed as part of this audit was Revision "Final V1.2" dated 19 October 2021. The BOR was approved by DPIE on 10 November 2021, prior to commencement of construction.</p> <p>The BOR was developed in consultation with the Biodiversity Conservation and Science (BCS) division and contains updated vegetation and key habitat mapping and has calculated the biodiversity credit liabilities in accordance with the Biodiversity Assessment Method (BAM).</p>	Compliant
D6	<p>Within 2 years of the commencement of construction, unless the <b>Planning Secretary</b> agrees otherwise, the Proponent must retire the required biodiversity credits, to the satisfaction of <b>BCS</b>.</p> <p>The retirement of the credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Scheme</i>, and can be achieved by:</p> <p>(a) acquiring or retiring 'biodiversity credits' within the meaning of the <i>Biodiversity Conservation Act 2016</i>;</p> <p>(b) making payments to the Biodiversity Conservation Fund; or</p>	<p>- Biodiversity Offset Report (BOR), Flyers Creek Wind Farm (October 2021), prepared by NGH Consulting.</p> <p>- DPE approval letter of BOR (inc. Mapping and Credits) dated 10/11/2021</p>	<p>N/A - biodiversity credits have not yet been retired. Credits are to be retired by 04/04/24, i.e. within 2 years of commencement of construction.</p> <p>The proponent reported that an ecologist specialist has been engaged to commence:</p> <ul style="list-style-type: none"> <li>• a Charge Quote Statement Phase 2 through the BCF (Biodiversity Conservation Fund); and</li> <li>• Payment Application Phase 3.</li> </ul>	Not triggered



**Audit Table of Project Approval (including Modifications 1 – 5) Conditions: Flyers Creek Wind Farm, MP 08\_0252**

[Original Project Approval text in black, Modifications 1-4 text in blue, Modification 5 text in red]

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
	(c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.			
<b>WATER QUALITY AND HYDROLOGY</b>				
D7	Except as may be provided by an EPL, the Project shall be constructed and operated to comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> , which prohibits the pollution of waters.	- Incident Register and EPA notifications in accordance with the Project Environment Protection Licence	EPA hotline has been contacted to report environmental incidents. No penalty notices, or similar, had been issued by EPA with respect with potential water quality and hydrology issues.	Compliant
D8	Waterway crossings shall be designed and constructed in consultation with DoI – L&W and DPI (Fisheries) and consistent with DPI (Fisheries) guidelines, <i>Policy and Guidelines for Fish Friendly Waterway Crossings</i> (2004) and <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (2004) and <i>Guidelines for Controlled Activity on Waterfront Land</i> (NSW Office of Water, 2012), or their latest version.	- Drainage Design Report (Rev. C, 30/05/22), prepared by icubed  - Construction Soil and Water Quality Management Plan (CSWQMP), Flyers Creek Wind Farm Project (Rev. E, 25/06/20), prepared by Nacap  - DPE approval letter of CSWQMP (Rev. E, 25/06/20) dated 03/07/20	Section 2 of the Drainage Design Report provides information that the drainage design criteria and method has been developed in accordance with Watercourse crossings in accordance with the Controlled Activity Guidelines (NSW Office of Water, 2012).  Proponent has confirmed that there are no relevant water crossings and, as such, no consultation with DoI – L&W has been conducted to date.  A review of the Drainage Design Report is in progress and consultation will be undertaken as required.	Compliant
<b>NOISE</b>				
D9	Any overhead transmission line associated with the Project shall be designed, constructed and operated to minimise the generation of corona and aeolian noise as far as feasible and reasonable at nearest existing sensitive receivers.	- 132kV Transmission Line: Basis of Design Specification report prepared by Arcadis (dated 27/07/22)	Project designs are reported to be consistent with minimising corona and aeolian noise.	Compliant
<b>HAZARDS AND RISK</b>				
D10	Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997).  In the event of an inconsistency between the requirements listed from (a) to (c) above, the most stringent requirement shall prevail to the extent of the inconsistency.	- Construction Compound and Ancillary Facilities Management Plan (CCAFMP), Flyers Creek Wind Farm (Rev. F, 29/10/21), prepared by Nacap  - GLC Flyers Creek Health and Safety Management Plan  - SDS Chemical Register  - Audit site visit observations, including hard copies of SDS	Dangerous Goods storage is discussed in Section 5.3 of the CCAFMP and Section 27.5 of the contractor’s Health and Safety Management Plan.  Hard copies of the SDS are stored on site and were viewed at the time of the audit in the hazardous chemical storage area.  Dangerous Goods are stored on site in a 10-foot Dangerous Goods container with required bunding. Further, a 60,000 litre diesel fuel storage tank is present on site and bunded appropriately.  <b>Opportunity for Improvement No. 1:</b> Install temporary bunding for capture of potential fuel spillage at vehicle/equipment fill point adjacent to the on-site fuel storage area.	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Aviation Obstacles and Hazards</b>				
D11	<p>Prior to the commencement of construction, the Proponent shall consult with:</p> <p>(a) aerodrome operators that have an aerodrome located within 30 kilometres of the boundaries of the site, to determine any impact on Obstacle Limitation Surfaces at such aerodromes;</p> <p>(b) AirServices Australia, to determine potential impacts on instrument approach procedures at aerodromes, navigational aids, communications and surveillance facilities, inclusive of the redesign of the Non-Directional Beacon Approach (if required);</p> <p>(c) Aerial Agriculture Association Australia, to determine potential hazards to aerial application and related operations; and</p> <p>(d) Rural Fire Service, to determine potential hazards to the aerial fighting of fires.</p> <p>Feasible and reasonable mitigation measures for each of the potential impacts and hazards identified, shall be determined in consultation with the respective groups identified in this condition, prior to the commencement of construction.</p>	<p>- Letter to DPIE dated 06/09/21 including details of consultation undertaken with aviation stakeholders</p> <p>- DPIE acknowledgement receipt dated 15/09/21 with no comment provided</p>	<p>The proponent consulted with Orange Airport (Orange City Council), AirServices Australia, Aerial Agriculture Association Australia, RFS Canobolas, CASA and AirServices Australia in accordance with the requirements of this conditions.</p>	Compliant
D12	<p>Prior to the construction of any wind turbine or wind monitoring mast, the Proponent must provide the following information to CASA and Airservices Australia (together the authorities):</p> <p>(a) co-ordinates in latitude and longitude of each wind turbine and mast;</p> <p>(b) the final height of each wind turbine and mast in Australian Height Datum;</p> <p>(c) ground level at the base of each wind turbine and mast in Australian Height Datum;</p> <p>(d) confirmation of compliance with any OLS; and</p> <p>(e) details of any proposed aviation hazard lighting.</p>	<p>- Letter to Civil Aviation Safety Authority (CASA) and Airservices Australia dated 16/08/21</p> <p>- Letter to DPIE dated 06/09/21 including details of correspondence with CASA and AirServices Australia</p>	<p>The proponent provided information to CASA and AirServices Australia in accordance with all requirements of this condition.</p>	Compliant
D12A	<p>Within 30 days of the installation of any wind turbine or mast, the Proponent must:</p> <p>(a) provide confirmation to the authorities that the information that was previously provided remains accurate; or</p> <p>(b) update the information previously provided.</p>	N/A	<p>N/A – not triggered as no turbine installations were deemed complete during the audit period.</p>	Not triggered
D13	<p>Should increases to the costs of aerial agricultural spraying on any non-associated property surrounding the site be attributable to the operation of the Project, the Proponent shall fully fund to the affected landowner, the reasonable cost difference between pre-construction aerial agricultural spraying and the increased cost, as agreed between the relevant parties.</p>	N/A	<p>N/A – Proponent has advised that this condition has not been triggered</p>	Not triggered

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<b>Radio Communication</b>				
D14	<p>Prior to the commencement of construction, the Proponent shall:</p> <p>(a) consult with the NSW Government Telecommunications Authority and other registered communications licensees (including emergency services) to ensure that risks to these services are minimised as far as feasible and reasonable. This may include the installation of additional radio sites or services to ensure coverage of radio communications are not degraded;</p> <p>(b) in the event that any disruptions to radio communication service links (installed before construction of the Project) arise as a result of the Project, the Proponent shall undertake appropriate remedial measures in consultation with the NSW Government Telecommunications Authority and relevant licensee to rectify any issue, including arranging the deployment of temporary measures in order to maintain effective coverage whilst more permanent measures are effected, within three months of the problem being identified, and at the expense of the Proponent;</p> <p>(c) consider remedial measures, including:</p> <ol style="list-style-type: none"> <li>modification to or relocation of the existing antennae;</li> <li>installation and maintenance of additional radio sites or services;</li> <li>installation of a directional antennae; and / or</li> <li>installation of an amplifier to boost the signal strength</li> </ol>	<ul style="list-style-type: none"> <li>- Letter to DPIE dated 25/01/22 including details of consultation</li> <li>- DPIE acknowledgement receipt dated 07/02/22 with no comment provided</li> </ul>	<p>The proponent consulted with NSW Government Telecommunications Authority, NBN, Forestry Corp NSW, Telstra, Optus, Rural Fire Service NSW, Cadia Holdings, Newcrest Services, Digital Distribution Australia, Essential Energy, Leica Geosystems, McClymont Holdings, NSW Police Force, Ross Byrne, Transport for NSW, Vertical Telecoms, Viasat Australia, Vodafone Australia, Vodafone Hutchison Australia and Water NSW in accordance with the requirements of this condition.</p> <p>As a result of the consultation, no remedial measures were considered necessary.</p> <p>No complaints related to radio/telecommunications issues have been received during the audit period.</p>	Compliant
<b>Bushfire Risk</b>				
D15	<p>The Proponent shall ensure that all Project components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant RFS design guidelines (<i>Planning for Bushfire Protection 2006 and Standards for Asset Protection Zones</i>) and provide for necessary emergency management including appropriate fire-fighting equipment and water supplies on site to respond to a bush fire.</p>	<ul style="list-style-type: none"> <li>- Bushfire Management Plan (BMP), Flyers Creek Wind Farm Project (Rev. E, 15/06/20), prepared by Nacap.</li> <li>- DPE approval letter of BMP (Rev. E, 15/06/20) dated 18/06/20</li> <li>- Flyers Creek Switching Station Civil Design Report (Rev. A, 23/09/22), prepared by Hyne Designs</li> <li>- Audit site visit observations</li> </ul>	<p>Provision for water tanks and fire protection tanks have been provided in the Bushfire Management Plan and the Switching Station Design Report.</p>	Compliant
D16	<p>The Proponent shall ensure that the substation and any other new buildings shall be constructed to comply with the Australian Standard AS3959-2009 <i>Construction of buildings in bushfire-prone areas</i>.</p>	<ul style="list-style-type: none"> <li>- Bushfire Management Plan (BMP), Flyers Creek Wind Farm Project (Rev. E, 15/06/20), prepared by Nacap</li> <li>- DPE approval letter of BMP (Rev. E, 15/06/20) dated 18/06/20</li> <li>- Flyers Creek Wind Farm Substation Switchgear and Control Building Fire Protection Report (Rev. 00, 27/03/23), prepared by psd energy</li> <li>- Essential Energy – Bushfire Risk Assessment for Flyers Creek Windfarm Switching Station (Rev. 1.0, 28/02/22), prepared by RedEye Apps</li> </ul>	<p>A Fire Protection Report was issued by PSD Energy which stated that the substation and control and switch room building is adequately protected within the requirements of the standard and National construction code against bush and equipment fires. This report refers to AS3959 as an applicable standard.</p> <p>Essential energy commissioned a report to quantify the bushfire risk for the Switching Station. At the Switching Station, the Bushfire Risk Index was calculated to be “low”.</p>	Compliant

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D17	A 10 metre Asset Protection Zone (APZ) shall be provided around the proposed turbines, substation and control building to the standard of an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of <i>Planning for Bushfire Protection 2006</i> and <i>Standards for Asset Protection Zones</i> .	<ul style="list-style-type: none"> <li>- Bushfire Management Plan (BMP), Flyers Creek Wind Farm Project (Rev. E, 15/06/20), prepared by Nacap.</li> <li>- DPE approval letter of BMP (Rev. E, 15/06/20) dated 18/06/20</li> <li>- Essential Energy – Bushfire Risk Assessment for Flyers Creek Windfarm Switching Station (Rev. 1.0, 28/02/22), prepared by RedEye Apps</li> <li>- Final Switching Station Landscape Plan, Flyers Creek Wind Farm (Iberdrola letter dated 06/03/23)</li> <li>- DPE approval letter of Final Layout Plan for Switching Station (06/03/23) dated 21/03/23</li> <li>- Project design and layout reports/drawings</li> <li>- Aerial picture showing the Asset Protection Zone clearance around the Substation</li> </ul>	Site based observations and review of management plans and civil drawings confirm that APZ requirements have been incorporated.	Compliant
D18	Sufficient water storage (determined in consultation with the Canobolas Zone Rural Fire Service) shall be provided for fire fighting purposes.	<ul style="list-style-type: none"> <li>- Bushfire Management Plan (BMP), Flyers Creek Wind Farm Project (Rev. E, 15/06/20), prepared by Nacap.</li> <li>- DPE approval letter of BMP (Rev. E, 15/06/20) dated 18/06/20</li> <li>- Flyers Creek Switching Station Civil Design Report (Rev. A, 23/09/22), prepared by Hyne Designs</li> <li>- Project team correspondence discussing the outcomes of meeting/site visit with RFS</li> </ul>	<p>Evidence of ongoing consultation with RFS, including site visit in January 2023, to view firefighting resources.</p> <p>Provision for water tanks and fire protection tanks have been provided in the Bushfire Management Plan and the Switching Station Design Report.</p> <p>Water storage tanks observed to be present at various locations across the project corridor during site visit.</p>	Compliant
D19	Throughout the operational life of the Project, the Proponent shall regularly consult with the Canobolas Zone Rural Fire Service about details of the Project, including the construction timetable and the final location of all infrastructure on the site. The Proponent shall comply with any reasonable request of the Canobolas Zone Rural Fire Service to reduce the risk of bushfire and to enable fast access in emergencies.	<ul style="list-style-type: none"> <li>- Bushfire Management Plan (BMP), Flyers Creek Wind Farm Project (Rev. E, 15/06/20), prepared by Nacap.</li> <li>- DPE approval letter of BMP (Rev. E, 15/06/20) dated 18/06/20</li> <li>- Project team correspondence discussing the outcomes of meeting/site visit with RFS</li> </ul>	Evidence of ongoing consultation with RFS, including site visit in January 2023, to view firefighting resources.	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>VISUAL AMENITY</b>				
<b>Views</b>				
D20	<p>For a period of 5 years from the commencement of construction of any wind turbine, the owner of any non-associated residence within 4 km of any wind turbine may ask the Proponent to implement visual impact mitigation measures on their land to minimise the visual impacts of the project on their residence (including its curtilage).</p> <p>Upon receiving such a written request from the owner of these residences, the Proponent must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner.</p> <p>These mitigation measures must be reasonable and feasible, aimed at reducing the visibility of the wind turbines from the residence and its curtilage, and commensurate with the level of visual impact on the residence.</p> <p>All mitigation measures must be implemented within 12 months of receiving the written request, unless the <b>Planning Secretary</b> agrees otherwise.</p> <p>If the Proponent and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the <b>Planning Secretary</b> for resolution.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>To avoid any doubt, mitigation measures are not required to be implemented to reduce the visibility of wind turbines from any other locations on the property other than the residence and its curtilage.</li> <li>The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While owners may ask for the implementation of visual impact mitigation measures shortly after the commencement of the erection of the turbine, they should consider the merits of delaying this request until the relevant wind turbines are visible from their residence.</li> </ul>	N/A	N/A – the proponent reported that this condition has not been triggered.	Not triggered
D21	Landscaping works to reduce the visual impact of the Project shall generally comprise of indigenous and locally occurring species.	<p>- Design and Landscape Plan (DALP), Flyers Creek Wind Farm (Rev. E, 12/08/20), prepared by Nacap.</p> <p>- DPE approval letter of DALP (Rev. E, 12/08/20) dated 08/09/20</p>	<p>Section 5 and Table 6 and of the DALP provide details of native species that will be used for landscaping as found in the nearby Boxgum Woodland EEC.</p> <p>Landscaping works had not commenced at the time of the audit site visit as construction activities were in progress.</p>	Compliant
<b>Visual Appearance</b>				
D22	<p>The Proponent must:</p> <p>(a) minimise the off-site visual impacts of the project;</p> <p>(b) ensure the wind turbines are:</p> <ul style="list-style-type: none"> <li>• painted off white/grey, unless otherwise agreed by the Planning Secretary; and</li> <li>• finished with a surface treatment that minimises the potential for glare and reflection;</li> </ul> <p>(c) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and</p> <p>(d) not mount any advertising signs or logos on wind turbines or ancillary infrastructure.</p>	<p>- Design and Landscape Plan (DALP), Flyers Creek Wind Farm (Rev. E, 12/08/20), prepared by Nacap.</p> <p>- DPE approval letter of DALP (Rev. E, 12/08/20) dated 08/09/20</p> <p>- Audit site visit observations</p>	<p>The DALP provides details of how the specific requirements of this condition will be met.</p> <p>The auditor’s inspection of wind turbine infrastructure confirmed that it was painted in an off-white, low-glare paint and there were no advertising signs of logos present.</p>	Compliant



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<b>Shadow Flicker</b>				
D23	Shadow flicker from the Project must not exceed 30 hours / annum at any non-associated residence.	N/A	N/A – operational condition. No turbines were commissioned during the audit period.	Not triggered
<b>Substation</b>				
D24	The substation and associated facility site shall be designed and constructed to minimise visual intrusion to the nearest sensitive receivers as far as feasible and reasonable including appropriate external finishes to minimise glare or reflection, landscape planting to screen views and external lighting requirements in accordance with condition D25.	<ul style="list-style-type: none"> <li>- Design and Landscape Plan (DALP), Flyers Creek Wind Farm (Rev. E, 12/08/20), prepared by Nacap.</li> <li>- DPE approval letter of DALP (Rev. E, 12/08/20) dated 08/09/20</li> <li>- Audit site visit observations</li> </ul>	The DALP provides details of how the specific requirements of this condition will be met.	Compliant
<b>Switching Station</b>				
D24A	<p>Prior to the commencement of the construction of the switching station, the Proponent must submit a copy of the final layout plan for the switching station to the Planning Secretary for approval. This plan must outline the proposed measures to minimise the visual impacts of the switching station on any non-associated residences in the vicinity of the switching station, including retaining existing vegetation buffers in and adjoining the forest to screen views of the switching station or planting additional screening around the switching station.</p> <p>The Proponent must not construct the switching station before this plan has been approved by the Planning Secretary.</p>	<ul style="list-style-type: none"> <li>- Final Switching Station Landscape Plan, Flyers Creek Wind Farm (Iberdrola letter dated 06/03/23)</li> <li>- DPE approval letter of Final Layout Plan for Switching Station (06/03/23) dated 21/03/23</li> <li>- Proponent reported that first permanent foundations for the switching yard commenced in April 2023</li> </ul>	<p>The final layout plan for the switching station was approved prior to commencement of construction of the switching station and provides details of the requirements of this condition.</p> <p>The auditor notes that the plan includes consultation with property owners within 1km of the original assessment area and an additional distant property owner. It is further noted that the plan has been revised three (3) times to provide enhanced visual impact mitigation to adjacent sensitive receivers while complying with the specific bushfire risk management measures required by Essential Energy.</p>	Compliant
<b>Night Lighting</b>				
D25	<p>With the exception of aviation hazard lighting implemented in accordance with the requirements of this condition, no external lighting other than low intensity security night lighting is permitted on site unless otherwise agreed or directed by the Planning Secretary, or required by CASA.</p> <p>Prior to the commencement of construction, the Proponent shall consult with CASA on the need for aviation hazard lighting in relation to the wind turbines. The Proponent shall ensure any aviation hazard lighting installed utilises an aircraft detection lighting system unless otherwise agreed by CASA.</p>	<ul style="list-style-type: none"> <li>- Letter to CASA dated 08/01/20</li> <li>- CASA response dated 09/01/20</li> <li>- DPIE acknowledgement of CASA consultation dated 10/01/20</li> <li>- Consultation with Essential Energy (EE) regarding switching station lighting</li> </ul>	<p>Correspondence from CASA confirmed that no aviation hazard lighting is required for the wind turbines.</p> <p>EE provided information that lighting in the switching station would only be used for emergency unplanned maintenance as planned maintenance would occur during daytime hours. EE would look to minimise any light pollution, using yellow lights and ensuring they were only focused on equipment in the yard as necessary.</p>	Compliant


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<b>Design and Landscape Plan</b>				
D26	<p>A <b>Design and Landscaping Plan</b> shall be prepared to outline measures to ensure appropriate development and maintenance of landscaping on the site to achieve adequate landscape buffers and address the visual impacts arising from the Project, including turbines, site access roads and associated above ground infrastructure, as far as is feasible and reasonable.</p> <p>The Plan shall be prepared by a qualified landscape architect and where relevant meet any requirements of <b>the Councils</b>. The Plan shall include design treatments for the turbines and ancillary infrastructure, including, but not necessarily limited to:</p> <p>(a) landscape elements and built elements, including proposed treatments, finishes and materials of exposed surfaces (including colour specifications);</p> <p>(b) lighting;</p> <p>(c) a schedule of species to be used in landscaping;</p> <p>(d) details of the timing and progressive implementation of landscape works; and</p> <p>(e) procedures and methods to monitor and maintain landscaped areas.</p> <p>The Plan shall be submitted for the approval of the <b>Planning Secretary</b> prior to the commencement of <b>construction</b>, unless otherwise agreed by the <b>Planning Secretary</b>.</p>	<p>- Design and Landscape Plan (DALP), Flyers Creek Wind Farm (Rev. E, 12/08/20), prepared by Nacap.</p> <p>- DPE approval letter of DALP (Rev. E, 12/08/20) dated 08/09/20</p> <p>- DPE approval letter of "Final Layout Plan for Switching Station" dated 21/03/23</p>	<p>The DALP is currently being updated to include the final layout plan for the switching station.</p> <p>The current DALP (Rev. E) was approved by DPE prior to the commencement of construction and provides details of the requirements of this condition.</p> <p>The DALP was prepared by a Registered Landscape Architect and member of the Institute of Landscape Architects and consultation occurred with Blayney Shire Council and Cabonne Council.</p>	Compliant
<b>UTILITIES AND SERVICES</b>				
D27	<p>Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to <b>the commencement of relevant construction works</b> to determine requirements for access to, diversion, protection, and / or support. Consultation with the relevant owner and / or provider of services that are likely to be affected by the Project shall be undertaken to make suitable arrangements for access to, diversion, protection, and / or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Proponent.</p>	<p>- Correspondence with APA Group regarding excavation and concreting works where access road crosses gas line</p> <p>- Correspondence with Telstra regarding realignment of telecommunication lines for new site access roads</p>	<p>Works were conducted in conjunction with APA Group and Telstra to protect and support affected gas and telecommunications infrastructure.</p>	Compliant
<b>WASTE MANAGEMENT</b>				
D28	<p>The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the <i>Protection of the Environment Operations Act 1997</i>, if such a licence is required in relation to that waste.</p>	N/A	<p>The proponent reported that no waste generated outside the site had been received at the site for any purpose.</p>	Not triggered
D29	<p>The Proponent shall maximise the reuse and / or recycling of waste materials generated on site by the Project, to minimise the need for treatment or disposal of those materials outside the site.</p>	<p>- Audit site visit observations</p> <p>- Waste management protocols reviewed as part of routine site inspections</p>	<p>Evidence of sorting and segregation of wastes noted on site and evidence of re-use of materials such as excavated rock utilised in access and road construction.</p> <p><b>Opportunity for Improvement No. 2:</b> Some co-mingling of waste within skip bins and overfilling of skip bins was noted during the audit site inspection. It is suggested that additional focus is placed on sorting of waste streams and the sizing of skip bins is optimised to ensure adequate capacity.</p>	Compliant
D30	<p>The Proponent shall ensure that no green waste associated with the Project is burnt on site during the life of the Project.</p>	<p>- Audit site visit observations</p> <p>- Correspondence from proponent</p>	<p>No evidence of burning of green waste noted on site. The proponent confirmed that no green waste is burned on-site, rather it is stockpiled on-site for future habitat creation as per CFFMP.</p>	Compliant

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D31	The Proponent shall ensure that all liquid and / or non-liquid waste generated on the site is assessed and classified in accordance with <i>Waste Classification Guidelines</i> (DECC, 2008), or any future guideline that may supersede that document, and where removed from the site is only directed to a waste management facility lawfully permitted to accept the materials.	- Waste register	<p>The proponent reported that no regulated wastes have been transported off-site.</p> <p>The waste register does not currently include all required information in accordance with CEMP Waste Management Protocol (Appendix J) such as NSW waste classification, waste transport contractor and destination of waste. The waste register has not been kept updated, i.e. there are no records for 2023.</p> <p><b>Opportunity for Improvement No. 3:</b> Review Waste Register and update as necessary with all required information within Waste Management Protocol</p>	Compliant
<b>PROPERTY IMPACTS</b>				
<b>Crown Land</b>				
D32	Prior to the commencement of construction of the Project, the Proponent shall consult with and comply with the requirements of the <i>DoI – L&amp;W</i> in relation to any Crown land affected by the Project to enable the lawful use of that land by the Project.	<p>- DPE Crown Lands Licence RN 606166 executed on 01/11/19.</p> <p>- Letter to DPIE dated 26/08/21 showing compliance with this condition</p> <p>- DPIE acknowledgement dated 15/09/21 with no comment provided</p>	<p>The proponent consulted with DPE Crown Lands (formerly DoI – L&amp;W) in regard to this condition and was granted a Licence on 01/11/19, prior to the commencement of construction.</p> <p>DPE Crown Lands advised that there had not been any correspondence with the proponent during the audit period.</p>	Compliant
<b>Trigonometric Reserves</b>				
D33	Disturbance to Trigonometric Reserves shall be avoided during the life of the Project, unless otherwise approved by the Surveyor General and the relevant licence under the <i>Crown Lands Act 1989</i> is obtained by the Proponent.	<p>- Construction Heritage Management Plan (CHMP), Flyers Creek Wind Farm Project (Rev. F, 10/06/20), prepared by Nacap.</p> <p>- DPE approval letter of CHMP (Rev. F, 10/06/20) dated 18/06/20</p> <p>- Audit site visit observations</p> 	<p>One (1) trigonometric station, Hopkins Trigonometric Station, is located within the project boundary and protection of this station is discussed in Section 4.4.1 of the CHMP.</p> <p>During the audit site visit, the Hopkins Trigonometric was surrounded by exclusion fencing and signage (greater than 5 metre radius).</p> <p>It is noted that the Calvert Trig Station site was considered during the EA but is now located outside of the project boundary.</p>	Compliant



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<b>Mineral Resources</b>				
D34	Prior to the commencement of relevant construction works, the Proponent shall consult with the <a href="#">Division of Resources &amp; Geoscience</a> and holders of mineral, mining and exploration titles or tenements, with respect to measures to be applied during construction and operation of the Project so as to minimise the potential for any sterilisation of resources on the tenement.	<ul style="list-style-type: none"> <li>- Letter to DPIE dated 24/11/21 showing compliance with this condition</li> <li>- DPIE acknowledgement of consultation dated 10/12/21</li> </ul>	The proponent has consulted with the NSW Mining, Exploration and Geoscience Division (formerly Division of Resources & Geoscience) and the three holders of (or applicants for) mineral, mining and exploration titles or tenements which overlap with the project boundary. This consultation began in 2019, prior to the commencement of construction.	Compliant
<b>SCHEDULE E – COMMUNITY INFORMATION, REPORTING AND AUDITING</b>				
<b>COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT</b>				
<b>Community Consultative Committee</b>				
E1	From the commencement of construction, the Proponent must operate a CCC for the Project to the satisfaction of the <b>Planning Secretary</b> , in accordance with the <a href="#">Community Consultative Committee Guidelines for State Significant Projects (2016)</a> , or its latest version.	<ul style="list-style-type: none"> <li>- Project website listing meeting minutes <a href="https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/">https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/</a></li> <li>- Meeting minutes of 24/01/23 meeting</li> <li>- DPE approval of Chair of Community Consultative Committee (dated 02/07/15)</li> </ul>	<p>A Community Consultation Committee (CCC) was established in 2012 and the first meeting was held on 06/12/12, prior to the commencement of construction. There have been 31 meetings with the most recent meeting held in April 2023.</p> <p>Minutes for the meeting of 24/01/23 were formally presented with an agenda and list of actions (and open/closed status). It is noted that representatives of the proponent and Blayney Shire Council were in attendance, alone with neighbours and host landowners.</p> <p>The Chair of the CCC was endorsed by DPE.</p>	Compliant
<b>Complaints and Enquiries Procedure</b>				
E2	<p>Prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall ensure that the following are available for community enquiries and complaints for the life of the Project (including construction and operation) or as otherwise agreed by the <b>Planning Secretary</b>:</p> <p>(a) a 24 hour telephone number(s) on which complaints and enquiries about the Project may be registered;</p> <p>(b) a postal address to which written complaints and enquires may be sent;</p> <p>(c) an email address to which electronic complaints and enquiries may be transmitted; and</p> <p>(d) a complaints management and mediation system for complaints unable to be resolved, inclusive of a mechanism for complaints to be directed to the Department where the issue cannot be resolved by the Proponent and/or through mediation.</p> <p>The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this Approval.</p>	<ul style="list-style-type: none"> <li>- Project website <a href="https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/">https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/</a></li> <li>- Newspaper notice and invoice</li> </ul>	<p>Contact details, including a 24 hour telephone number and postal and email addresses, are currently listed on the project website under a “Contact Us” link (as of 05/05/23).</p> <p><b>Non-compliance No. 2 (FCWF-IEA1-NC2):</b> Contact details, including a 24 hour telephone number and postal and email addresses, were not published in newspaper(s) circulating the local area prior to the commencement of construction as per the requirement of condition E2 of the Project Approval. This information was published on 19 May 2022 in the Central Western Daily and Blayney Chronicle which was after the notified date of construction commencement on 04 April 2022.</p> <p><b>Recommendation No. 2 (FCWF-IEA13-R2):</b> In response to Non-compliance No. 2, the publication schedule listed within condition E2 of the Project Approval should be reviewed and relevant management systems updated to ensure any future requirements are adhered to.</p>	Non-compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
E3	<p>Prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall prepare and implement a <b>Complaints Management System</b> consistent with <i>AS 4269: Complaints Handling</i> and maintain the System for the life of the Project.</p> <p>Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this Approval. The information contained within the System shall be made available to the <b>Planning Secretary</b> on request.</p>	<p>- FCWF Complaints Management Procedure, Rev 0D, 28/07/22, prepared by Iberdrola</p> <p>- Complaints Register (covering period of 04/04/22 to 14/04/23)</p>	<p>The Complaints Management Procedure was developed to be consistent with the Australian Standard.</p> <p>A copy of the Complaints Register was provided to the Auditor covering the period from commencement of construction (04/04/22) to 14/04/23. A detailed discussion of the nature (and close-out status) of the complaints listed within the Complaints Register is provided within Section 4.9 of this audit report.</p> <p><b>Opportunity for Improvement No. 4:</b> Due to the relatively high number of complaints received on the project it is suggested that additional training for Project personnel could be conducted to focus on minimising the impacts of construction. Key areas for improvement, based on the nature of complaints already received, could include traffic management and interactions with neighbouring properties.</p>	Compliant
<b>Provision of Electronic Information</b>				
E4	<p>Prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the Project, for the life of the Project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:</p> <p>(a) information on the current implementation status of the Project;</p> <p>(b) a copy of the documents referred to under condition C2 of this Approval, and any documentation supporting modifications to this Approval that may be granted;</p> <p>(c) a copy of this Approval and any future modification to this Approval;</p> <p>(d) a copy of each relevant environmental approval / consent, licence or permit required and obtained in relation to the Project;</p> <p>(e) a copy of each current strategy, plan, program or other document required under this Approval;</p> <p>(f) the outcomes of compliance tracking in accordance with condition E5 of this Approval; and</p> <p>(g) details of contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address.</p>	<p>- Project website <a href="https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/">https://www.infigenenergy.com/our-assets/development-assets/flyers-creek-wind-farm/</a></p> <p>- Pre-construction Compliance Report (PCCR), Flyers Creek Wind Farm (Rev. 1, 23/02/22), prepared by Arcadis</p>	<p>A review undertaken on 08/05/23 determined that the project website was up to date with all requirements of the sub-conditions as follows:</p> <p>E4(a): The main page of the website provided details of commencement of construction, Community Consultation Committee, Community Benefit Fund and timing for Out of Hours Work. In addition, under the “Newsletters &amp; Notices” tab, there were links to monthly construction newsletters. The most recent newsletter was dated April 2023 and the auditor considered this to be a very informative document with a very good level of detail, maps and several photos</p> <p>E4(b): A link to the DPE planning portal was provided under the “Project Approval” tab which provides access to copies of the EA and Project Approval (including modification documents)</p> <p>E4(c): A link to the DPE planning portal was provided under the “Project Approval” tab which provides access to copies of the Project Approval (including modifications)</p> <p>E4(d): A link to the Environment Protection Licence was provided within the “Project Approval” tab</p> <p>E4(e): Links to copies of each plan and document required by the Project Approval were provided within the “Project Approval” tab</p> <p>E4(f): A link to the Pre-construction Compliance Report was provided within the “Project Approval” tab.</p> <p>E4(g): Contact details for community complaints or feedback, including telephone number, post address and email address, were provided within the “Complaints Register” tab</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
			It was reported in the Pre-Construction Compliance Report that the project website was established prior to the commencement of construction.	
<b>COMPLIANCE MONITORING AND TRACKING</b>				
<b>Compliance Tracking Program</b>				
E5	The Proponent shall develop and implement a <b>Compliance Tracking Program</b> to track compliance with the requirements of this Approval. The Program shall be submitted to the <b>Planning Secretary</b> for approval prior to the commencement of construction and operate for the life of the Project. The Program shall include, but not necessarily be limited to: <ul style="list-style-type: none"> <li>(a) provisions for the notification of the <b>Planning Secretary</b> prior to the commencement of construction and prior to the commencement of operation of the Project (including prior to each stage, where works are being staged);</li> <li>(b) provisions for periodic review of the compliance status of the Project against the requirements of this Approval;</li> <li>(c) provisions for periodic reporting of compliance status to the <b>Planning Secretary</b>, including a Pre-Construction Compliance Report, during construction reporting, and a Pre-Operation Compliance Report;</li> <li>(d) a program for independent environmental auditing in accordance with ISO 19011:2003 - Guidelines for Quality and / or Environmental Management Systems Auditing;</li> <li>(e) mechanisms for recording environmental incidents during construction, and actions taken in response to those incidents;</li> <li>(f) provisions for reporting environmental incidents to the <b>Planning Secretary</b> and relevant public authorities (including Blayney Shire Council) during construction and for the life of the Project;</li> <li>(g) procedures for rectifying any non-compliance identified during environmental auditing, and review of compliance or incident management; and</li> <li>(h) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this Approval relevant to their respective activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Compliance Tracking Program (CTP), Flyers Creek Wind Farm (Rev. 2, 23/09/21), prepared by Arcadis</li> <li>- DPE approval letter for CTP (Rev. 2, 23/09/21) dated 24/09/21</li> <li>- Pre-Construction Compliance Report (PCCR), Flyers Creek Wind Farm (Rev. 1, 23/02/22), prepared by Arcadis</li> <li>- DPE approval letter for PCCR dated 01/03/22</li> <li>- Incident Register (as of 17/05/23)</li> <li>- Corrective Actions Register</li> <li>- Flyers Creek Wind Farm Iberdrola and GLC HSW Induction (Version 7, 11/09/22)</li> </ul>	The Compliance Tracking Program was approved by DPE prior to the commencement of construction and is being implemented. A discussion of the requirements of relevant sub-conditions are as follows: <p>E5(a): Section 3.1 of the CTP discusses proposed timing of written notification to the Planning Secretary. Written notification was provided to the Secretary regarding commencement of construction (see Condition C10 for further details)</p> <p>E5(b): Section 3.2 of the CTP discusses the use of a Compliance Tracker spreadsheet to enable periodic review of compliance status.</p> <p>E5(c): Section 3.3 of the CTP discusses compliance reporting. A Pre-Construction Compliance Report was approved by DPE and is available for public access on the NSW Major Projects website. Iberdrola has reported that the “during construction” compliance report is currently being prepared with an estimated completion date of August 2023. The CTP requires this compliance report to be prepared “at least 6 months after commencement of construction”. The Pre-Operation Compliance Report will be prepared prior to operation of the project.</p> <p>E5(d): This audit is the first Independent Environmental Audit. Further details are provided below, in Condition E8</p> <p>E5(e): Section 3.5 of the CTP discusses incident management, recording and notification, inclusive of maintaining a Corrective Actions Register and Incident Register.</p> <p>A copy of the Incident Register was provided to the Auditor and a discussion of the nature (and close-out status) of the incidents listed are provided within Section 4.10 of this audit report.</p> <p>E5(f): Section 3.5.4 of the CTP discusses incident notification to DPE, EPA, Blayney Shire Council, Cabonne Shire Council, Ministry of Health, WorkCover NSW and Fire and Rescue NSW. Further details regarding Department notification of incidents is provided below, in Condition E6.</p> <p>E5(g): Section 3.6 discusses procedures for rectifying any identified non-compliances, including potential consultation with relevant stakeholders.</p> <p>E5(h): Section 3.7 discusses training for all employees, contractors and subcontractors. The auditor reviewed the most recent HSE Induction (Version 7, 11/09/22) and noted that incident reporting was included within the induction.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Incident Notification</b>				
E6	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Proponent becomes aware of the incident. The notification must identify the project, including the project application number and the name of the project, and set out the location and nature of the incident.	- Incident Register  - Incident notifications to DPE: July 2022 and March 2023	A copy of the Incident Register (covering period of 31/03/22 to 14/04/23) was provided to the Auditor and a discussion of the nature (and close-out status) of the incidents listed are provided within Section 4.10 of this audit report.  The proponent reported that they notified DPE of the incidents as soon as they became aware of them.  DPE was notified of three (3) incidents during the audit period as follows: <ul style="list-style-type: none"> <li>• Clearing incident on 07/07/22 on 132kV transmission line route and notified to DPE on 12/07/22</li> <li>• Two (2) incidents related to erosion/sedimentation during February 2023 and notified to DPE on 01/03/23 and 16/03/23, respectively</li> </ul>	Compliant
<b>Non-Compliance Notification</b>				
E7	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within 7 days after the Proponent becomes aware of any non-compliance with the conditions of this approval. The 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 done, or will be undertaken, to address the non-compliance.	- Incident/non-compliance notifications to DPE – March 2023	Three (3) non-compliances with the conditions of the approval were reported to DPE during the Audit period. These non-compliances related to unapproved clearing and erosion/sedimentation.	Compliant
<b>AUDITING</b>				
E8	Within 1 year of the commencement of construction, and every 3 years thereafter, unless the <b>Planning Secretary</b> directs otherwise, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project. This audit must: <ul style="list-style-type: none"> <li>(a1) be prepared in accordance with the relevant <i>Independent Audit Post Approval Requirements</i> (DPE 2018, or its latest versions);</li> <li>(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the <b>Planning Secretary</b>;</li> <li>(b) include consultation with the relevant agencies;</li> <li>(c) assess the environmental performance of the project and whether it complies with the relevant requirements in this approval;</li> <li>(d) review the adequacy of any approved strategy, plan or program required under the abovementioned approval; and</li> <li>(e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under this approval.</li> </ul> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• This audit team must be led by a suitably qualified auditor and/or experts in any other fields specified by the <b>Planning Secretary</b>.</li> <li>• The Department's <i>Independent Audit Guideline for State Significant Development</i> provides an audit and reporting framework for the independent audit that will guide compliance with this condition.</li> </ul>	- This Independent Environmental Audit report (within 1 year of commencement of construction)  - DPE Approval of Audit Team (24/03/23)	The Audit was commissioned within 1 year of the commencement of construction.  The Audit Team, including ecology and heritage specialists, were endorsed by the Planning Secretary.  The Audit has been conducted in accordance with the requirements of this condition and the <i>Independent Audit Post Approval Requirements</i> (DPIE 2020).	Compliant



Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
E9	Within 3 months of commissioning this audit, or as otherwise agreed by the <b>Planning Secretary</b> , the Proponent must submit a copy of the audit report to the <b>Planning Secretary</b> , together with its response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations as required.	N/A	N/A – This document provides the first Independent Environmental Audit report. A copy of this report and the Proponent’s response is required to be submitted to the Planning Secretary by 03/07/23.	Not triggered
E10	The Proponent must implement these recommendations to the satisfaction of the <b>Planning Secretary</b> .	N/A	N/A – Recommendations are included within this audit report and are yet to be implemented.	Not triggered
<b>Revision of Strategies, Plans and Programs</b>				
E11	<p>Within 3 years of the commencement of the operation of the project, or within 3 months of the submission of an:</p> <p>(a) incident report under condition E6;</p> <p>(b) audit under condition E8; or</p> <p>(c) any modification to the conditions of this approval, the Proponent shall review, and if necessary revise, the strategies, plans and programs required under this approval to the satisfaction of the <b>Planning Secretary</b>.</p> <p><i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	<p>Project team report that on-going review of plans has been conducted following incidents and Modifications.</p> <p>Revision of the CSWMP and CFFMP in progress at time of completion of this audit.</p>	<p><b>Opportunity for Improvement No. 5:</b> The CEMP and all required management plans should be updated to include references to MOD 5 (15 Oct 2021) where relevant and a register developed to document review and any associated updates. The Revision History table in plans was noted to be blank at the time of the audit and, as such, should be completed as part of upcoming revision.</p>	Compliant
<b>SCHEDULE F – CONSTRUCTION ENVIRONMENTAL MANAGEMENT</b>				
<b>DUST GENERATION</b>				
F1	The Project shall be constructed in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust and tracking of material onto public roads. All Project related activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all feasible and reasonable dust mitigation measures, including cessation of relevant works as appropriate such that emissions of visible dust cease.	<ul style="list-style-type: none"> <li>- Construction Air Quality Management Plan (CAQMP), Flyers Creek Wind Farm Project (Rev. D, 05/05/20), prepared by Nacap.</li> <li>- DPE approval letter of CAQMP (Rev. D, 05/05/20) dated 08/05/20</li> <li>- Audit site visit observations</li> </ul>	<p>Dust (and air quality) management and mitigation measures are discussed in the CAQMP.</p> <p>At the time of the audit site visit on 10/05/23 no significant dust emissions were noted and water carts were in use.</p>	Compliant
<b>HERITAGE</b>				
F2	In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. Where impacts as assessed in the EA are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction Heritage Management Plan required by condition <b>F21(e)</b> .	<ul style="list-style-type: none"> <li>- Construction Heritage Management Plan (CHMP), Flyers Creek Wind Farm Project (Rev. F, 10/06/20), prepared by NACAP.</li> <li>- DPE approval letter of CHMP (Rev. F, 10/06/20) dated 18/06/20</li> </ul>	The CHMP was prepared to an excellent standard and DPE approved.	Compliant
<b>NOISE AND VIBRATION</b>				
<b>Construction Hours</b>				
F3	Unless the <b>Planning Secretary</b> agrees otherwise, construction activities associated with the Project shall be undertaken during the following standard construction hours: (a) 7:00am to 6:00pm Mondays to Fridays; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or public holidays.	<ul style="list-style-type: none"> <li>- Flyers Creek Wind Farm Iberdrola and GLC HSW Induction (Version 7, 11/09/22)</li> <li>- Interviews with site personnel</li> <li>- Site notice boards</li> </ul>	<p>Approved construction hours are listed within Section 3.2 of the CEMP.</p> <p>Site induction lists construction hours and approved construction hours are monitored by Construction Manager and Environment Manager. In addition, approved</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
			construction hours are discussed a part of induction and toolbox training sessions.	
F4	<p>Construction works outside of the standard construction hours identified in condition F3 may be undertaken in the following circumstances:</p> <p>(a) construction works that generate noise that is:</p> <p>(i) no more than 5 dB(A) above rating background level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009); and</p> <p>(ii) no more than the noise management levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive receivers; or</p> <p>(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(c) where it is required in an emergency to avoid the loss of lives, property and / or to prevent environmental harm; or</p> <p>(d) works approved through an EPL; or</p> <p>(e) works as approved through the out-of-hours work protocol outlined in the Construction Noise and Vibration Management Plan required under condition F21(b).</p>	<ul style="list-style-type: none"> <li>- Construction Noise and Vibration Management Plan (CNVMP), Flyers Creek Wind Farm Project (Rev. D, 11/05/20), prepared by Nacap including Out of Hours Works Protocol</li> <li>- DPE approval letter of CNVMP (Rev. D, 11/05/20) dated 14/05/20</li> <li>- Out of Hours Construction Noise Assessment – Concrete foundation and batching dated 06/10/22, prepared by Jacobs</li> <li>- Out of Hours Construction Noise Assessment – Earthworks at Collector Group 1 West, Collector Group 2 West and Collector Group 3 dated 27/10/22, prepared by Jacobs</li> <li>- Out of Hours Construction Noise Assessment – Transmission Line Construction dated 29/11/22, prepared by Jacobs</li> <li>- Community notification letters associated with each of the OOHW</li> <li>- Project website notification of Out of Hours works</li> </ul>	<p>Documentation associated with three (3) out of hours works (OOHW) programs was reviewed by the auditor and found to be generally in accordance with the CNVMP (Appendix D: OOHW Protocol).</p> <p>As-modelled noise levels at the impacted receivers were classified as between ‘very low’ to ‘medium’ and therefore Secretary approval was not required.</p> <p>It was reported that all noise-impacted residents were notified of the works and duration and a community notification letter and project team correspondence was sighted.</p> <p>DPE and EPA were also notified of the works prior to commencement.</p> <p>The proponent has advised that there are three (3) upcoming OOHW programs proposed.</p>	Compliant
F5	<p>Except as expressly permitted by the EPL, activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken:</p> <p>(a) between the hours of 8:00 am to 5:00 pm Monday to Friday;</p> <p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>(c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.</p> <p>For the purposes of this condition ‘continuous’ includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.</p>	<ul style="list-style-type: none"> <li>- Flyers Creek Wind Farm Iberdrola and GLC HSW Induction (Version 7, 11/09/22)</li> <li>- Interviews with site personnel</li> <li>- Site notice boards</li> </ul>	<p>Approved construction hours are listed within Section 3.2 of the CEMP.</p> <p>Site induction lists construction hours and approved construction hours are monitored by Construction Manager and Environment Manager. In addition, approved construction hours are discussed a part of induction and toolbox training sessions.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status											
<b>Construction Noise and Vibration</b>															
F6	<p>The Project shall be constructed with the aim of achieving the construction noise management levels detailed in the <i>Interim Construction Noise Guideline</i> (DECC, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan required under condition F21(b).</p> <p><i>Note: The Interim Construction Noise Guideline identifies ‘particularly annoying’ activities that require the addition of 5dB(A) to the predicted level before comparing to the construction noise management levels.</i></p>	<p>- Operator attended noise monitoring report (blasting), 16/01/23, prepared by Michael Phillips Acoustics</p> <p>Attended noise monitoring report, Collector Group 3 (Receptor 86, Receptor 13, Batch Plant), 24/06/22, prepared by Michael Phillips Acoustics</p>	<p>Results of attended noise monitoring at Collector Group 3 on 15/06/22 were compliant with CNVMP.</p>	Compliant											
F7	<p>The Project shall be constructed with the aim of achieving the following construction vibration goals:</p> <p>(a) for structural damage, the vibration limits set out in the German Standard <i>DIN 4150-3: Structural Vibration - effects of vibration on structures</i>; and</p> <p>(b) for human exposure, the acceptable vibration values set out in the <i>Environmental Noise Management Assessing Vibration: A Technical Guideline</i> (DEC, 2006).</p>	<p>- Operator attended noise monitoring report (blasting), 16/01/23, prepared by Michael Phillips Acoustics</p>	<p>Results of operator attended noise monitoring for ground vibration on 15/12/22 (at closest noise-impacted receptor) were “not registered”.</p>	Compliant											
F8	<p>Airblast overpressure generated by blasting associated with the Project shall not exceed the criteria specified in Table 1 when measured at the most affected residence or other sensitive receiver.</p> <p><b>Table 1- Airblast overpressure criteria</b></p> <table border="1"> <thead> <tr> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td>115</td> <td>5% of total number of blasts over a 12 month period</td> </tr> <tr> <td>120</td> <td>0%</td> </tr> </tbody> </table>	Airblast overpressure (dB(Lin Peak))	Allowable exceedance	115	5% of total number of blasts over a 12 month period	120	0%	<p>- Operator attended noise monitoring report (blasting), 16/01/23, prepared by Michael Phillips Acoustics</p> <p>- Noise and Vibration monitoring results for Blast ID FC_WT_16 dated 15/12/22, prepared by Precision Drill and Blast (Monitoring locations at “Hill View” residence and the Barry residence)</p>	<p>Results of operator attended noise monitoring for blasting on 15/12/22 (at closest noise-impacted receptor) were reported to be compliant and below the Airblast overpressure.</p> <p>A noise monitoring report reported that a blast monitor did not trigger from a blast conducted on 15/12/22. The report further reported that the noise trigger level was 110 dBl and, as the monitor did not trigger, it was presumed that the levels recorded were compliant and &lt;110 dBl.</p>	Compliant					
Airblast overpressure (dB(Lin Peak))	Allowable exceedance														
115	5% of total number of blasts over a 12 month period														
120	0%														
F9	<p>Ground vibration generated by blasting associated with the Project shall not exceed the criteria specified in Table 2 when measured at the most affected residence or other sensitive receiver.</p> <p><b>Table 2 – Peak particle velocity criteria</b></p> <table border="1"> <thead> <tr> <th>Receiver</th> <th>Peak particle velocity (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Residence on privately owned land</td> <td>5</td> <td>5% of total number of blasts over a 12 month period</td> </tr> <tr> <td>10</td> <td>0%</td> </tr> <tr> <td>Historic heritage item</td> <td>3</td> <td>0%</td> </tr> </tbody> </table>	Receiver	Peak particle velocity (mm/s)	Allowable exceedance	Residence on privately owned land	5	5% of total number of blasts over a 12 month period	10	0%	Historic heritage item	3	0%	<p>- Operator attended noise monitoring report (blasting), 16/01/23, prepared by Michael Phillips Acoustics</p> <p>- Noise and Vibration monitoring results for Blast ID FC_WT_16 dated 15/12/22, prepared by Precision Drill and Blast (Monitoring locations at “Hill View” residence and the Barry residence)</p>	<p>Results of operator attended noise monitoring for ground vibration on 15/12/22 (at closest noise-impacted receptor) were “not registered”.</p> <p>A vibration monitoring report reported that a blast monitor did not trigger from a blast conducted on 15/12/22. The report further reported that the vibration trigger level was 0.21mm/s and, as the monitor did not trigger, it was presumed that the levels recorded were compliant and &lt;0.21mm/s.</p>	Compliant
Receiver	Peak particle velocity (mm/s)	Allowable exceedance													
Residence on privately owned land	5	5% of total number of blasts over a 12 month period													
	10	0%													
Historic heritage item	3	0%													
<b>PROPERTY IMPACTS</b>															
F10	<p>Access to private property shall be maintained during construction unless otherwise agreed with the affected property owner in advance. Access that is physically affected by the Project shall be reinstated by the Proponent to at least an equivalent standard, in consultation with the affected property owner.</p>	<p>- Landholders interaction Register (entries from 17/03/22 to 12/04/23)</p>	<p>The proponent advised that access to private properties has been maintained. Farmers gates, fencing and cattle grids have been reinstated in consultation with respective landowners.</p> <p>The audit reviewed the Landholders Interaction Register and it appeared to be filled in clearly and found it to be thorough.</p>	Compliant											

**Audit Table of Project Approval (including Modifications 1 – 5) Conditions: Flyers Creek Wind Farm, MP 08\_0252**

[Original Project Approval text in black, Modifications 1-4 text in blue, Modification 5 text in red]

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
F11	Any damage caused to property as a result of the Project shall be rectified or the property owner compensated, within a reasonable timeframe, with the costs borne by the Proponent.	- Landholders interaction Register (entries from 17/03/22 to 12/04/23)  - Complaints register	Evidence of consultation and subsequent rectification noted during audit. Some matters are noted to be on-going with close-out in progress.	Compliant
<b>SOIL, WATER QUALITY AND HYDROLOGY</b>				
<b>Construction Soil and Water Management</b>				
F12	Soil and water management measures consistent with <i>Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition</i> (Landcom, 2004), or its latest version, shall be employed during the construction of the Project to minimise soil erosion and the discharge of sediment and other pollutants to land and / or waters.	- Construction Soil and Water Quality Management Plan (CSWQMP), Flyers Creek Wind Farm Project (Rev. E, 25/06/20), prepared by Nacap.  - DPE approval letter of CSWQMP (Rev. E, 25/06/20) dated 03/07/20  - Erosion and Sediment Control Plans	Principals from the guideline <i>Managing Urban Stormwater - Soils and Construction Vols 1 and 2, 4th Edition</i> (Landcom, 2004) have been applied to the Erosion and Sediment Controls Plans (ESCPs), which have been developed by a specialist consultant.  Controls are in place to ensure the implementation of the ESCPs including the development of the Erosion and Sediment Control Management Action Plan (ESCMAP) dated 17/03/23. In addition, the contractor has developed and maintained an Erosion and Sediment Control Risk Register to monitor the implementation of mitigation measures outlined in the ESCPs.  <b>Opportunity for Improvement No. 6:</b> In some instances, environmental controls associated with management of potential erosion and sedimentation risks were noted to either require maintenance or removal if redundant. Erosion/sedimentation controls should be reviewed on an on-going basis to ensure required maintenance is conducted and where controls are no longer deemed necessary they should be removed. In addition, Project-based resources such as mulch generated from vegetation clearing could be used for management of potential erosion and sedimentation risks.	Compliant
F13	Where available, and of appropriate chemical and biological quality, stormwater, recycled water or other water sources shall be used in preference to potable water for construction activities, including concrete mixing and dust control.	- Construction Soil and Water Quality Management Plan (CSWQMP), Flyers Creek Wind Farm Project (Rev. E, 25/06/20), prepared by Nacap.  - DPE approval letter of CSWQMP (Rev. E, 25/06/20) dated 03/07/20  - Audit site visit observations, records of agreements with landholders	Utilisation of farm dams is encompassed in agreement with respective landowners.  Stormwater runoff is also retained and reused where applicable.	Compliant
F14	Construction activities within 40 metres of any watercourses, shall be consistent with the <i>Controlled Activity Guidelines</i> (NSW Office of Water, 2012) including, but not limited to, 'In-stream Works', 'Outlet Structures', 'Riparian Corridors', 'Vegetation Management Plans', and 'Watercourse Crossings', or any guidelines which supersede these documents.	- Consultation with DPI Fisheries in relation to construction works in close proximity to Flyers Creek (dated 23/01/23)  - Drainage Design Report (Rev. C, 30/05/22), prepared by icubed	Consultation has occurred with DPI Fisheries regarding construction works to their satisfaction.  Relevant content of the Drainage Design Report has been developed in accordance with Watercourse crossings in accordance with the Controlled Activity Guidelines (NSW Office of Water, 2012).	Compliant



Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>TRAFFIC AND TRANSPORT</b>				
<b>Designated Heavy and Over-Dimensional Vehicle Routes</b>				
F15	<p>Unless otherwise agreed by the <b>Planning Secretary</b>, prior to the commencement of construction, the Proponent must commission an independent, qualified person(s) to identify the proposed transport routes for all heavy and over-dimensional vehicle access to and from the site and agree on these routes in writing with the relevant road authority.</p> <p><i>Note: These routes will form part of the haulage route to be surveyed as required by condition F16.</i></p>	<ul style="list-style-type: none"> <li>- Route Survey Report (October 2021), prepared by ARES Group</li> <li>- Letter to DPE dated 09/11/21 providing evidence of compliance with this condition</li> <li>- DPIE receipt dated 26/11/21</li> </ul>	<p>ARES Group, who are independent and suitably qualified, undertook a route survey for designated heavy and over-dimensional vehicle access to and from site.</p> <p>Written agreement was provided by the relevant road authorities including:</p> <ul style="list-style-type: none"> <li>• Transport for NSW</li> <li>• Wollongong Council</li> <li>• Wollondilly Council</li> <li>• Wingecaribee Council</li> <li>• Goulburn Mulwaree Council</li> <li>• Upper Lachlan Shire Council</li> <li>• Yass Valley Council</li> <li>• Hilltops Council</li> <li>• Cowra Council</li> <li>• Blayney Shire Council</li> </ul>	Compliant
<b>Road Upgrades</b>				
F15A	<p>Unless otherwise agreed by the <b>Planning Secretary</b>, the Proponent must:</p> <p>(a) prior to the commencement of construction, in consultation with the relevant roads authority, prepare a report with specific details of the public road works required to facilitate the safe access of construction vehicles to the site (including any over-size and/or over-mass general construction vehicles), excluding any wider works required to facilitate delivery of the over-size and over-mass wind turbine components. The report must also detail public road works and traffic management that must be undertaken during the construction phase as part of the ongoing construction works (as agreed with the relevant roads authority). Where improvements or changes to the proposed route are required as identified in the report as having to be completed prior to the commencement of construction, the Proponent must implement these to the satisfaction of the relevant roads authority, prior to the commencement of construction and at the full expense of the Proponent; and</p> <p>(b) prior to the commencement of any over-mass or over-dimensional vehicles accessing the site specifically for the delivery of wind turbine components, in consultation with the relevant roads authority, submit a report to the Department detailing specific public road works that must be completed prior to the delivery of the wind turbine components. Where improvements are required, the Proponent must implement these to the satisfaction of the relevant roads authority, prior to the delivery of the wind turbine components to site and at the full expense of the Proponent.</p> <p>If there is a dispute about the road upgrades to be implemented, or the implementation of these upgrades, then either the Proponent or the relevant roads authority, may refer the matter to the <b>Planning Secretary</b> for resolution.</p>	<ul style="list-style-type: none"> <li>- Construction Traffic and Access Management Plan (CTAMP), Flyers Creek Wind Farm Project (Rev. G, 19/08/21), prepared by Nacap.</li> <li>- DPE approval letter of CTAMP (Rev. G, 19/08/21) dated 17/09/20</li> </ul>	<p>Requirements of this condition are discussed further within the Construction Traffic and Access Management Plan (Condition F21(c)).</p> <p>The Planning Secretary's approval letter of the CTAMP acknowledges that the CTAMP addresses the requirements of this condition.</p>	Compliant

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Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Road Dilapidation Report</b>				
F16	<p>Prior to the commencement of construction, the Proponent shall undertake a <b>Road Dilapidation Report</b> of sealed roads on the haulage route(s) within the Blayney Local Government Area. The Report shall assess the current condition of the road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the Project. <b>The Report must be undertaken using a method agreed to by the relevant roads authority and</b> submitted to the relevant road authority for review prior to the commencement of haulage.</p>	<ul style="list-style-type: none"> <li>- Road Condition Report – Preconstruction (Ver. 1), dated 0/12/21, prepared by Australian Road Research Board (ARRB)</li> <li>- Letter to DPE dated 11/01/22 providing evidence of compliance with this condition</li> <li>- DPIE receipt dated 21/01/22</li> </ul>	<p>ARRB undertook a road dilapidation survey in accordance with this condition prior to the commencement of construction.</p> <p>The method used for the dilapidation survey was agreed to by Blayney Shire Council, which is the relevant roads authority. In addition, the report was submitted to Blayney Shire Council for review and also provided to Transport for NSW for information.</p>	Compliant
<b>Road Repair</b>				
F17	<p>The Proponent shall repair all damage to sealed roads during construction. Measures undertaken to restore or reinstate roads affected by the Project shall be undertaken in accordance with the reasonable requirements of the relevant road authority (including timing requirements), and at the full expense of the Proponent. Within three months of completion of construction:</p> <p>(a) the Proponent shall undertake gravel re-sheeting to a minimum depth of <b>100</b> mm on all gravel roads used for access during construction. Works shall be completed in accordance with Roads and Maritime Services Specification M220; and</p> <p>(b) a Report shall be prepared to assess any damage to sealed roads that may have resulted from the construction of the Project (including mechanisms to restore any damage) and submitted to the relevant road authority for review.</p>	<ul style="list-style-type: none"> <li>- Correspondence between Blayney Shire Council (Director, Infrastructure Services) and the proponent dated 03/04/23 regarding Errowanbang Road repair</li> <li>- Road repair register</li> <li>- Audit site visit observations</li> </ul>	<p>Evidence of road repair witnessed during audit site visit.</p> <p>The requirements of the sub-conditions F17(a) and F17(b) do not need to be fulfilled until after the completion of construction but evidence of consultation with Blayney Shire Council, the relevant road authority, was sighted.</p>	Compliant
<b>ANCILLARY FACILITIES</b>				
F18	<p>Unless otherwise approved by the <b>Planning Secretary</b>, the location of Ancillary Facilities shall:</p> <p>(a) be located more than 50 metres from a waterway;</p> <p>(b) be located within or adjacent to the Project;</p> <p>(c) have ready access to the road network;</p> <p>(d) be located to minimise the need for heavy vehicles to travel through residential areas;</p> <p>(e) be sited on relatively level land;</p> <p>(f) be separated from nearest residences by at least 200 metres;</p> <p>(g) not require vegetation clearing beyond that already required by the Project;</p> <p>(h) not impact on heritage sites (including areas of archaeological sensitivity) beyond those already impacted by the Project;</p> <p>(i) not unreasonably affect the land use of adjacent properties;</p> <p>(j) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and</p> <p>(k) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours.</p> <p>The location of the Ancillary Facilities shall be identified in the Construction Environmental Management Plan required under condition F20 and include consideration of the above criteria. Where the above criteria cannot be met for any proposed Ancillary Facility, the Proponent shall demonstrate to the satisfaction of the <b>Planning Secretary</b> that there will be no significant adverse impact from that facility's construction or operation. Such assessment(s) can be submitted separately or as part of the Construction Environmental Management Plan.</p>	<ul style="list-style-type: none"> <li>- Construction Traffic and Access Management Plan (CTAMP), Flyers Creek Wind Farm Project (Rev. G, 19/08/21), prepared by Nacap.</li> <li>- DPE approval letter of CTAMP (Rev. G, 19/08/21) dated 17/09/20</li> </ul>	<p>The location of the Ancillary Facilities is provided within the approved CTAMP. Appendix C provides checklists to show compliance with this condition for the following six (6) ancillary facilities:</p> <ul style="list-style-type: none"> <li>• Construction Compound</li> <li>• Temporary Concrete Batch Plant</li> <li>• Laydown</li> <li>• Satellite Construction Office (Substation)</li> <li>• Satellite Construction Office (Switching Station)</li> <li>• Construction Water Tank Storage</li> </ul>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
F19	All construction ancillary facility sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the affected landowner.	N/A	N/A – no construction ancillary facility sites have been decommissioned	Not triggered
<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>				
F20	<p>Prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall prepare and implement (following approval) a <b>Construction Environmental Management Plan</b> for the Project. The Plan shall outline the environmental management practices and procedures that are to be followed during construction, and shall be prepared in consultation with the relevant government agencies (including <b>the Councils</b>). The Plan shall include, but not necessarily be limited to:</p> <p>(a) a description of activities to be undertaken during construction of the Project (including staging and scheduling);</p> <p>(b) statutory and other obligations that the Proponent is required to fulfil during construction, including approvals / consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;</p> <p>(c) a description of the roles and responsibilities for relevant employees involved in the construction of the Project, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these Conditions of Approval;</p> <p>(d) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase; and</p> <p>(e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the construction of the Project). In particular, the following environmental performance issues shall be addressed in the Plan:</p> <p>i. compounds and ancillary facilities management;</p> <p>ii. noise and vibration;</p> <p>iii. traffic and access;</p> <p>iv. soil and water quality and spoil management;</p> <p>v. air quality and dust management;</p> <p>vi. management of Aboriginal and non-Aboriginal heritage;</p> <p>vii. soil contamination, hazardous material and waste management;</p> <p>viii. management of ecological impacts; and</p> <p>ix. hazard and risk management.</p> <p>The Plan shall be submitted for the approval of the <b>Planning Secretary</b> no later than one month prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>. The Plan may be prepared in stages, however, construction works for each stage shall not commence until written approval has been received from the <b>Planning Secretary</b>.</p> <p>The approval of a Construction Environmental Management Plan does not relieve the Proponent of any requirement associated with this Approval. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this Approval, the requirements of this Approval prevail.</p>	<p>- Construction Environmental Management Plan (CEMP), Flyers Creek Wind Farm (Rev. F, 21/08/20), prepared by Nacap.</p> <p>- DPE approval letter of CEMP (Rev. F, 21/08/20) dated 04/09/20</p> <p>- Integrated Management System Weekly Environmental Inspection Form (green light elecnor group):</p> <ul style="list-style-type: none"> <li>• 17/02/23</li> <li>• 28/02/23</li> <li>• 14/03/23</li> <li>• 03/04/23</li> <li>• 11/04/23</li> </ul> <p>Flyers Creek Wind Farm Internal Environmental Audit Reports (of CEMP) prepared for Green Light Contractors by Ecology and Heritage Partners</p> <ul style="list-style-type: none"> <li>• January 2023 (Audit period: Oct-Dec 2022)</li> <li>• September 2022 (Audit period: Jun-Aug 2022)</li> </ul> <p>- Corrective Action Register</p>	<p>The CEMP has been developed and approved by DPE and site works are being completed in general accordance with the requirements of this plan.</p> <p>Section 10.1 of the CEMP requires active works to be inspected weekly using the template for the Environmental Inspection Report (located in Appendix I), or similar. The weekly inspection reports completed by the contractor did not follow the same format as the template (and therefore did not cover all relevant requirements) and some items were not checked weekly.</p> <p><b>Non-compliance No. 3 (FCWF-IEA1-NC3):</b> The format of records associated with required monitoring in accordance with the DPE-approved Construction Environmental Management Plan (CEMP), as per condition F20 of the Project approval, were not consistent with the monitoring checklist template in the CEMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required CEMP and Sub-plan monitoring had been undertaken at the time of the audit.</p> <p><b>Recommendation No. 3 (FCWF-IEA1-R3):</b> In response to Non-compliance No. 3, the monitoring schedule listed within Section 10.1 of the Construction Environmental Management Plan should be reviewed to ensure all required monitoring programs, inclusive of documentation, are conducted on an on-going basis.</p>	Non-compliant
F21	As part of the Construction Environmental Management Plan for the Project required under condition <b>F20</b> the Proponent shall prepare and implement:	N/A	N/A	Not triggered

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Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
F21 (a)	<p>a <b>Construction Compound and Ancillary Facilities Management Plan</b> to detail the management of construction ancillary facilities associated with the Project. The Plan shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>i. a description of the facility, its components and the surrounding environment;</li> <li>ii. details of the activities to be carried out at each facility, including the hours of use and the storage of dangerous and hazardous goods;</li> <li>iii. an assessment against the locational criteria outlined in condition F18;</li> <li>iv. details of the mitigation and management procedures specific to the facility that would be implemented to minimise environmental and amenity impacts, and an assessment of the adequacy of the mitigation or offsetting measures;</li> <li>v. identification of the timing for the completion of activities at the facility and how the site will be decommissioned (including any necessary rehabilitation); and</li> <li>vi. mechanisms for the monitoring, review and amendment of this Plan.</li> </ul>	<ul style="list-style-type: none"> <li>- Construction Compound and Ancillary Facilities Management Plan (CCAFMP), Flyers Creek Wind Farm (Rev. F, 29/10/21), prepared by Nacap.</li> <li>- DPE approval letter of CCAFMP (Rev. F, 29/10/21) dated 05/11/21</li> <li>- Integrated Management System Weekly Environmental Inspection Form (green light elecpor group):                             <ul style="list-style-type: none"> <li>• 17/02/23</li> <li>• 28/02/23</li> <li>• 14/03/23</li> <li>• 03/04/23</li> <li>• 11/04/23</li> </ul> </li> </ul>	<p>The CCAFMP has been developed and approved by DPE and ancillary sites have been constructed and operated in general accordance with this plan.</p> <p>Routine monitoring is conducted to assess environmental performance and compliance with approval conditions.</p>	Compliant
F21 (b)	<p>a <b>Construction Noise and Vibration Management Plan</b> to detail how construction noise and vibration impacts will be minimised and managed. The Plan shall be consistent with the guidelines contained in the <i>Interim Construction Noise Guidelines</i> (DECC, 2009) and shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of sensitive receivers and relevant construction noise and vibration goals applicable to the Project stipulated in this approval;</li> <li>ii. details of construction activities and an indicative schedule for construction works, including the identification of key noise and / or vibration generating construction activities (based on representative construction scenarios, including at ancillary facilities) that have the potential to generate noise and / or vibration impacts on surrounding sensitive receivers;</li> <li>iii. identification of feasible and reasonable measures proposed to be implemented to minimise and manage construction noise and vibration impacts (including construction traffic noise impacts);</li> <li>iv. procedures and mitigation measures to ensure relevant vibration and blasting criteria are achieved, including a suitable blast program, applicable buffer distances for vibration intensive works, use of low-vibration generating equipment / vibration dampeners or alternative construction methodology, and pre- and post- construction dilapidation surveys of sensitive structures where blasting and / or vibration is likely to result in damage to buildings and structures (including surveys being undertaken immediately following a monitored exceedance of the criteria);</li> <li>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 conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported, and, if any exceedance is detected, how any non-compliance would be rectified; and</li> <li>vi. mechanisms for the monitoring, review and amendment of this Plan.</li> </ul>	<ul style="list-style-type: none"> <li>- Construction Noise and Vibration Management Plan (CNVMP), Flyers Creek Wind Farm Project (Rev. D, 11/05/20), prepared by Nacap.</li> <li>- DPE approval letter of CNVMP (Rev. D, 11/05/20) dated 14/05/20</li> <li>- Integrated Management System Weekly Environmental Inspection Form (green light elecpor group):                             <ul style="list-style-type: none"> <li>• 17/02/23</li> <li>• 28/02/23</li> <li>• 14/03/23</li> <li>• 03/04/23</li> <li>• 11/04/23</li> </ul> </li> <li>- Complaints Register</li> <li>- Noise monitoring register and associated reports</li> </ul>	<p>The CNVMP has been developed and approved by DPE and site works are being completed in general accordance with the requirements of this plan.</p> <p>Routine monitoring is conducted to assess environmental performance and compliance with approval conditions.</p> <p><b>Non-compliance No. 4 (FCWF-IEA1-NC4):</b> Records associated with required monitoring following receipt of noise complaints in accordance with the DPE-approved Construction Noise and Vibration Management Plan, as per condition F21(b) of the Project approval, and associated Noise Monitoring Protocol were not available at the time of the audit; as such, it could not be confirmed if all required monitoring had been undertaken at the time of the audit.</p> <p><b>Recommendation No. 4 (FCWF-IEA1-R4):</b> In response to Non-compliance No. 4, the monitoring associated with post-complaint follow-up as presented with the Noise Monitoring Protocol of the Construction Noise and Vibration Management Plan should be reviewed and the required monitoring program, inclusive of documentation, instigated as soon as practicable.</p>	Non-compliant
F21 (c)	<p>a <b>Construction Traffic and Access Management Plan</b> to manage construction traffic and access impacts of the Project. The Plan shall be developed in consultation with the relevant road authority and shall include, but not necessarily be limited:</p> <ul style="list-style-type: none"> <li>i. identification of construction traffic routes and construction traffic volumes (including heavy vehicle / spoil haulage / material haulage) on these routes;</li> <li>ii. details of vehicle movements for construction sites and site compounds including parking, dedicated vehicle turning areas, and ingress and egress points;</li> </ul>	<ul style="list-style-type: none"> <li>- Construction Traffic and Access Management Plan (CTAMP), Flyers Creek Wind Farm Project (Rev. G, 19/08/21), prepared by Nacap.</li> <li>- DPE approval letter of CTAMP (Rev. G, 19/08/21) dated 17/09/20</li> </ul>	<p>The CTAMP has been developed and approved by DPE and site works are being completed in general accordance with the requirements of this plan.</p> <p>Routine monitoring is conducted to assess environmental performance and compliance with approval conditions.</p>	Compliant



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	iii. identification of construction impacts that could result in disruption of traffic, public transport (inclusive of school buses), pedestrian and cycle access, property access, including details of oversize load movements; iv. details of management measures to minimise traffic impacts, including temporary road work traffic control measures, onsite vehicle queuing and parking areas and management measures to minimise peak time congestion (including on school buses), and measures to ensure safe pedestrian and cycle access; v. a response plan which sets out a proposed response to any traffic, construction or other incident; and vi. mechanisms for the monitoring, review and amendment of this Plan.	- Integrated Management System Weekly Environmental Inspection Form (green light elecnor group): <ul style="list-style-type: none"> <li>• 17/02/23</li> <li>• 28/02/23</li> <li>• 14/03/23</li> <li>• 03/04/23</li> <li>• 11/04/23</li> </ul> - GLC Site Inspection (Safety Barricading), 02/04/23		
F21 (d)	a <b>Construction Soil and Water Quality Management Plan</b> to manage surface and groundwater impacts during construction of the Project. The plan shall be developed in consultation with <b>DoI – L&amp;W</b> and Blayney Shire Council and include, but not necessarily be limited to: <ol style="list-style-type: none"> <li>i. details of construction activities and their locations, which have the potential to impact on water courses, storage facilities, stormwater flows, and groundwater;</li> <li>ii. surface water and ground water impact assessment criteria consistent with <i>Australian and New Zealand Environment Conservation Council (ANZECC) guidelines</i>;</li> <li>iii. management measures to be used to minimise surface and groundwater impacts, including details of how spoil and fill material required by the Project will be sourced, handled, stockpiled, reused and managed, erosion and sediment control measures, and the consideration of flood events;</li> <li>iv. management measures for contaminated material and a contingency plan to be implemented in the case of unanticipated discovery of contaminated material during construction;</li> <li>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, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported, and, if any exceedance of the criteria is detected how any non-compliance can be rectified; and</li> <li>vi. mechanisms for the monitoring, review and amendment of this Plan.</li> </ol>	- Construction Soil and Water Quality Management Plan (CSWQMP), Flyers Creek Wind Farm Project (Rev. E, 25/06/20), prepared by Nacap.  - DPE approval letter of CSWQMP (Rev. E, 25/06/20) dated 03/07/20  - Integrated Management System Weekly Environmental Inspection Form (green light elecnor group): <ul style="list-style-type: none"> <li>• 17/02/23</li> <li>• 28/02/23</li> <li>• 14/03/23</li> <li>• 03/04/23</li> <li>• 11/04/23</li> </ul> - Integrated Management System Water testing results (dewatering records): <ul style="list-style-type: none"> <li>• 10/02/23</li> <li>• 04/05/23</li> <li>• 05/05/23</li> </ul>	The CSWQMP has been developed and approved by DPE and site works are being completed in general accordance with the requirements of this plan.  Routine monitoring is conducted to assess environmental performance and compliance with approval conditions.  Some evidence of mud-tracking / drag-out was noted from Project access points on to Panuara Road and Errowanbang Road at the time of the audit site inspection. Additional measures to control potential mud-tracking such as sealing of gate areas, installation of shaker grids and routine street-sweeping should be considered if this issue continues to be observed.  <b>Non-compliance No. 5 (FCWF-IEA1-NC5):</b> The format of records associated with required monitoring in accordance with the Construction Soil and Water Quality Management Plan (CSWQMP), as per condition F21(d) of the Project approval, were not consistent with the requirements of the CSWQMP and in some instances monitoring of required items was not documented. As such, it could not be confirmed that all required monitoring had been undertaken at the time of the audit. Following two (2) incidents related to erosion/sedimentation issues, non-compliance with the CSWQMP was formally reported to DPE. In addition, following reporting of erosion/sedimentation issues to the NSW EPA, Project EPL was varied to require implementation of a Pollution Reduction Program related to the management of potential erosion and sedimentation risks.  <b>Recommendation No. 5 (FCWF-IEA1-R5):</b> In response to Non-compliance No. 5, the monitoring schedule listed within Section 8.1 of the Construction Soil and Water Quality Management Plan should be reviewed and the required monitoring program, inclusive of documentation, instigated as soon as practicable. All required measures associated with the EPA mandated Pollution Reduction Program should	Non-compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
			also be instigated following the reported non-compliances of February 2023 related to erosion and sedimentation issues.  <b>Opportunity for Improvement No. 7:</b> Some evidence of mud-tracking/drag-out was noted from Project access points onto Panuara Road and Errowanbang Road at the time of the audit site inspection. Additional measures to control potential mud-tracking such as sealing of gate areas, installation of shaker grids and routine street-sweeping should be considered if this issue continues to be observed.	
F21 (e)	a <b>Construction Heritage Management Plan</b> to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed. The Plan shall be developed in consultation with the <b>Heritage NSW</b> and registered Aboriginal stakeholders (for Aboriginal heritage), and include, but not necessarily be limited to: <ul style="list-style-type: none"> <li>i. in relation to Aboriginal Heritage:                             <ul style="list-style-type: none"> <li>▪ details of further investigation and identification of Aboriginal cultural heritage sites within the Project area;</li> <li>▪ details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation, of sites and items associated with the Project;</li> <li>▪ procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified archaeologist in consultation with the Department, <b>Heritage NSW</b> and registered Aboriginal stakeholders, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the Project, and registering of the new site in the <b>Heritage NSW</b>'s Aboriginal Heritage Information Management System (AHIMS) register;</li> <li>▪ procedures for dealing with human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force, <b>Heritage NSW</b> and registered Aboriginal stakeholders and not recommending any works in the area unless authorised by the Department and / or the NSW Police Force;</li> <li>▪ heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this Approval and <i>National Parks and Wildlife Act 1974</i> (where relevant) including site identification, protection and conservation of Aboriginal cultural heritage;</li> <li>▪ procedures for ongoing Aboriginal consultation and involvement for the duration of the Project, and ensure that the Orange Local Aboriginal Land Council (administrator) and Wiradjuri Traditional Owners Central West Corporation is kept informed of the process; and</li> <li>▪ mechanisms for the monitoring, review and amendment of this plan.</li> </ul> </li> <li>ii. in relation to Historic Heritage:                             <ul style="list-style-type: none"> <li>▪ identification of heritage items directly and indirectly affected by the Project;</li> <li>▪ details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Construction Heritage Management Plan (CHMP), Flyers Creek Wind Farm Project (Rev. F, 10/06/20), prepared by Nacap.</li> <li>- DPE approval letter of CHMP (Rev. F, 10/06/20) dated 18/06/20</li> <li>- Copies of weekly inspections and monitoring as required in Section 8.1 of the CHMP</li> <li>- Copies of internal audits as required in Section 8.2 of the CHMP</li> <li>- Evidence of annual review of CHMP (in accordance with commitment in Section 8.3 of the CHMP)</li> <li>- Unexpected Finds reporting</li> <li>- Copies of monthly reports as required in Section 9.2 of CHMP</li> <li>- Any other relevant information regarding Unexpected Finds or heritage</li> </ul>	All requirements of the CEMP in respect to heritage have been adequately addressed and incorporated into regular Project activity planning.  Measures to proactively identify new Aboriginal sites within the Project area exceed requirements.  Implementation of unexpected finds protocol in response to discovery of an unexpected mine shaft feature in January 2023 managed well.  <b>Opportunity for Improvement No. 8:</b> <ul style="list-style-type: none"> <li>• “Housekeeping” is required on temporary fencing around some Heritage sites through linking of all fencing panels and arrangement in an orderly fashion;</li> <li>• Suitable signage was observed on some temporary fences around heritage sites, but could be improved through consistent wording on professional printed signs;</li> <li>• Improved signage alerting personnel to the presence of an unfenced heritage site more than 50 metres from the Project track is warranted at the Old Hut site, FCWF-S-06 and other heritage sites close to tracks;</li> <li>• Discarded or redundant green barrier fencing materials should be removed from heritage sites, e.g. at FCWF-S-04;</li> <li>• A live register of all heritage investigations should be maintained as part of the CHMP;</li> <li>• A live register of all heritage sites should be maintained as part of the CHMP with verification of AHIMS registration through a search of the AHIMS register at the time of CHMP review;</li> <li>• The above should be included in an annual review of the CHMP in accordance with CHMP section 8.3;</li> <li>• The CHMP contact details for the relevant NSW Government regulatory agency need to be updated in CHMP Appendix D;</li> </ul>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>recordings and / or measures to protect unaffected sites during construction works in the vicinity);</p> <ul style="list-style-type: none"> <li>▪ procedures for dealing with previously unidentified heritage objects (including cessation of works in the vicinity), assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can recommence by a suitably qualified and experienced archaeologist in consultation with the <b>Heritage NSW</b> and the Department, and assessment of the consistency of any new heritage impacts against the approved impacts of the Project;</li> <li>▪ heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under the <i>Heritage Act 1977</i> and these conditions) including site identification, protection and conservation of non-Aboriginal cultural heritage; and</li> <li>▪ mechanisms for the monitoring, review and amendment of this plan.</li> </ul>		<ul style="list-style-type: none"> <li>• Recorded Aboriginal sites should be registered with the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) no later than one month after discovery, and all AHIMS site numbers noted in the live CHMP document; and</li> <li>• Heritage maps in GIS systems should be updated and physical maps displayed in relevant Project facilities should be replaced at least quarterly.</li> </ul>	
F21 (f)	<p>a <b>Construction Flora and Fauna Management Plan</b> to detail how construction impacts on ecology will be minimised and managed. The Plan shall be developed in consultation with the <b>BCS</b> and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. plans and tables for impacted and adjoining areas showing vegetation communities (identified to Plant Community Type); watercourses; remnant vegetation (including scattered trees); important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location, description of condition, status, numbers, area (hectares) of threatened flora and fauna species and associated habitat features;</li> <li>ii. procedures for minimising the extent of vegetation clearing and replacement of any fauna habitat;</li> <li>iii. the identification of areas to be cleared and details of management measures (such as fencing, clearing procedures, removal and relocation of fauna during clearing, habitat tree management and construction worker education) to avoid any residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat;</li> <li>iv. rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas;</li> <li>v. weed management measures focusing on early identification of invasive weeds and effective management controls;</li> <li>vi. a description of how the effectiveness of these actions and measures would be monitored, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported and, if any exceedance of the criteria is detected, how any non-compliance can be rectified;</li> <li>vii. a procedure for dealing with unexpected EEC / threatened species identified during construction, including cessation of work and notification of the <b>BCS</b> and the Department, determination of appropriate mitigation measures in consultation with the <b>BCS</b> (including relevant re-location measures) and updating of ecological monitoring and / or biodiversity offset requirements; and</li> <li>viii. mechanism for the monitoring, review and amendment of this Plan.</li> </ul>	<ul style="list-style-type: none"> <li>- Construction Flora and Fauna Management Plan (CFFMP), Flyers Creek Wind Farm Project (Rev. F, 16/12/21), prepared by Nacap.</li> <li>- DPE approval letter of CFFMP (Rev. F, 16/12/21) dated 17/02/22</li> <li>- Copies of weekly inspections and monitoring as required in Section 8.1 of the CFFMP</li> <li>- Copies of internal audits as required in Section 8.2 of the CFFMP</li> <li>- Evidence of annual review of CFFMP (in accordance with commitment in Section 8.3 of the CFFMP)</li> <li>- Copies of monthly reports as required in Section 9.2 of CFFMP</li> </ul>	<p>A Construction Flora and Fauna Management Plan (CFFMP) has been developed by Nacap and details how construction impacts on flora and fauna will be minimised and managed.</p> <p>The CFFMP was developed in consultation with BCS as described in Section 1.6 of the plan. The CFFMP was approved by DPE (letter dated 17/02/22). DPE stated that is has carefully reviewed the document and is satisfied that the Plan meets the requirements of the approval.</p> <p>Scout conducted a high-level review of the CFFMP and assessed it as being adequate and current.</p> <p>The CFFMP includes:</p> <ul style="list-style-type: none"> <li>• Maps of PCTs, project layout, watercourses etc. These maps are supported by other plans, GIS and a spreadsheet documenting the monthly project clearing.</li> <li>• Procedures for minimising the extent of clearing, and measures for identification of clearing limits (e.g. MM8 to MM13 and MM20 to MM47), such as implementation of micro-siting surveys and pre-clearing surveys.</li> <li>• Rehabilitation measures (MM48 to MM55) with the principal method of regeneration and restoration of disturbed areas being the re-spreading of the preserved topsoil containing existing seed bank stock and propagules associated with the pre-disturbance vegetation communities or pastures.</li> <li>• Information relating to weed management (MM14 to MM19), including the implementation of a Weed Hygiene Register, weed monitoring and recommended methods for control (Appendix C).</li> <li>• Details on inspections, monitoring, audits and CFFMP review and improvements (Section 8.1 to 8.4); and</li> </ul>	Compliant



Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> <li>• Unexpected finds protocol (Appendix D) that provides guidance to construction personnel (and contractors) in the event that a threatened species is un-expectedly found within the Project area.</li> </ul> <p>Copies of the inspection reports, pre-start meetings, internal audits, reviews and monthly reporting demonstrate the implementation of the CFFMP, including positive observations (and outcomes), and where non-conformances have been identified and rectified, or are being rectified.</p> <p><b>Opportunity for Improvement No. 9:</b></p> <ul style="list-style-type: none"> <li>• <i>Update mapping of native vegetation and clearing data.</i> The mapped cleared areas need to include the full extent of land disturbance, particularly in areas of native vegetation. The disturbance needs to include the direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance associated with construction and revegetation of batters and drains/culverts;</li> <li>• <i>Fencing.</i> Improve fencing and demarcation of environmentally sensitive areas (e.g. Box-Gum Woodland). Areas to be retained should be fully fenced to minimise the risk of accidental clearing, or accidental disturbance by construction machinery;</li> <li>• <i>Rehabilitation Plan.</i> Specific details on rehabilitation in the form of a Rehabilitation Plan as described in the CFFMP. The rehabilitation needs to consider the varying landscapes and condition of previously mapped vegetation. The use of hydromulch with winter pasture blend is not recommended in areas previously containing a native grassy understorey. The pasture blend has the potential to prevent the successful re-establishment of native grassland. Some areas of Box-Gum Woodland EEC contain a native grassy understorey, while others are exotic pasture. These areas need to be accurately mapped and included in the Rehabilitation Plan;</li> <li>• <i>Monitoring.</i> Improve details on monitoring as described in the Conditions of Consent is recommended. Monitoring details are limited within the CFFMP, other than stating that monitoring would be completed and the broad objectives and targets in Section 1.5 (Table 1), which are mostly relating to incidents, inductions and compliance with approvals. For example, there are no details on performance measures (e.g. for rehabilitation or weed cover) and how monitoring actions will be implemented and what happens if performance measures are not met;</li> </ul>	



Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> <li>• <i>Weed Management Control</i>. Improved details and emphasis on weed management control is required. Several invasive and prohibited weeds were identified during the site inspection in areas adjoining current construction and on rehabilitated areas. Left uncontrolled these weeds have the potential to affect rehabilitation success, and spread further into adjoining undisturbed land, including Box-Gum Woodland EEC. Considering the agricultural nature of the project area, there is a risk that most topsoil, even from areas with a native grassy understorey will have high weed loads. When this topsoil is re-spread after stockpiling and conditions are right (e.g. seasonal rain), weed cover has the potential to establish quickly preventing native species growth;</li> <li>• <i>Woody debris</i>. Minor branches and leaves can be mulched and utilised in areas of high erosion risk (e.g. steep slopes) to reduce raindrop impact and assist in slope stabilisation. Stockpiled woody debris such as major branches and trunks could be placed on revegetated batter slopes to assist in long-term stability by slowly overland flow and capturing fine particulate matter, subject to landholder agreement; and</li> <li>• <i>Biodiversity Offset Package</i>. Expediting the Biodiversity Offset Package to ensure compliance with requiring the offset liability within 2 years of start of construction of the project. Acquitting a project credit liability through a Biodiversity Stewardship Site Agreement (BSA) is typically an 18-to-24-month exercise. Payment into the Biodiversity Conservation Fund (BCF) and/or purchasing credits on the open market can be done relatively quickly, but is typically a much more expensive option and not favoured when there is a high credit liability.</li> </ul>	
F21 (g)	<p>a <b>Construction Air Quality Management Plan</b> to detail how construction impacts on air quality will be minimised and managed. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. the identification of potential sources of dust;</li> <li>ii. dust management objectives;</li> <li>iii. mitigation measures to be implemented, including measures during weather conditions where high dust level episodes are probable (such as strong winds in dry weather);</li> <li>iv. a monitoring program to assess compliance with the identified objectives; and</li> <li>v. mechanisms for the monitoring, review and amendment of this Plan.</li> </ul>	<ul style="list-style-type: none"> <li>- Construction Air Quality Management Plan (CAQMP), Flyers Creek Wind Farm Project (Rev. D, 05/05/20), prepared by Nacap.</li> <li>- DPE approval letter of CAQMP (Rev. D, 05/05/20) dated 08/05/20</li> <li>- Integrated Management System Weekly Environmental Inspection Form (green light elecnor group):                             <ul style="list-style-type: none"> <li>• 17/02/23</li> <li>• 28/02/23</li> <li>• 14/03/23</li> <li>• 03/04/23</li> <li>• 11/04/23</li> </ul> </li> </ul>	<p>The CAQMP has been developed and approved by DPE and site works are being completed in general accordance with the requirements of this plan.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
		- Pre-Start Meeting Forms		
F21 (h)	<p>a <b>Bushfire Management Plan</b> to detail measures to prevent fires during the construction phase. <b>This Plan shall be developed in consultation with the Forestry Corporation NSW and shall include:</b></p> <ul style="list-style-type: none"> <li>i. work involving risk of ignition that should not be carried out during a total fire ban;</li> <li>ii. availability of fire suppression equipment;</li> <li>iii. storage and maintenance of fuels and other flammable materials; and</li> <li>iv. notification of the Canobolas Zone Rural Fire Service Fire Control Centre for works proposed to be carried out during high fire danger periods to ensure weather conditions are appropriate.</li> </ul>	<p>- Bushfire Management Plan (BMP), Flyers Creek Wind Farm Project (Rev. E, 15/06/20), prepared by Nacap.</p> <p>- DPE approval letter of BMP (Rev. E, 15/06/20) dated 18/06/20</p> <p>- Project team correspondence discussing the outcomes of meeting/site visit with RFS</p>	<p>The BMP has been developed and approved by DPE and site works are being completed in general accordance with the requirements of this plan.</p> <p>Evidence was sighted of ongoing consultation with RFS, including site visit in January 2023, to view firefighting resources.</p> <p>Further information is provided in the “Bushfire Risk” conditions (D15 – D19).</p>	Compliant
<b>SCHEDULE G – OPERATION ENVIRONMENTAL MANAGEMENT</b>				
<b>HAZARD AND RISK</b>				
<b>Bushfire Risk</b>				
G1	Throughout the operational life of the Project, the Proponent shall regularly consult with the Canobolas Zone Rural Fire Service to ensure its familiarity with the Project. The Proponent shall comply with any reasonable request of the Canobolas Zone Rural Fire Service to reduce the risk of bushfire and to enable fast access in emergencies.	N/A	N/A – related to operation phase of project	Not triggered
<b>Safety Management System</b>				
G2	At least two months prior to the commencement of commissioning, the Proponent shall prepare a report outlining a comprehensive <b>Safety Management System</b> , covering all on-site systems relevant to ensuring the safe operation of the Project. The System 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 at the site and shall be available for inspection by the Department upon request. The Safety Management System shall be developed in accordance with the <i>Department’s Hazardous Industry Planning Advisory Paper No. 9, ‘Safety Management’</i> , and should include: <ul style="list-style-type: none"> <li>(a) procedures and programs for the maintenance and testing of the safety related equipment to ensure its integrity over the life of the Project; and</li> <li>(b) an outline of a documented procedure for the management of change.</li> </ul>	N/A	<p>N/A - not required to be prepared until two months prior to commencement of commissioning</p> <p>The proponent reported that the Safety Management System is currently being prepared and will be finalised by July 2023.</p>	Not triggered
<b>Television, Radio and Telephone/Internet Interference</b>				
G3	Prior to the commencement of commissioning of the Project, the Proponent shall undertake an assessment of the existing quality of the television, radio and telephone/internet transmission available at a representative sample of receivers located within five kilometres of any wind turbine.	N/A	N/A – related to operation phase of project	Not triggered
G4	In the event of a complaint from a receptor located within five kilometres of a wind turbine regarding television / radio / telephone / internet transmission during the operation of the Project, the Proponent shall investigate the quality of transmission at the receptor compared with the pre-commissioning assessment and where any transmission problems can be reasonably attributable to the Project, rectify the problems as soon as possible and within three months of the receipt of the complaint, through the implementation of measures including:	N/A	N/A – related to operation phase of project	Not triggered

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	(a) modification to or replacement of receiving antenna; (b) installation and maintenance of a parasitic antenna system; (c) provision of a land line between the affected receptor and an antenna located in an area of favourable reception; and / or (d) other feasible measures.  If interference cannot be overcome by the measures outlined in (a) to (d), the Proponent shall negotiate with the impacted landowner(s) about installing and maintaining a satellite receiving antenna. The Proponent shall be responsible for all costs associated with any such mitigation measures.																																																																																																		
<b>REHABILITATION AND REVEGETATION</b>																																																																																																			
G5	Deleted.	N/A	N/A	N/A																																																																																															
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<b>Operational Noise Criteria – Wind Turbines</b>																																																																																																			
G7	The Proponent must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 3 at any non-associated residence.  <i>Table 3: Noise criteria dB(A)</i> <table border="1" data-bbox="379 1171 1249 1816"> <thead> <tr> <th rowspan="2">Residence</th> <th colspan="11">Criteria (dB(A)) Referenced to Hub Height (85m AGL) Wind Speed (m/s)</th> </tr> <tr> <th>3 or less</th> <th>4</th> <th>5</th> <th>6</th> <th>7</th> <th>8</th> <th>9</th> <th>10</th> <th>11</th> <th>12</th> <th>13</th> </tr> </thead> <tbody> <tr> <td>R010, R011, R012, R013, R014, R046, R048, R057, R071, R072, R074, R095, R102</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>39</td> <td>40</td> <td>41</td> <td>42</td> <td>43</td> <td>44</td> </tr> <tr> <td>R023, R024, R025, R043, R055, R090, R108</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>39</td> <td>40</td> <td>40</td> <td>41</td> </tr> <tr> <td>R027, R044</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>38</td> <td>39</td> <td>40</td> <td>41</td> <td>42</td> </tr> <tr> <td>R056, R077, R078, R099</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> </tr> <tr> <td>R089</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>43</td> <td>43</td> </tr> <tr> <td>All other residences not associated with the project and wind speeds &gt; 12m/s</td> <td colspan="11">The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)</td> </tr> </tbody> </table> <p><i>Note: To identify the residences referred to in Table 3, see the applicable figure in Appendix 2.</i></p> <p>Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the Department's <i>Wind Energy: Noise Assessment</i></p>	Residence	Criteria (dB(A)) Referenced to Hub Height (85m AGL) Wind Speed (m/s)											3 or less	4	5	6	7	8	9	10	11	12	13	R010, R011, R012, R013, R014, R046, R048, R057, R071, R072, R074, R095, R102	35	35	36	37	38	39	40	41	42	43	44	R023, R024, R025, R043, R055, R090, R108	35	35	35	35	36	37	38	39	40	40	41	R027, R044	35	35	35	35	35	36	38	39	40	41	42	R056, R077, R078, R099	35	35	35	35	35	35	36	37	38	40	41	R089	35	35	35	35	37	39	40	42	43	43	43	All other residences not associated with the project and wind speeds > 12m/s	The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)											N/A	N/A – related to operation phase of project	Not triggered
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	<p><i>Bulletin</i> (2016) (or its latest version) and the provisions in Appendix 2. If this guideline is replaced by an equivalent NSW guideline, then the noise generated is to be measured in accordance with the requirements in the NSW guideline.</p> <p>However, these criteria do not apply if the Proponent has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.</p>				
<b>Operational Noise Criteria - Ancillary Infrastructure</b>					
G8	<p>The Proponent must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) <math>L_{Aeq(15 \text{ minute})}</math> at any residence not associated with the project.</p> <p>Noise generated by the operation of ancillary infrastructure is to be measured in accordance with the relevant requirements of the <i>NSW Industrial Noise Policy</i> (or its equivalent).</p>	N/A	N/A – related to operation phase of project	Not triggered	
<b>Operational Noise Monitoring</b>					
G9	<p>Within 3 months of the commencement of operations (or the commencement of operation of a cluster of turbines, if the project is to be staged), unless otherwise agreed by the <b>Planning Secretary</b>, the Proponent must:</p> <p>(a) undertake noise monitoring to determine whether the project is complying with the relevant conditions of this approval; and</p> <p>(b) submit a copy of the monitoring results to the Department and the EPA.</p>	N/A	N/A – related to operation phase of project	Not triggered	
G10	<p>The Proponent must undertake further noise monitoring of the project if required by the <b>Planning Secretary</b>.</p>	N/A	N/A – related to operation phase of project	Not triggered	
<b>OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN</b>					
G11	<p>Prior to the commencement of operation, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall prepare and implement (following approval) an <b>Operation Environmental Management Plan</b> for the Project. The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the <i>Guideline for the Preparation of Environmental Management Plans</i> (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to:</p> <p>(a) a description of activities to be undertaken during operation of the Project (including staging and scheduling);</p> <p>(b) statutory and other obligations that the Proponent is required to fulfil during operation, including approval / consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;</p> <p>(c) overall environmental policies, guidelines and principles to be applied to the operation of the Project;</p> <p>(d) a description of the roles and responsibilities for relevant employees involved in the operation of the Project, including relevant training and induction provisions for ensuring</p>	- Operational Environmental Management Plan (OEMP) report outline	N/A – related to operation phase of project	An outline of the OEMP was provided to the auditor. The proponent is currently developing the OEMP and intends on submitting to DPE in July 2023.	Not triggered

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>that employees are aware of their environmental and compliance obligations under these Conditions of Approval;</p> <p>(e) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase of the Project; and</p> <p>(f) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts, including those safeguards and mitigation measures detailed in the EA (and any impacts arising from the staging of the construction of the Project).</p> <p>The Plan shall be submitted for the approval of the <b>Planning Secretary</b> no later than one month prior to the commencement of operation, or as otherwise agreed by the <b>Planning Secretary</b>. Operation shall not commence until written approval has been received from the <b>Planning Secretary</b>. Upon receipt of the <b>Planning Secretary's</b> approval, the Proponent shall make the Plan publicly available as soon as practicable.</p> <p><i>Note: The approval of an Operation Environmental Management Plan does not relieve the Proponent of any other requirement associated with this Project Approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this Project Approval, the requirements of this Project Approval prevail.</i></p>			
G12	<p>As part of the Operation Environmental Management Plan required under condition <b>G11</b>, the Proponent shall prepare and implement a Bushfire Management Plan to detail measures to prevent fires during the operational phase including:</p> <p>(a) work involving risk of ignition that should not be carried out during a total fire ban;</p> <p>(b) availability of fire suppression equipment;</p> <p>(c) storage and maintenance of fuels and other flammable materials;</p> <p>(d) notification of the Canobolas Zone Rural Fire Service Fire Control Centre for works proposed to be carried out during high fire danger periods to ensure weather conditions are appropriate; and</p> <p>(e) managing operations to assist bush fire fighting in the vicinity of the wind farm (e.g potentially switching off turbines).</p>	N/A	N/A – related to operation phase of project	Not triggered
<b>SCHEDULE H – ADDITIONAL PROCEDURES</b>				
<b>DECOMMISSIONING</b>				
H1	<p>Within 18 months of the cessation of operations, unless the <b>Planning Secretary</b> agrees otherwise, the Proponent shall rehabilitate the site to the satisfaction of the <b>Planning Secretary</b>. This rehabilitation must comply with the objectives in Table 4.</p>	N/A	N/A – related to decommissioning phase of project	Not triggered



Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status																		
	<p><i>Table 4: Rehabilitation Objectives</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Project site (as a whole)</td> <td> <ul style="list-style-type: none"> <li>Safe, stable and non-polluting</li> <li>Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use as far as is reasonable and feasible</li> </ul> </td> </tr> <tr> <td>Revegetation</td> <td> <ul style="list-style-type: none"> <li>Restore native vegetation generally as identified in the EA</li> </ul> </td> </tr> <tr> <td>Above ground wind turbine infrastructure (excluding wind turbine pads)</td> <td> <ul style="list-style-type: none"> <li>To be decommissioned and removed, unless the <b>Planning Secretary</b> agrees otherwise</li> </ul> </td> </tr> <tr> <td>Wind turbine pads</td> <td> <ul style="list-style-type: none"> <li>To be covered with soil and/or rock and revegetated</li> </ul> </td> </tr> <tr> <td>Above ground ancillary infrastructure</td> <td> <ul style="list-style-type: none"> <li>To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the <b>Planning Secretary</b></li> </ul> </td> </tr> <tr> <td>Internal access roads</td> <td> <ul style="list-style-type: none"> <li>To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the <b>Planning Secretary</b></li> </ul> </td> </tr> <tr> <td>Land use</td> <td> <ul style="list-style-type: none"> <li>Restore or maintain land capability as described in the EA</li> </ul> </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> <li>Ensure public safety</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	Project site (as a whole)	<ul style="list-style-type: none"> <li>Safe, stable and non-polluting</li> <li>Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use as far as is reasonable and feasible</li> </ul>	Revegetation	<ul style="list-style-type: none"> <li>Restore native vegetation generally as identified in the EA</li> </ul>	Above ground wind turbine infrastructure (excluding wind turbine pads)	<ul style="list-style-type: none"> <li>To be decommissioned and removed, unless the <b>Planning Secretary</b> agrees otherwise</li> </ul>	Wind turbine pads	<ul style="list-style-type: none"> <li>To be covered with soil and/or rock and revegetated</li> </ul>	Above ground ancillary infrastructure	<ul style="list-style-type: none"> <li>To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the <b>Planning Secretary</b></li> </ul>	Internal access roads	<ul style="list-style-type: none"> <li>To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the <b>Planning Secretary</b></li> </ul>	Land use	<ul style="list-style-type: none"> <li>Restore or maintain land capability as described in the EA</li> </ul>	Community	<ul style="list-style-type: none"> <li>Ensure public safety</li> </ul>			
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<b>Progressive Rehabilitation</b>																						
H2	<p>The Proponent must:</p> <p>(a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning;</p> <p>(b) minimise the total area exposed at any time; and</p> <p>(c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the site that cannot yet be permanently rehabilitated.</p>	<ul style="list-style-type: none"> <li>- ESCP plans</li> <li>- Soil Conservation Consultant designs/reports</li> <li>- Site observations 10/05/23</li> <li>- Implementation of EPL Pollution Reduction Program</li> </ul>	- Evidence on progressive stabilisation observed during Audit including segregation of topsoil and associated seedbank for reuse, placement of jute-matting, rock-lining of drainage channels and hydroseeding.	Compliant																		
H3	<p>Prior to the cessation of operations, the Proponent shall prepare a detailed Decommissioning Plan for the Project to the satisfaction of the <b>Planning Secretary</b>. This plan must outline the detailed measures that would be implemented to achieve the objectives in Table 4 above.</p>	N/A	N/A – related to decommissioning phase of project	Not triggered																		
H4	<p>Unless otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:</p> <p>(a) prior to the commencement of decommissioning, review the proposed route and existing access provisions to the <b>Project</b> to determine whether the route and existing provisions allow for safe access of decommissioning vehicles associated with the Project (including appropriate site distances and provisions for over-mass or over-dimensional transport and safety with other road users). Where improvements or changes to the proposed route are required, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of decommissioning and at the full expense of the Proponent; and</p> <p>(b) assess all roads proposed to be used for over-mass and / or over-dimensional transport (including intersections, bridges, culverts and other road features) prior to the commencement of decommissioning to determine whether the existing road condition can accommodate the proposed over-mass and / or over-dimensional haulage. Where improvements are required, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of decommissioning and at the full expense of the Proponent.</p>	N/A	N/A – related to decommissioning phase of project	Not triggered																		



**Audit Table of Project Approval (including Modifications 1 – 5) Conditions: Flyers Creek Wind Farm, MP 08\_0252**

[Original Project Approval text in black, Modifications 1-4 text in blue, Modification 5 text in red]

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>Upon determining the haulage route(s) for decommissioning vehicles associated with the Project, and prior to decommissioning, undertake a <b>Road Dilapidation Report</b>. The Report shall assess the current condition of the road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the decommissioning of the Project. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage.</p> <p>Within three months of completion of decommissioning, a subsequent Report shall be prepared to assess any damage that may have resulted from the construction of the Project (including mechanisms to restore any damage) and submitted to relevant road authority for review.</p> <p>Measures undertaken to restore or reinstate roads affected by the Project shall be undertaken in accordance with the reasonable requirements of the relevant road authority (including timing requirements), and at the full expense of the Proponent.</p>			
H5	<p>Prior to the commencement of decommissioning, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall prepare and implement (following approval) a <b>Decommissioning Environmental Management Plan</b> for the Project. The Plan shall include, but not necessarily be limited to: (a) a description of activities to be undertaken during decommissioning of the Project (including staging and scheduling); (b) statutory and other obligations the Proponent is required to fulfil during decommissioning, including approval / consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies; (c) a description of the roles and responsibilities for relevant employees involved in the decommissioning of the Project, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these Conditions of Approval; (d) an environmental risk analysis to identify the key environmental performance issues associated with the decommissioning phase; and (e) details of how environmental performance will be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the decommissioning of the Project). The Plan shall be submitted for the approval of the <b>Planning Secretary</b> no later than one month prior to the commencement of decommissioning, or as otherwise agreed by the <b>Planning Secretary</b>.</p>	N/A	N/A – related to decommissioning phase of project	Not triggered

# Appendix D

Site Inspection Photographs (10 May 2023)



Plate 1: View of signage at the main Flyers Creek Wind Farm construction compound and office showing key project information including contact details.

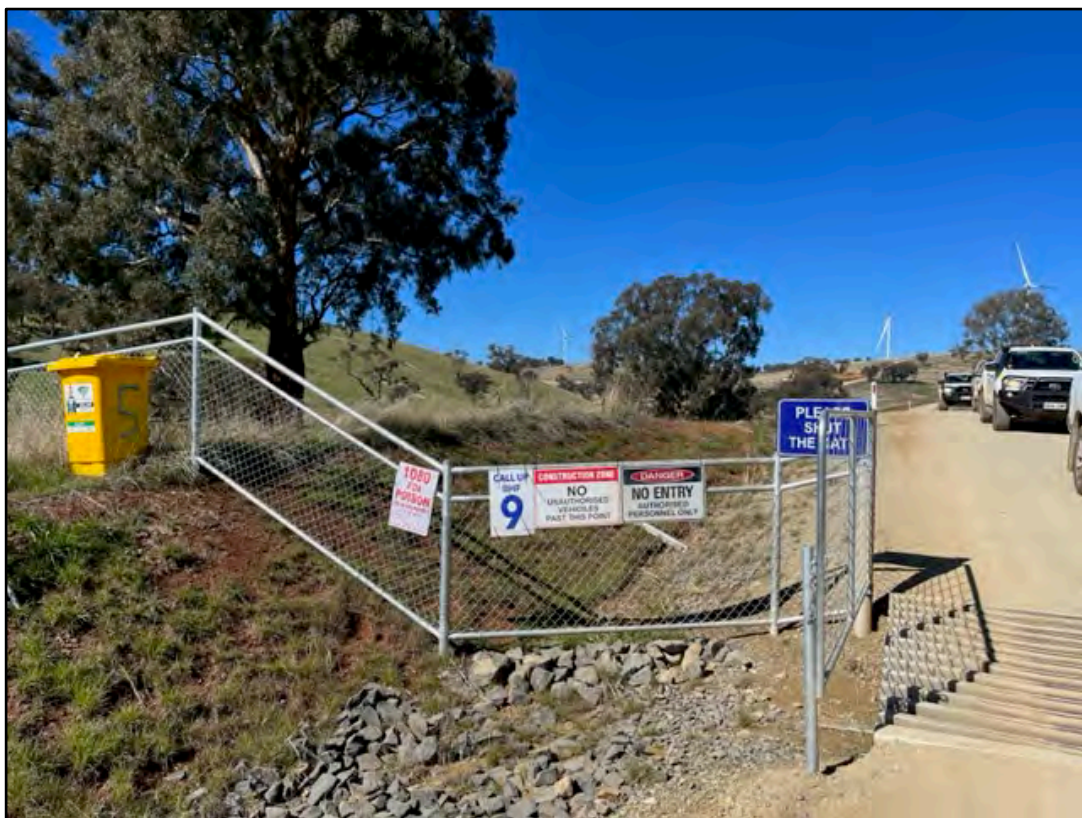


Plate 2: View of the site access gate for Collector Group 3. Controls present at this location included relevant signage, a shaker-grid and spill kit. Some minor sediment drag-out onto the adjoining public road was noted at this location.





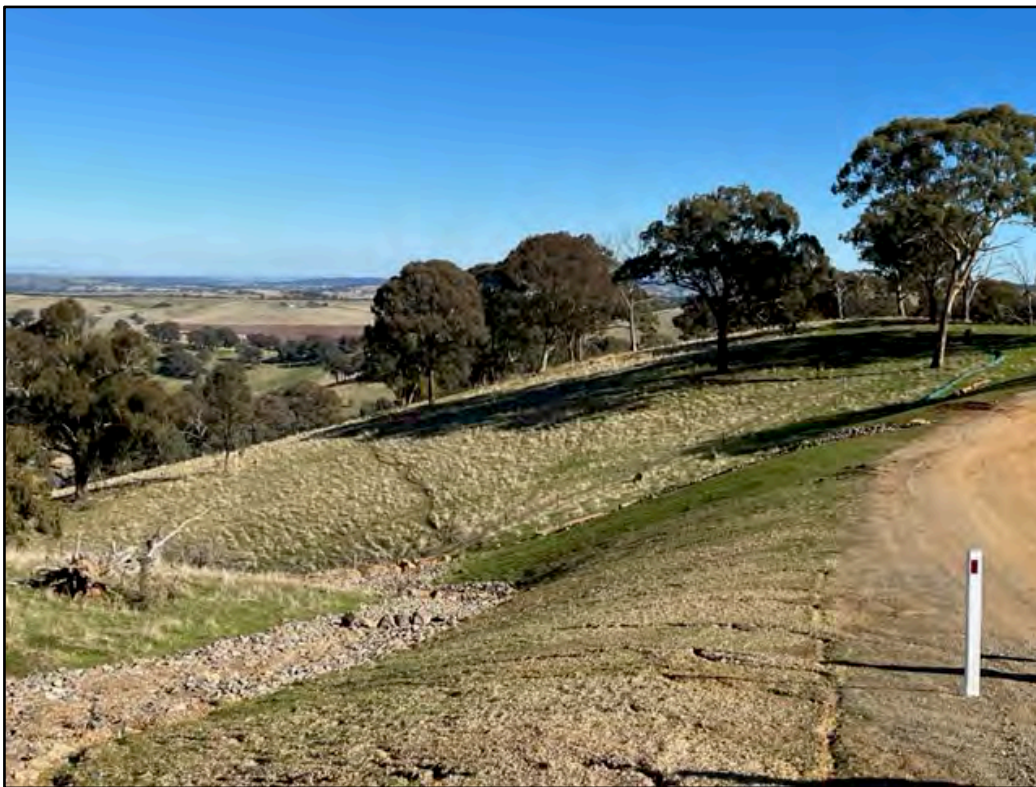
**Plate 3:** View of road repair/rectification works on roadways adjoining the Project site as observed on 10 May 2023. Works were conducted in consultation with Blayney Shire Council with funding contributions from Flyers Creek Wind Farm.



**Plate 4:** View of fire-fighting water tanks and associated fittings/pump on the Project site.



**Plate 5:** View of sensitive area exclusion zone fencing and signage as observed on 10 May 2023. It was noted that there were some inconsistencies associated with signage and fencing across the broader Project site.



**Plate 6:** View of the stabilised batter and rock-lined drainage channel with the CG3 area. Some evidence of minor rilling/erosion was evident at this location.





**Plate 7:** View of recently hydro-mulched work areas within the CG3 site. The application of hydro-mulch was noted to be of good thickness and coverage.



**Plate 8:** View of electrical substation works. Building colours were noted to be of low-reflectivity and off-white colour.





**Plate 9:** View of typical turbine infrastructure including supporting pier, generation nacelle and blades. This infrastructure was noted to be of low-reflectivity and an off-white colour.



**Plate 10:** View of waste skip bins within the main site compound. While evidence of waste segregation was noted at some locations, in several instances overfilling of bins and comingling of wastes was also observed. It was noted, however, that housekeeping was generally of a good standard across the broader area of the site.



Plate 11: View of a bunded Dangerous Good storage container within the main site compound area.



Plate 12: View of the diesel storage and fuelling area within the main site compound. An appropriately stocked spill kit was present at this location. Bunding at the fill point is suggested to minimise risk of spills impacting soils.

# Appendix E

Report (Scout Ecology): Technical Specialist – Biodiversity/Ecology



# Flyers Creek Wind Farm IEA - Biodiversity

Prepared for

Vantage Environmental Management



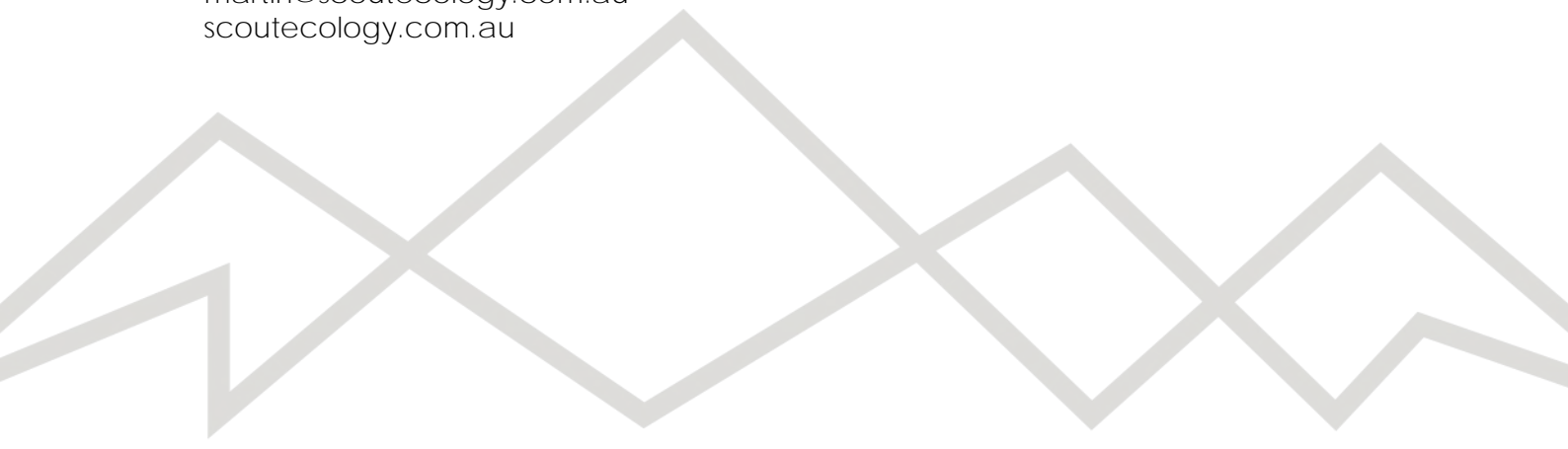
Version control

Item	Description				
Title	Flyers Creek Wind Farm IEA - Biodiversity				
Client	Vantage Environmental Management				
Description	Independent Environmental Audit – Biodiversity / Ecology				
Project Number	23-008				
Project Manager	Martin Sullivan				
Version Number	Author	Purpose /Modifications	Reviewer	Date	Status
1	Matt Dowle	Draft	Martin Sullivan	22/05/23	Draft



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# 1. Introduction

## 1.1. Background

This report presents the findings of Scout Ecology's Technical Specialist review associated with the Independent Environmental Audit (IEA) that was undertaken by Vantage Environmental Management Pty Ltd (Vantage) to assess the environmental performance and compliance status of the Flyers Creek Wind Farm (NSW Department of Planning and Environment [DPE] Application Number MP 08\_0252), herein referred to as the "Project". The IEA was a requirement of Schedule E, Condition E8 of the Project's Development Consent (as modified) and was conducted in accordance with DP&E's *Independent Audit Post Approval Requirements* (IAPAR, May 2020). This audit was the first IEA for the Project and commissioned within one (1) year of the commencement of construction.

Martin Sullivan and Matthew Dowle of Scout Ecology were engaged as biodiversity/ecology Technical Specialists for the IEA at the request of DPE. Endorsement of the audit team, including the Technical Specialists, was provided by DPE via the correspondence of 24 March 2023.

## 1.2. Audit Objectives: Biodiversity/Ecology Technical Specialists

The objective of the IEA was to obtain an independent and objective assessment of the environmental performance and compliance status of the Project in accordance with Schedule E, Condition E8 of the Project Approval and the *Independent Audit Post Approval Requirements* (DPIE, 2020). The audit scope, discussed below in section 2.4, provides further detail of the audit objectives related to the required biodiversity/ecology Technical Specialist review.

## 1.3. Audit Scope: Biodiversity/Ecology Technical Specialist Review

The audit scope consisted of:

1. An assessment of biodiversity/ecology-related compliance with:
  - a. Project Approval for MP 08\_0252 dated 14 March 2014 including:
    - Modification 1 (13 March 2015);
    - Modification 2 (14 September 2015);
    - Modification 3 (30 November 2017);
    - Modification 4 (22 August 2019); and
    - Modification 5 (15 October 2021).
  - b. Post approval documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans during the construction phase related to biodiversity/ecology including:
    - Construction Environmental Management Plan (Schedule F, Condition F20);
    - Construction Flora and Fauna Management Plan (Schedule F, Condition F21(f));
    - Biodiversity Offset Report (Schedule D, Condition D5); and
    - Relevant internal and external environmental audits and environmental inspection reports (monthly and weekly)
2. An assessment of the environmental performance of the development, including an assessment of:
  - a. Actual impacts compared to predicted impacts documented in the Environmental Assessment and associated amendments;

- b. The physical extent of the development in comparison with the approved boundary, and any potential off-site impacts;
  - c. Incidents, non-compliances and complaints related to biodiversity/ecology that occurred or were made during the audit period;
  - d. The biodiversity/ecology-related performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
  - e. Any feedback received from the Department, and other agencies and stakeholders, including the community, on the biodiversity/ecology-related environmental performance of the project during the audit period.
2. A high-level assessment of whether the biodiversity/ecology-related Environmental Management Plans and Sub-plans are adequate; and
  3. Any other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance.

Further information regarding relevant matters raised by DPE and other agencies are discussed within Section 3.6 of this report and have been addressed during completion of the IEA.

#### 1.4. Audit Period

This IEA covers the period from commencement of construction (04 April 2022).

## 2. Audit Methodology

### 2.1. Independent Audit scope development

Prior to the commencement of the audit, the scope was developed in accordance with Schedule E, Condition E8 of the Project's Development Consent and the *Independent Audit Post Approval Requirements* (DPIE, 2020). On 04 April 2023, Vantage issued the proposed audit scope to DPE for comment.

### 2.2. Compliance Evaluation

In order to evaluate the Project's biodiversity/ecology-related compliance, the following process was followed:

- Desktop audit of the documents provided by the contractor/proponent;
- Collection of further information from the contractor/proponent as required; and
- Assessment of documents for compliance and reporting in this audit report.

### 2.3. Site Personnel Interviews and Site Visit

Interviews with site-based personnel (on-site meeting) and a site visit were conducted on 10 May 2023 as part of the Project site visit for the audit. Personnel involved in the on-site meeting and site visit included:

- Leigh (Iberdola)
- Damian (Jacobs – project manager)
- Mick (Jacobs – project manager)
- Cynthia (Jacobs – project manager)
- Duncan (Green Light Contractors (GLC) – construction contractor)
- Mandy (Green Light Contractors (GLC) – construction contractor)
- Michelle (Premise – project ecologist)
- GTS tree clearing contractors (multiple personnel)

### 2.4. Compliance Status Descriptors

The compliance status of relevant Development Consent condition presented in the audit table in Appendix A has been determined in accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020). The compliance status was recorded as one of the following:

- 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; or
- Not triggered – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

### 3. Audit Findings

#### 3.1. Approvals and Documents Reviewed

The following construction-related approvals and documents associated with biodiversity/ecology were considered as part of the Technical Specialist review for the IEA:

- Project Approval for MP 08\_0252 dated 14 March 2014 including:
  - Modification 1 (13 March 2015);
  - Modification 2 (14 September 2015);
  - Modification 3 (30 November 2017);
  - Modification 4 (22 August 2019); and
  - Modification 5 (15 October 2021).
- Flyers Creek Wind Farm Pty Ltd – Environmental Assessment (Aurecon May 2011)
- Construction Environmental Management Plan (Schedule F, Condition F20);
- Construction Flora and Fauna Management Plan (Schedule F, Condition F21(f))
- Biodiversity Offset Report (Schedule D, Condition D5); and
- DPE Request for Information (RFI – 56328207) clearing data and management (29 March 2023)
- GLC Flyers Creek Wind Farm – Incidents Register (14 April 2023)
- Flyers Creek Wind Farm – Native Vegetation and Hollow-bearing Tree clearing register (5 May 2023)
- Environmental Mobilisation Audit (prepared by Jacobs 27 June 2022)
- GLC Internal Environmental Audits (dated 6 September 2022 and 17 January 2023)
- GLC Weekly Inspections (dated 28 February 2023 and 6 & 14 March 2023)
- Monthly Compliance Inspection Report (prepared by Jacobs February 2023)

#### 3.2. Compliance Performance

There was a total of six (6) conditions within the Development Consent of the Project as modified that relate to biodiversity matters. Six of these conditions were determined to be compliant, none were determined to be non-compliant and none were triggered as part of the IEA. Detailed audit outcomes are presented within Appendix A (Audit Table of Development Consent Conditions: Biodiversity/Ecology). In accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020) the audit table presents the following information:

- Development Consent condition (Approval ID);
- Development Consent requirements;
- Audit evidence collected;
- Audit findings and recommendations; and
- Compliance status.

### 3.3. Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

One Penalty Notice has been issued to Green Light Contractors Pty Ltd (GLC) by DPE for the Project (MP08\_0252). This was for the clearing of an individual mature *Eucalyptus canobolensis* tree, required to be retained whilst undertaking clearing for the powerline easement corridor.

It is noted that the FCWF self-reported to the Department on the 11 July 2022 of this incident (occurring 7<sup>th</sup> July 2022) involving the unapproved removal of a single *Eucalyptus canobolensis* tree, listed as Endangered under the NSW BC Act and Commonwealth EPBC Act. Following this removal, the other remaining *E. canobolensis* individual was fenced off with temporary cyclone wire fencing and FCWF commenced an *E. canobolensis* Enhancement Plant which was shared with the Department. Following the self-reporting, the Penalty Notice was given to GLC.

It is also noted that an informal Request for Information (RFI) was issued to Iberdoia on the 15 March 2023 in relation to the FCWF and the projects clearing data and management. Iberdoia's response to DPE's RFI was provided on the 29 March 2023 and is considered comprehensive by the auditor.

### 3.4. Non-compliances

There were no non-compliances identified with the Development Consent conditions and associated management plans relating to biodiversity and ecology as reviewed during the audit program.

### 3.5. Opportunities for Improvement

Opportunities for improvement were identified during the audit program and are detailed in Section 4.2.

### 3.6. Compliance Documents

The Development Consent for the Project required that specific post approval documents be prepared and submitted to the Department prior to the commencement of construction. As part of this Technical Specialist review, the following post approval documents were assessed to determine if they had been developed and implemented in accordance with the conditions of consent and their content was generally adequate:

- Construction Environmental Management Plan (Schedule F, Condition F20);
- Construction Flora and Fauna Management Plan (Schedule F, Condition F21(f));
- Biodiversity Offset Report (Schedule D, Condition D5);

The adequacy of the documents was determined on the basis of whether there were any non-compliances resulting from the implementation of the document or whether there were any opportunities for improvement. A technical review of the documents was not undertaken as part of this audit.

#### 3.6.1. Construction Environmental Management Plan

The Construction Environmental Management Plan (CEMP) was developed by Nacap and details the management practices and procedures relevant to construction. The CEMP version "Revision F" (dated 21 August 2020) was reviewed as part of this audit. The CEMP was approved by DPE on 4 September 2020, prior to commencement of construction.

The CEMP was developed in consultation with relevant government agencies as described in Section 1.7 of the CEMP. Specifically, the CEMP consulted Blayney Shire Council, Cabonne Shire Council, Biodiversity Conservation Division (BCD), Crown Lands and Natural Resources and Access Regulator (NRAR).



Scout conducted a high-level review of the CEMP and assessed it as being adequate and current in relation to biodiversity/ecology matters.

Further information regarding the CEMP is discussed in the Independent Audit Table in Appendix A.

### 3.6.2. Construction Flora and Fauna Management Plan

The Construction Flora and Fauna Management Plan (CFFMP) was developed by Nacap and details how construction impacts on flora and fauna will be minimised and managed. The CEMP version "Revision F" (dated 16 December 2021) was reviewed as part of this audit. The CEMP was approved by DPE on 17 February 2022, prior to commencement of construction.

The CFFMP was developed in consultation with the Biodiversity Conservation Division (BCD) as described in Section 1.6 of the CFFMP.

The auditor considers the CFFMP has been developed in accordance with the conditions of consent and approvals and that the content is generally adequate and being implemented on site.

Further information regarding the CFFMP is discussed in the Independent Audit Table in Appendix A.

### 3.6.3. Biodiversity Offset Report

The Biodiversity Offset Report (BOR) was prepared by NGH Environmental, and the most recent version viewed as part of this audit was Revision "Final V1.2" dated 19 October 2021. The BOR was approved by DPIE on 10 November 2021, prior to commencement of construction.

The BOR was developed in consultation with the Biodiversity Conservation and Science (BCS) division and contains updated vegetation and key habitat mapping and has calculated the biodiversity credit liabilities in accordance with the Biodiversity Assessment Method (BAM).

Further information regarding the BOR is discussed in the Independent Audit Table in Appendix A.

## 3.7. Environmental Performance

Based on the reviews completed (desktop and site inspection), the standard of environmental management relating to biodiversity was adequate. It is considered that the construction works and management plans (CEMP and CFFMP) in place to mitigate potential construction impacts on biodiversity were appropriate, generally being implemented as described and appear effective in minimising impacts on biodiversity.

The overall impact on biodiversity observed on site was deemed consistent with Development Consent conditions. It is noted that this is the first external audit, and construction and adaptive management is on-going to improve environmental performance.

Key environmental protection measures and performance observations include:

- The project maintains and updates a Tree Register. The tree felling procedure is described in the CFFMP and is being followed. The project is now using metal tags on trees rather than spray paint to correctly identify each tree on site. Current fencing for clearing exclusion consists of star pickets with green flagging strung between. Few areas were identified with complete exclusion fencing which could lead to inadvertent clearing or damage during construction.

- The tree clearing contractors are the third contractors working on the project. They are selectively clearing trees by lopping branches, and undertaking chainsaw work rather than clear felling. Felled trees are being salvaged for this project and potential additional projects.
- Major branches and trunks (where possible) are being stockpiled to be used to enhance coarse woody debris habitat or to be used in rehabilitation areas. Some major branches and trees are being used for Erosion and Sediment Control.
- An Enhancement plan is being prepared by GLC and includes tree planting days, weed control measures and seed collection procedures.
- Fencing off of sensitive areas was largely sporadic and incomplete (i.e. it wasn't always clear which areas are fenced) which could lead to inadvertent clearing or damage during construction.
- Squirrel Gliders are being recorded regularly on site in recent monitoring and the project is seeking to minimise clearing impacts on habitat. Habitat innovation (a company) is carving additional logs for hollows and trees are being salvaged for reuse as Glider poles
- There has been some native vegetation and HBT clearing outside the mapped cleared areas, but within the project footprint. This is generally minor and currently within the approved clearing limit. The mapped cleared areas need to include the full extent of land disturbance, including direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance for revegetated batters and drains / culverts.
- Cabling routes, internal access tracks and turbine pads have been re-routed and/or re-designed to avoid mature trees, Box-Gum Woodland (EEC) and HBTs.
- Mapped Superb Parrot nest trees have been retained and are located well outside the construction footprint. However, the site inspection determined that these trees did not appear to be hollow-bearing and therefore unlikely to be breeding trees. There are many trees within and outside the disturbance footprint that have hollows suitable for Superb Parrot breeding.
- The unexpected finds procedure was followed with an additional five potential *Eucalyptus canobolensis* identified on Halls Lane and fenced off from construction.
- Areas of high weed cover will cause problems in the future without appropriate control. It is noted that since construction started, the project area has received well above average rainfall.
- Rehabilitation is being conducted via the spreading and re-spreading of topsoil and the application of hydromulch. The hydromulch has a winter pasture blend (i.e. not native) and its use should be avoided in areas with former native grass cover, as it will prevent the successful re-establishment of native grassland.
- The Biodiversity Offsets Package has not commenced, although the project has engaged Jacobs to complete the work. The Biodiversity Offsets Package is a high risk of future non-compliance if the credit liability is to be acquitted through a Biodiversity Stewardship Site Agreement (BSA). This is due to the time required to identify suitable properties and come to agreement with landholders, undertake survey and assessment, government auditing, and generation of credits. This is typically an 18-to-24-month exercise. It can be done quicker but would need to be managed very efficiently.
- Based on a high-level review, most of internal audit non-conformances have been rectified and/or are in the process of being rectified.

### 3.8. Actual verses Predicted Biodiversity Impacts from Environmental Assessment

In accordance with Section 10.1 of the Aurecon Environmental Assessment the potential ecological impacts of the wind farm development were reported to relate to the construction activities associated with limited clearing of native vegetation and habitat disturbance. The assessment did not quantify the extent of clearing and impact to native vegetation and habitat, and therefore actual versus predicted impacts are difficult to evaluate.

The Biodiversity Offset Report (prepared by NGH October 2021) as required by project Condition D5, calculated that approximately 37 ha of native vegetation in the form of low to moderate condition woodlands or derived grasslands would be directly impacted by the project. This includes 23.8 ha of Box-Gum Woodland EEC (which is below the approved clearing limit detailed below), and 11.15 ha of Squirrel Glider habitat and 23 ha of Superb Parrot habitat.

The spreadsheet used to document the clearing of native vegetation for Flyers Creek Wind Farm (reviewed FCWF\_NV\_Calculations\_20230503) has identified 169 hollow-bearing trees (HBTs) within the total project area, and estimates that of these, 57 will be retained and 101 removed. Currently, 67 HBTs have been mapped as being cleared.

In relation to project Conditions D1 and D3, the Approval provides no specified limit on the clearing of native woodland vegetation, scattered paddock trees and fauna habitat (including rocky outcrops) within the approved disturbance footprint. However, the clearing must be minimised to what was predicted in the environmental assessment and, in accordance with the latest Project Modification, the Planning Secretary (letter dated 13 August 2021) states that the Flyers Creek Wind Farm is permitted to:

- clear no more than 28.1 hectares of critical EEC (referring to Box-Gum Woodland), and
- remove no more than 189 hollow bearing trees.

Table 3, below, presents a summary of audit observations associated with the above-noted predicted impacts.

Table 1: Actual verses Predicted Environmental Impacts

Potential/Predicted Impacts (NGH Biodiversity Offset Report)	Actual Impacts (as observed during audit)	Comments
Vegetation and habitat clearance (native woodland vegetation, scattered paddock trees and fauna habitat, including rocky outcrops)	Clearing has been conducted within the approved disturbance footprint in accordance with the approved CEMP and CFFMP.	Clearing has been minimised through micro-siting and subsequent re-design of the construction footprint by the project team. A good example of this is part of the access track through Canobolas State Forest where the clearing in the corridor has been reduced to about 10m width through native vegetation to accommodate line sag.
Predicted 37 ha of native vegetation to be cleared, including 23.8 ha of EEC	The total EEC cleared is less than 28.1 ha	
Predicted 11.15 ha of Squirrel Glider habitat and 23 ha of Superb Parrot habitat to be cleared as part of the native vegetation above.	This audit noted that the clearing of EEC (Box-gum Woodland) is less than the approved 28.1 ha, but the actual clearing is higher than the 7.95 ha mapped by the Project.	Environmental protection measures are in place as per the CEMP and CFFMP, such as flagging of the construction footprint, however, the demarcation of sensitive biodiversity areas (such as Box-Gum) was incomplete in most areas inspected and needs improvement. Previous internal

Potential/Predicted Impacts (NGH Biodiversity Offset Report)	Actual Impacts (as observed during audit)	Comments
	<p>The project clearing to date is less than the disturbance footprint assessed by NGH in the Biodiversity Offset Report.</p>	<p>audits identified non-conformances in relation to clearly marking no-go and sensitive areas, which needs to be rectified.</p> <p>Major branches and trunks from cleared vegetation have been retained for future habitat enhancement (coarse woody debris). However, the coarse woody debris stockpile could be spread now using a grabber into areas of suitable habitat, or on revegetated batters.</p>
<p>Hollow-bearing Trees (HBTs)</p> <p>169 HBTs have been identified within the project area, of which 57 estimated to be retained and 101 removed</p>	<p>Currently there have been 67 HBTs mapped as being cleared by the project. The number is likely to be slightly higher as the audit site inspection identified HBTs that have been cleared but were not mapped.</p>	<p>If a HBT is identified, the project team including the project engineer and environmental specialists seek to micro-site / re-align internal access, turbine pads and cable routes.</p> <p>The CFFMP has detailed procedures for dealing with a HBT, including a pre-clearing survey and HBT felling procedure. The response to DPE's Request for Information confirms the procedures and includes additional detail.</p> <p>All hollows (where possible) are being salvaged for future use for Flyers Creek Wind Farm (rehabilitation areas, habitat enhancement or project offset), or for use on future projects.</p> <p>Habitat innovation (a company) is carving additional logs for hollows and trees are being salvaged for reuse as Glider poles.</p>

## 4. Recommendations

### 4.1. Non-compliances

There were no biodiversity related non-compliances identified by the auditor. However, opportunities for improvement were identified during the desktop review and site inspections and are listed in Section 4.2.

### 4.2. Opportunities for Improvement

Several minor opportunities for improvement in relation to biodiversity were identified from the IEA. These opportunities and improvements were discussed with the project team during the on-site inspection and have not been detailed further (and were well received). These minor opportunities were not specifically related to the Conditions of Consent / Project Approval.

The following continual environmental management improvement opportunities were identified:

- *Update mapping of native vegetation and clearing data.* The mapped cleared areas need to include the full extent of land disturbance, particularly in areas of native vegetation. The disturbance needs to include the direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance associated with construction and revegetation of batters and drains / culverts.
- *Fencing.* Improve fencing and demarcation of environmentally sensitive areas (e.g. Box-Gum Woodland). Areas to be retained should be fully fenced to minimise the risk of accidental clearing, or accidental disturbance by construction machinery.
- *Rehabilitation Plan.* Specific details on rehabilitation in the form of a Rehabilitation Plan as described in the CFFMP. The rehabilitation needs to consider the varying landscapes and condition of previously mapped vegetation. The use of hydromulch with winter pasture blend is not recommended in areas previously containing a native grassy understorey. The pasture blend has the potential to prevent the successful re-establishment of native grassland. Some areas of Box-Gum Woodland EEC contain a native grassy understorey, while others are exotic pasture. These areas need to be accurately mapped and included in the Rehabilitation Plan.
- *Monitoring.* Improve details on monitoring as described in the Conditions of Consent is recommended. Monitoring details are limited within the CFFMP, other than stating that monitoring would be completed and the broad objectives and targets in Section 1.5 (Table 1), which are mostly relating to incidents, inductions and compliance with approvals. For example, there are no details on performance measures (e.g. for rehabilitation or weed cover) and how monitoring actions will be implemented and what happens if performance measures are not met.
- *Weed Management Control.* Improved details and emphasis on weed management control is required. Several invasive and prohibited weeds were identified during the site inspection in areas adjoining current construction and on rehabilitated areas. Left uncontrolled these weeds have the potential to affect rehabilitation success, and spread further into adjoining undisturbed land, including Box-Gum Woodland EEC. Considering the agricultural nature of the project area, there is a risk that most topsoil, even from areas with a native grassy understorey will have high weed loads. When this topsoil is re-spread after stockpiling and conditions are right (e.g. seasonal rain), weed cover has the potential to establish quickly preventing native species growth.



- *Woody debris.* Minor branches and leaves can be mulched and utilised in areas of high erosion risk (e.g. steep slopes) to reduce raindrop impact and assist in slope stabilisation. Stockpiled woody debris such as major branches and trunks could be placed on revegetated batter slopes to assist in long-term stability by slowly overland flow and capturing fine particulate matter, subject to landholder agreement.
- *Biodiversity Offset Package.* Expediting the Biodiversity Offset Package to ensure compliance with requitting the offset liability within 2 years of start of construction of the project. Acquitting a project credit liability through a Biodiversity Stewardship Site Agreement (BSA) is typically an 18-to-24-month exercise. Payment into the Biodiversity Conservation Fund (BCF) and/or purchasing credits on the open market can be done relatively quickly, but is typically a much more expensive option and not favoured when there is a high credit liability.

## 5. Conclusions

Scout Ecology Pty Ltd has conducted an Independent Environmental Audit (IEA) to assess the biodiversity performance and compliance status of the Flyers Creek Wind Farm (NSW Department of Planning and Environment (Major Project 08\_0252)). This IEA was a requirement of Schedule E, Condition E8 of the Project's Development Consent (as modified) and was the first IEA for the Project commissioned within one (1) year of the commencement of construction. This IEA was conducted in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020).

There were a total of six (6) conditions within the Development Consent of the Project as modified that were deemed to relate to biodiversity matters. All six of these conditions were determined to be compliant, therefore there were no conditions determined to be non-compliant.

Overall, the standard of environmental management relating to biodiversity observed during the audit was adequate. It is considered that the construction works and management plans (CEMP and CFFMP) in place to mitigate potential construction impacts on biodiversity were appropriate and being implemented as described in the plans.

The overall impacts on biodiversity observed on site were deemed consistent with Development Consent conditions, and below what was predicted by the environmental assessment (Biodiversity Offset Report) and below the approved EEC and HBT clearing limits.

However, there were opportunities for improvement relating to the conditions identified from the IEA such as updating mapping of native vegetation and clearing data, fencing improvements, provision of a detailed Rehabilitation Plan and Monitoring Plan, weed management and distribution of woody debris.

The audit notes that condition D6 relating to the retirement of biodiversity credits (Biodiversity Offsets Package) is a moderate to high risk for future non-compliance for the project and recommends FCWF expedite the Biodiversity Offset Package.

In accordance with Section 4.3.2 of the Independent Audit Post Approval Requirements (DPIE, 2020), the proponent must submit their response to the audit findings to the Department in a separate document to this report. The proponent must respond to all audit findings, including recommendations and opportunities for improvement.

# Appendix A Audit Table of Development Consent Conditions

## Audit Table of Development Consent Conditions: Biodiversity/Ecology

**Table of Development Consolidated Consent (including Modifications 1 – 5) Conditions: Flyers Creek Wind Farm, MP 08\_0252\_Scout Ecology Review**

[Original Project Approval text in black, Modifications 1-4 text in blue, Modification 5 text in red]



Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
SCHEDULE D – ENVIRONMENTAL PERFORMANCE				
BIODIVERSITY				
Restrictions on Clearing and Habitat Impacts				
D1	<p>The Proponent must:</p> <p>(a) ensure that no more than <del>4.03</del> 28.1 ha of EEC is cleared for the project, unless the Planning Secretary agrees otherwise; and</p> <p>(b) minimise the clearing of native woodland vegetation, scattered paddock trees and fauna habitat (including rocky outcrops) within the approved disturbance footprint.</p>	<p>Copies of relevant checklists, survey records etc.</p> <p>FCWF_NV_Calculations_202305 03 (excel spreadsheet)</p> <p>Iberdrola response to DPE's Request for Information (dated 29 March 2022)</p>	<p>As of the end of April 2023, approximately 7.95 ha of EEC (Box-Gum Woodland) was mapped by GIS as cleared.</p> <p>The site inspection identified several small areas (at a number of locations) of additional EEC disturbance outside the mapped cleared areas. However, these areas were only small, and the total amount of EEC clearing is still well below the approved clearing limit of 28.1 ha and is within the approved disturbance footprint.</p> <p>The additional unmapped cleared areas pose a future compliance risk for the project. Updated mapping of all disturbed areas is required for improved accountability and to accurately track all project clearing. The disturbed areas need to include the full extent of land disturbance, including direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance for revegetated batters and drains / culverts.</p> <p>The desktop audit and site inspection identified several instances where the clearing of native vegetation and HBTs have been minimised and/or avoided either through micro-siting and re-routing of access tracks. For example, re-routing of MV cable between WTG 1 and WTG 2 and between WTG 6 and WTG 7 to avoid HBTs, and realignment of the access track to WTG 34 to avoid an old mature tree with hollows (refer to Iberdrola response to DPE's Request for Information and noted during site inspection).</p> <p>N.B. Latest project modification (MP_0252) has approved 28.1 ha clearing of EEC (letter dated 13/08/21).</p>	Compliant
D2	<p>Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (coarse woody debris) in rehabilitated areas or in derived native grassland (either in offset areas or areas adjoining impacted areas) and details included in the Construction Flora and Fauna Management Plan required by condition F21(f).</p>	<p>GLC internal audits</p> <p>Jacobs PCWF Environmental Mobilisation Audit</p> <p>Project photos</p>	<p>Some felled trees and major branches have been used to enhance coarse woody debris habitat and for erosion and sedimentation control (evidenced by photos (D02)).</p> <p>The site inspection noted that trunks and larger branches are being stockpiled on site at several locations. There is an opportunity for this stockpiled timber to be spread with a grabber either into areas of suitable habitat (subject to landholder approval), or on revegetated batters to prevent long-term stockpiling.</p> <p>It is noted that hollows (where possible) are being salvaged for future use for Flyers Creek Wind Farm (rehabilitation areas or project offset), or for use on future projects.</p>	Compliant
D3	<p>No more than <del>26</del> 189 hollow bearing trees shall be removed for the project, unless the Planning Secretary agrees otherwise.</p>	<p>Copies of relevant checklists, clearing certificates, survey records etc.</p> <p>FCWF_NV_Calculations_202305 03 (excel spreadsheet)</p>	<p>As of the end of April 2023, 67 hollow-bearing trees (HBTs) were mapped by GIS as cleared.</p> <p>The on-site inspection identified additional HBTs that had been cleared, and at least one HBT (retained) that was not mapped.</p> <p>These additionally cleared and retained HBTs should be added to the dataset (and tree register updated) for accurate tracking for compliance, and for future avoidance planning and micro-siting (e.g. pre-clearing surveys), respectively.</p> <p>It is noted that the number of cleared HBTs is currently well below the approved limit.</p> <p>N.B. Latest project modification (MP_0252) has approved a clearing limited of 189 HBTs (letter dated 13/08/21).</p>	Compliant

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Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
Biodiversity Offset Package				
D5	<p>Prior to the commencement of construction, unless the <b>Planning Secretary</b> agrees otherwise, the Proponent must:</p> <p>(a) update the baseline mapping of the vegetation and key habitat within the final disturbance area; and</p> <p>(b) calculate the biodiversity offset credit liabilities for the project in accordance with the <i>Biodiversity Assessment Methodology under the NSW Biodiversity Offsets Scheme</i>, in consultation with <b>BCS</b>, and to the satisfaction of the <b>Planning Secretary</b>.</p>	<p>- Biodiversity Offset Report, Flyers Creek Wind Farm (October 2021), prepared by NGH Consulting.</p> <p>- DPE approval letter of Biodiversity Offset Report (Inc. Mapping and Credits) dated 10/11/2021</p>	<p>The Biodiversity Offset Report (BOR) was prepared by NGH Environmental, and the most recent version viewed as part of this audit was Revision "Final V1.2" dated 19 October 2021. The BOR was approved by DPIE on 10 November 2021, prior to commencement of construction.</p> <p>The BOR was developed in consultation with the Biodiversity Conservation and Science (BCS) division and contains updated vegetation and key habitat mapping and has calculated the biodiversity credit liabilities in accordance with the Biodiversity Assessment Method (BAM).</p> <p>Noted: Project ecologist (Michelle from Premise) commented that the vegetation mapping could be improved (confirmed by on-site inspection). Some areas of Derived Native Grassland (DNG) were missed in the original mapping.</p>	Compliant
SCHEDULE F – CONSTRUCTION ENVIRONMENTAL MANAGEMENT				
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN				
F20	<p>Prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall prepare and implement (following approval) a Construction Environmental Management Plan for the Project. The Plan shall outline the environmental management practices and procedures that are to be followed during construction, and shall be prepared in consultation with the relevant government agencies (including <b>the Councils</b>). The Plan shall include, but not necessarily be limited to:</p> <p>(a) a description of activities to be undertaken during construction of the Project (including staging and scheduling);</p> <p>(b) statutory and other obligations that the Proponent is required to fulfil during construction, including approvals / consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;</p> <p>(c) a description of the roles and responsibilities for relevant employees involved in the construction of the Project, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these Conditions of Approval;</p> <p>(d) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase; and</p> <p>(e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified</p>	<p>- Construction Environmental Management Plan (CEMP), Flyers Creek Wind Farm (Rev. F, 21/08/20), prepared by Nacap.</p> <p>- DPE approval letter of CEMP (Rev. F, 21/08/20) dated 04/09/20</p> <p>- Copies of weekly Environmental Inspection Reports (3 recent weeks) as required in Section 10.1 of the CEMP</p> <p>- Copies of Internal Environmental Audits as required in Section 10.2 of CEMP</p> <p>- Copies of other records as listed in Section 11.1 of CEMP</p> <p>- Copies of monthly (and annual, if completed) reporting as required in Section 11.2 of CEMP</p>	<p>A Construction Environmental Management Plan (CEMP) has been developed by Nacap and details management practices and procedures relevant to construction. The CEMP was developed in consultation with relevant government agencies (e.g. Blayney and Cabonne Shire Councils, BCS, Crown Lands and NRAR).</p> <p>The CEMP was approved by DPE (letter dated 4/09/20). DPE stated that is has carefully reviewed the CEMP and is satisfied that the plan generally meets the requirements of the condition.</p> <p>Scout conducted a high-level review of the CEMP and assessed it as being adequate and current in relation to biodiversity/ecology matters.</p> <p>The CEMP:</p> <ul style="list-style-type: none"> <li>• Describes the activities to be undertaken during construction (Section 3)</li> <li>• Includes statutory obligations (Section 4)</li> <li>• Discusses the roles and responsibilities of employees and contractors including induction, training and obligations (Section 6 and 7)</li> <li>• Provides an environmental risk analysis (Section 5.3 and Appendix G)</li> <li>• Details how environmental performance is managed and monitored (through various sub-plans and described in Section 5.3, Appendix G)</li> </ul> <p>Minor observation – the CEMP was completed prior to the latest modification approval (13/08/21). This has no material difference to the CEMP.</p> <p>Copies of the inspection reports, internal audits, other records and monthly reporting demonstration the implementation of the CEMP, including positive observations and where non-conformances have been identified and rectified, or are being rectified.</p>	Compliant



Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
	<p>potential adverse environmental impacts (including any impacts arising from the staging of the construction of the Project). In particular, the following environmental performance issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> <li>i. compounds and ancillary facilities management;</li> <li>ii. noise and vibration;</li> <li>iii. traffic and access;</li> <li>iv. soil and water quality and spoil management;</li> <li>v. air quality and dust management;</li> <li>vi. management of Aboriginal and non-Aboriginal heritage;</li> <li>vii. soil contamination, hazardous material and waste management;</li> <li>viii. management of ecological impacts; and</li> <li>ix. hazard and risk management.</li> </ul> <p>The Plan shall be submitted for the approval of the <b>Planning Secretary</b> no later than one month prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>. The Plan may be prepared in stages, however, construction works for each stage shall not commence until written approval has been received from the <b>Planning Secretary</b>.</p> <p>The approval of a Construction Environmental Management Plan does not relieve the Proponent of any requirement associated with this Approval. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this Approval, the requirements of this Approval prevail.</p>			
F21	As part of the Construction Environmental Management Plan for the Project required under condition <b>F20</b> the Proponent shall prepare and implement:	N/A	N/A	N/A
F21 (f)	<p>a Construction Flora and Fauna Management Plan to detail how construction impacts on ecology will be minimised and managed. The Plan shall be developed in consultation with the <b>BCS</b> and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. <b>plans and tables for impacted and adjoining areas showing vegetation communities (identified to Plant Community Type); watercourses; remnant vegetation (including scattered trees); important flora and fauna habitat areas; locations where threatened species, populations or ecological communities have been recorded; including pre-clearing surveys to confirm the location, description of condition, status, numbers, area (hectares) of threatened flora and fauna species and associated habitat features;</b></li> </ul>	<ul style="list-style-type: none"> <li>- Construction Flora and Fauna Management Plan (CFFMP), Flyers Creek Wind Farm Project (Rev. F, 16/12/21), prepared by Nacap.</li> <li>- DPE approval letter of CFFMP (Rev. F, 16/12/21) dated 17/02/22</li> <li>- Copies of weekly inspections and monitoring as required in Section 8.1 of the CFFMP</li> </ul>	<p>A Construction Flora and Fauna Management Plan (CFFMP) has been developed by Nacap and details how construction impacts on flora and fauna will be minimised and managed.</p> <p>The CFFMP was developed in consultation with BCS as described in Section 1.6 of the plan. The CFFMP was approved by DPE (letter dated 17/02/22). DPE stated that it has carefully reviewed the document and is satisfied that the Plan meets the requirements of the approval.</p> <p>Scout conducted a high-level review of the CFFMP and assessed it as being adequate and current.</p> <p>The CFFMP includes:</p>	Compliant

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Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
	<p>ii. procedures for minimising the extent of vegetation clearing and replacement of any fauna habitat;</p> <p>iii. the identification of areas to be cleared and details of management measures (such as fencing, clearing procedures, removal and relocation of fauna during clearing, habitat tree management and construction worker education) to avoid any residual habitat damage or loss and to minimise or eliminate time lags between the removal and subsequent replacement of habitat;</p> <p>iv. rehabilitation details, including identification of flora species and sources, and measures for the management and maintenance of rehabilitated areas;</p> <p>v. weed management measures focusing on early identification of invasive weeds and effective management controls;</p> <p>vi. a description of how the effectiveness of these actions and measures would be monitored, clearly indicating how often this monitoring would be undertaken, the locations where monitoring would take place, how the results of the monitoring would be recorded and reported and, if any exceedance of the criteria is detected, how any non-compliance can be rectified;</p> <p>vii. a procedure for dealing with unexpected EEC / threatened species identified during construction, including cessation of work and notification of the BCS and the Department, determination of appropriate mitigation measures in consultation with the BCS (including relevant re-location measures) and updating of ecological monitoring and / or biodiversity offset requirements; and</p> <p>viii. mechanism for the monitoring, review and amendment of this Plan.</p>	<p>- Copies of internal audits as required in Section 8.2 of the CFFMP</p> <p>- Evidence of annual review of CFFMP (in accordance with commitment in Section 8.3 of the CFFMP)</p> <p>- Copies of monthly reports as required in Section 9.2 of CFFMP</p>	<ul style="list-style-type: none"> <li>• Maps of PCTs, project layout, watercourses etc. These maps are supported by other plans, GIS and a spreadsheet documenting the monthly project clearing.</li> <li>• Procedures for minimising the extent of clearing, and measures for identification of clearing limits (e.g. MM8 to MM13 and MM20 to MM47), such as implementation of micro-siting surveys and pre-clearing surveys.</li> <li>• Rehabilitation measures (MM48 to MM55) with the principal method of regeneration and restoration of disturbed areas being the re-spreading of the preserved topsoil containing existing seed bank stock and propagules associated with the pre-disturbance vegetation communities or pastures.</li> <li>• Information relating to weed management (MM14 to MM19), including the implementation of a Weed Hygiene Register, weed monitoring and recommended methods for control (Appendix C)</li> <li>• Details on inspections, monitoring, audits and CFFMP review and improvements (Section 8.1 to 8.4)</li> <li>• Unexpected finds protocol (Appendix D) that provides guidance to construction personnel (and contractors) in the event that a threatened species is un-expectantly found within the Project area</li> </ul> <p>Copies of the inspection reports, pre-start meetings, internal audits, reviews and monthly reporting demonstrate the implementation of the CFFMP, including positive observations (and outcomes), and where non-conformances have been identified and rectified, or are being rectified.</p> <p>Opportunities for improvement include:</p> <ul style="list-style-type: none"> <li>• Updated mapping of all disturbed areas is required for improved accountability and to accurately track all project clearing. The disturbed areas need to include the full extent of land disturbance, including direct vegetation clearing for turbine pads, access tracks and cable routes, as well as disturbance for revegetated batters and drains / culverts.</li> <li>• Improvement in fencing off sensitive areas (Box-Gum Woodland). Whilst it is noted that sensitive areas were fenced off, the fencing and/or marking of some of these areas appears sporadic and incomplete at most sites inspected. (i.e., it wasn't clear which areas are fenced).</li> <li>• Specific details on rehabilitation have not been included in the CFFMP. Example, no details of flora species and seed sources. However, it is noted that a Rehabilitation Plan was due to be issued by GLC the week 20 Feb 2023 (Jacobs, Environmental Site Inspection Flyers Creek Windfarm February 2023), and that the primary measure for rehabilitation is the re-spreading of topsoil and the application of hydromulch. The hydromulch has a winter pasture blend (i.e. not native) and its use should be avoided to rehabilitate areas with former native grass cover, as it will prevent the successful re-establishment of native grassland.</li> <li>• Monitoring details are limited within the CFFMP, other than stating that monitoring would be completed and the broad objectives and targets in Section 1.5 (Table 1), which are mostly relating to incidents, inductions and compliance with approvals. For example, there are no details on performance measures (e.g. for rehabilitation or weed cover) and how</li> </ul>	

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			<p>monitoring actions will be implemented and what happens if performance measures are not met.</p> <ul style="list-style-type: none"> <li>• Weed management measures are minimal in the CFFMP. Lacking detailed info on early identification, effective control and follow-up control. The CFFMP identifies six invasive weeds, with most for hand removal and links to the NSW Weeds Wise website.</li> </ul> <p>It is noted that specific details around rehabilitation, monitoring and weed control might be provided in other documentation outside of technical specialist (biodiversity) scope of works (example, Weed Management Plan or Rehabilitation Plan).</p>	



## Appendix B Site inspection photographs

Site Inspection Photographs taken on 10 May 2023



**Photos:** Fencing and demarcation of sensitive areas. *Top: Eucalyptus canobolensis. Bottom: Retention of Box-Gum Woodland EEC*





**Photos:** Stockpiling of woody debris. *Top:* stockpiling of tree trunks. *Bottom:* large branches and woody debris adjacent to cleared area.





**Photos:** Erosion and sedimentation control. *Top:* soil stockpile with sediment control at the base. *Bottom:* Rubble slowing overland water flow.





**Photos:** *Top photo:* Box-Gum Woodland EEC in the distance with weedy grassland in the foreground. *Bottom photo:* Superb Parrot nest tree outside construction footprint.





**Photos:** Construction. *Top:* Wind turbine pad, laydown area and internal access. *Bottom:* Reduced width clearing through native vegetation along transmission easement.

# Appendix F

Report (Neville Baker Archaeology: Technical Specialist – Aboriginal / European Heritage)





**Flyers Creek Wind Farm (MP 8\_0252)**  
**Heritage Independent Audit Post-Approval**

Report to Vantage Environmental Management

23 May 2023



# **Flyers Creek Wind Farm (MP 8\_0252)**

## **Heritage Independent Audit Post-Approval**

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Report to Vantage Environmental Management

23 May 2023

Prepared by Neville Baker, BA Hons MAACA  
Director - Archaeologist

Baker Archaeology Pty Ltd  
ACN 162 289 321  
PO Box 8225 Glenmore Park NSW 2745

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*Cover: View southwest over Aboriginal site FCWF-S-04 to Tower 7. Photo: N.Baker*



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# 1 introduction

## 1.1 Background

This report presents the findings of Baker Archaeology's Technical Specialist review associated with the Independent Environmental Audit (IEA) that was undertaken by Vantage Environmental Management Pty Ltd (Vantage) to assess the environmental performance and compliance status of the Flyers Creek Wind Farm (NSW Department of Planning and Environment [DPE] Application Number MP 08\_0252), herein referred to as the "Project". The IEA was a requirement of Schedule E, Condition E8 of the Project Approval (as modified) and was conducted in accordance with DPE's *Independent Audit Post Approval Requirements* (IAPAR, May 2020). This audit was the first IEA for the Project and commissioned within one year of the commencement of construction.

Neville Baker of Baker Archaeology was engaged as a Heritage Technical Specialist for the IEA at the request of DPE. Endorsement of the audit team, including the Technical Specialists, was provided by DPE via the correspondence of 24 March 2023. Neville has a BA Honours degree in Anthropology/Prehistory from the University of Sydney (1988) and has worked as a consultant archaeologist in NSW for over 30 years.

## 1.2 Audit Objectives: Biodiversity/Ecology Technical Specialists

The objective of the IEA was to obtain an independent and objective assessment of the environmental performance and compliance status of the Project in accordance with Schedule E, Condition E8 of the Project Approval, and the *Independent Audit Post Approval Requirements* (DPIE, 2020). The audit scope, discussed below in section 2.4, provides further detail of the audit objectives related to the required heritage Technical Specialist review.

## 1.3 Audit Scope: Heritage Technical Specialist Review

The audit scope consisted of:

1. An assessment of heritage-related compliance with:
  - a. Project Approval for MP 08\_0252 dated 14 March 2014 including:
    - Modification 1 (13 March 2015);
    - Modification 2 (14 September 2015);
    - Modification 3 (30 November 2017);
    - Modification 4 (22 August 2019); and
    - Modification 5 (15 October 2021).
  - b. the EA (Condition C2(a))
  - c. Post approval documents prepared to satisfy the conditions of Project Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans during the construction phase related to heritage including:
    - Construction Environmental Management Plan (Schedule F, Condition F20);
    - Construction Heritage Management Plan (Schedule F, Condition F21(e)).

2. An assessment of the environmental performance of the development, including an assessment of:
  - a. Actual impacts compared to predicted impacts documented in the Environmental Assessment and associated amendments;
  - b. The physical extent of the development in comparison with the approved boundary, and any potential off-site impacts;
  - c. Incidents, non-compliances and complaints related to heritage that occurred or were made during the audit period;
  - d. The heritage-related performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
  - e. Any feedback received from the Department, and other agencies and stakeholders, including the community, on the heritage-related environmental performance of the project during the audit period.
3. A high-level assessment of whether the heritage-related Environmental Management Plans and Sub-plans are adequate; and
4. Any other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance.

Further information regarding relevant matters raised by DPE and other agencies are discussed within Section 3.6 of this report and have been addressed during completion of the IEA.

#### 1.4 Audit Period

This IEA covers the period of commencement of construction (04 April 2022) to the date of the audit closing meeting.

## 2 AUDIT METHODOLOGY

### 2.1 Independent Audit scope development

Prior to the commencement of the audit, the scope was developed in accordance with Schedule E, Condition E8 of the Project Approval and the *Independent Audit Post Approval Requirements* (DPIE, 2020). On 04 April 2023, Vantage issued the proposed audit scope to DPE for comment.

### 2.2 Compliance Evaluation

In order to evaluate the Project's heritage-related compliance, the following process was followed:

- Desktop audit of the documents provided by the contractor/proponent;
- Collection of further information from the contractor/proponent as required; and
- Assessment of documents for compliance and reporting in this audit report.

### 2.3 Site Personnel Interviews and Site Visit

Interviews with site-based personnel and a site visit were conducted on 10 May 2023 as part of the Project site visit for the audit. Participants included:

- Mr Damien Wagner (Jacobs – Project Management Office Environment Lead),
- Mr Ian “Doug” Sutherland (Sites Officer, Orange Local Aboriginal Land Council, involved in Aboriginal heritage inspections post-2011);
- Leigh Denton (Iberdrola – Senior Health Safety and Environment Lead Lead);
- Michael Hargins (GLC – Construction Manager)
- Mandy McLeod (GLS – Environmental Manager); and
- various Project team representatives including construction personnel, vegetation clearing contractors and ecology consultants.

### 2.4 Compliance Status Descriptors

The compliance status of relevant Project Approval condition presented in the audit table in Appendix A has been determined in accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020). The compliance status was recorded as one of the following:

- 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; or
- Not triggered – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.



### 3 AUDIT FINDINGS

#### 3.1 Approvals and Documents Reviewed

The following construction-related approvals and documents associated with heritage were considered as part of the Technical Specialist review for the IEA:

- Project Approval for MP 08\_0252 dated 14 March 2014 including:
  - Modification 1 (13 March 2015);
  - Modification 2 (14 September 2015);
  - Modification 3 (30 November 2017);
  - Modification 4 (22 August 2019); and
  - Modification 5 (15 October 2021).
- Flyers Creek Wind Farm Pty Ltd – Environmental Assessment (Aurecon May 2011);
- MP 08\_0252 MOD4 Environmental Assessment Heritage specialist report (NSW Archaeology 2018);
- Reports on Aboriginal heritage due diligence inspections of geotechnical test locations (EMM 2019 & 2021);
- Aboriginal heritage advisory reports responding to unexpected finds (Austral 2022a, 2022b, 2023);
- Construction Environmental Management Plan (Schedule F, Condition F20); and
- Construction Heritage Management Plan (Schedule F, Condition F21(e)).

#### 3.2 Compliance Performance

The EA management measures relating to non-Aboriginal heritage sites include avoidance as a priority facilitated by protective temporary fencing or, if disturbance is unavoidable, archival recording of the non-Aboriginal heritage sites (EA 11.7.3). Trig stations are to be totally avoided and temporarily fenced.

The EA management measures relating to Aboriginal heritage sites include avoidance as a priority facilitated by protective temporary fencing or, if disturbance is unavoidable, test excavation and subsequent salvage of the Aboriginal heritage sites (EA Appendix F 10.2).

These management measures in the EA are reflected in Condition F2 of the Project Approval which states,

In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. Where impacts as assessed in the EA are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction Heritage Management Plan required by condition F21(e).

The EA requires development of heritage management measures including care and control and unexpected finds protocols in a Construction Heritage Management Plan. This is reflected in Condition F21(e) which establishes the scope of the CHMP which cover:

- Further investigation;
- Management measures for protection of sites;

- Unexpected finds protocol;
- Human remains discovery protocol;
- Training & induction;
- Ongoing Aboriginal consultation; and
- Ongoing development of the CHMP.

There was a total of two conditions within the Project Approval as modified that were deemed to relate to heritage matters as stated above. The development of the CHMP to a satisfactory standard complies with those conditions subject to improvements identified below. Compliance with the CHMP is thus a primary focus of this audit.

Detailed audit outcomes are presented within Appendix A (Audit Table of Project Approval Conditions: Heritage). In accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020) the audit table presents the following information:

- Project Approval condition (Approval ID);
- Project Approval requirements;
- Audit evidence collected;
- Audit findings and recommendations; and
- Compliance status.

### 3.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions

No notices have been received from Heritage NSW regarding the Project. No penalty notices have been issued.

### 3.4 Non-compliances

There were no non-compliances identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program as noted below:

### 3.5 Opportunities for Improvement

There were 10 opportunities for improvement identified with the Project Approval conditions and associated management plans and strategies reviewed during the audit program as noted below:

1. “Housekeeping” is required on temporary fencing around some Heritage sites through linking of all fencing panels and arrangement in an orderly fashion (Photograph 1, Photograph 2 );
2. Suitable signage was observed on some temporary fences around heritage sites, but could be improved through consistent wording on professional printed signs (Photograph 3);
3. Improved signage alerting personnel to the presence of an unfenced heritage site more than 50 metres from the Project track is warranted at the Old Hut site, FCWF-S-06 (Photograph 5, Photograph 6) and other heritage sites close to tracks;
4. Discarded or redundant green barrier fencing materials should be removed from heritage sites, e.g., at FCWF-S-04 (Photograph 8);
5. A live register of all heritage investigations should be maintained as part of the CHMP;
6. A live register of all heritage sites should be maintained as part of the CHMP with verification of AHIMS registration through a search of the AHIMS register at the time of CHMP review;

7. The above should be included in an annual review of the CHMP in accordance with CHMP section 8.3;
8. The CHMP contact details for the relevant NSW Government regulatory agency need to be updated in CHMP Appendix D;
9. Recorded Aboriginal sites should be registered with the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) no later than one month after discovery, and all AHIMS site numbers noted in the live CHMP document; and
10. Heritage maps in GIS systems should be updated and physical maps displayed in relevant Project facilities should be replaced at least quarterly.

### 3.6 Compliance Documents

The Development Consent for the Project required that specific post approval documents be prepared and submitted to the Department prior to the commencement of construction. As part of this Technical Specialist review, the following post approval documents were assessed to determine if they had been developed and implemented in accordance with the conditions of consent and their content was generally adequate:

- Construction Environmental Management Plan (Schedule F, Condition F20); and
- Construction Heritage Management Plan (Schedule F, Condition F21(e)).

The adequacy of the documents was determined on the basis of whether there were any non-compliances resulting from the implementation of the document or whether there were any opportunities for improvement. A technical review of the documents was not undertaken as part of this audit.

#### 3.6.1 Construction Environmental Management Plan

The CEMP defers to the CHMP regarding cultural heritage management. The focus of this audit is on the CHMP.

Further information regarding the implementation of the heritage-related CEMP content is discussed in the Independent Audit Table in Appendix A.

#### 3.6.2 Construction Heritage Management Plan

The CHMP is the primary planning instrument guiding management of Aboriginal heritage and non-Aboriginal heritage matters for the Project. The CHMP has been developed to a high standard reflecting the state of knowledge about heritage sites on the Project area at the time of its development in 2019-2020. This audit has identified several improvements would make the CHMP a more effective document reflecting current heritage site identified on the Project area in May 2023.

Further information regarding the implementation of the heritage related CHMP content is discussed in the Independent Audit Table in Appendix A.

### 3.7 Environmental Performance

Protection of heritage was observed to be a core component of planning for all components of construction. This is evidence of good environmental performance.

### 3.8 Actual verses Predicted Heritage Impacts from Environmental Assessment

In accordance with Section 10.1 of the Aurecon Environmental Assessment the potential heritage impacts of the wind farm development were reported to relate to the construction activities associated with land clearing and disturbance.

Table 3, below, presents a summary of audit observations associated with the above-noted predicted impacts.

No heritage impacts were observed.

**TABLE 3: Actual versus Predicted Environmental Impacts**

Potential/Predicted Impacts (as documented in EA)	Actual Impacts (as observed during audit)	Comments
<b>ABORIGINAL CULTURAL HERITAGE</b>		
Potential disturbance or damage to Aboriginal artefacts	No impacts observed	The Project's active protection measures (temporary fencing) and passive protection measures (signage to avoid a site more than 50 metres away from construction) are effective – subject to the improvement measures identified in this audit.
<b>EUROPEAN HERITAGE</b>		
Potential disturbance of non-Aboriginal heritage: primarily trig stations and mining areas	No impacts observed	The Project's active protection measures (temporary fencing) and passive protection measures (signage to avoid a site more than 50 metres away from construction) are effective – subject to the improvement measures identified in this audit.



## 4 RECOMMENDATIONS

### 4.1 Non-compliances

No non-compliances were evident during the audit.

### 4.2 Opportunities for Improvement

Based on the outcomes of the IEA the following continual environmental management improvement opportunities were identified:

- “Housekeeping” is required on temporary fencing around some Heritage sites through linking of all fencing panels and arrangement in an orderly fashion (Photograph 1, Photograph 2 );
- Suitable signage was observed on some temporary fences around heritage sites, but could be improved through consistent wording on professional printed signs (Photograph 3);
- Improved signage alerting personnel to the presence of an unfenced heritage site more than 50 metres from the Project track is warranted at the Old Hut site, FCWF-S-06 (Photograph 5, Photograph 6) and other heritage sites close to tracks;
- Discarded or redundant green barrier fencing materials should be removed from heritage sites, e.g., at FCWF-S-04 (Photograph 8);
- A live register of all heritage investigations should be maintained as part of the CHMP;
- A live register of all heritage sites should be maintained as part of the CHMP with verification of AHIMS registration through a search of the AHIMS register at the time of CHMP review;
- The above should be included in an annual review of the CHMP in accordance with CHMP section 8.3;
- The CHMP contact details for the relevant NSW Government regulatory agency need to be updated in CHMP Appendix D;
- Recorded Aboriginal sites should be registered with the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) no later than one month after discovery, and all AHIMS site numbers noted in the live CHMP document; and
- Heritage maps in GIS systems should be updated and physical maps displayed in relevant Project facilities should be replaced at least quarterly.

## 5 CONCLUSION

Heritage is managed well on the Project. The matters for improvement identified in this audit are relatively minor in importance. Despite the Project Approval allowing for unavoidable impact on heritage sites conditional on salvage and archival recording, the Project has regularly opted for avoidance and adopted pro-active protection measures in day-to day works planning.

## Appendix A. Audit Table of Project Approval Conditions: Heritage

Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
<b>SCHEDULE D – ENVIRONMENTAL PERFORMANCE</b>				
<b>PROPERTY IMPACTS</b>				
<b>Trigonometric Reserves</b>				
<b>D33</b>	Disturbance to Trigonometric Reserves shall be avoided during the life of the Project, unless otherwise approved by the Surveyor General and the relevant licence under the <i>Crown Lands Act 1989</i> is obtained by the Proponent.	Hopkins Trig confirmed fenced	Fencing is adequate for the task. Signage could be improved to a professionally printed standard.	Compliant
<b>SCHEDULE F – CONSTRUCTION ENVIRONMENTAL MANAGEMENT</b>				
<b>HERITAGE</b>				
<b>F2</b>	In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. Where impacts as assessed in the EA are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction Heritage Management Plan required by condition <a href="#">F21(e)</a> .	- Construction Heritage Management Plan (CHMP), Flyers Creek Wind Farm Project (Rev. F, 10/06/20), prepared by NACAP.  - DPE approval letter of CHMP (Rev. F, 10/06/20) dated 18/06/20	The CHMP was prepared to an excellent standard and DPE approved.	Compliant

Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
<b>CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN</b>				
F20	<p>Prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>, the Proponent shall prepare and implement (following approval) a <b>Construction Environmental Management Plan</b> for the Project. The Plan shall outline the environmental management practices and procedures that are to be followed during construction, and shall be prepared in consultation with the relevant government agencies (including <b>the Councils</b>). The Plan shall include, but not necessarily be limited to:</p> <p>(a) a description of activities to be undertaken during construction of the Project (including staging and scheduling);</p> <p>(b) statutory and other obligations that the Proponent is required to fulfil during construction, including approvals / consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;</p> <p>(c) a description of the roles and responsibilities for relevant employees involved in the construction of the Project, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these Conditions of Approval;</p> <p>(d) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase; and</p>	<p>- Construction Environmental Management Plan (CEMP), Flyers Creek Wind Farm (Rev. F, 21/08/20), prepared by Nacap.</p> <p>- DPE approval letter of CEMP (Rev. F, 21/08/20) dated 04/09/20</p> <p>- Copies of weekly Environmental Inspection Reports (3 recent weeks) as required in Section 10.1 of the CEMP</p> <p>- Copies of Internal Environmental Audits as</p>	<p>All requirements of the CEMP in respect to heritage have been adequately addressed and incorporated into regular Project activity planning.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
	<p>(e) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the construction of the Project). In particular, the following environmental performance issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> <li>i. compounds and ancillary facilities management;</li> <li>ii. noise and vibration;</li> <li>iii. traffic and access;</li> <li>iv. soil and water quality and spoil management;</li> <li>v. air quality and dust management;</li> <li>vi. management of Aboriginal and non-Aboriginal heritage;</li> <li>vii. soil contamination, hazardous material and waste management;</li> <li>viii. management of ecological impacts; and</li> <li>ix. hazard and risk management.</li> </ul>	<p>required in Section 10.2 of CEMP</p> <ul style="list-style-type: none"> <li>- Copies of other records as listed in Section 11.1 of CEMP</li> <li>- Copies of monthly (and annual, if completed) reporting as required in Section 11.2 of CEMP</li> </ul>		
	<p>The Plan shall be submitted for the approval of the <b>Planning Secretary</b> no later than one month prior to the commencement of construction, or as otherwise agreed by the <b>Planning Secretary</b>. The Plan may be prepared in stages, however, construction works for each stage shall not commence until written approval has been received from the <b>Planning Secretary</b>.</p>			
	<p>The approval of a Construction Environmental Management Plan does not relieve the Proponent of any requirement associated with this Approval. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this Approval, the requirements of this Approval prevail.</p>			



Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
F21	As part of the Construction Environmental Management Plan for the Project required under condition F20 the Proponent shall prepare and implement:	N/A	N/A	N/A
F21 (e)	<p>a <b>Construction Heritage Management Plan</b> to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed. The Plan shall be developed in consultation with the <b>Heritage NSW</b> and registered Aboriginal stakeholders (for Aboriginal heritage), and include, but not necessarily be limited to:</p> <p>i. in relation to Aboriginal Heritage:</p> <ul style="list-style-type: none"> <li>▪ details of further investigation and identification of Aboriginal cultural heritage sites within the Project area;</li> <li>▪ details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation, of sites and items associated with the Project;</li> <li>▪ procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified archaeologist in consultation with the Department, <b>Heritage NSW</b> and registered Aboriginal stakeholders, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the Project, and registering of the new site in the <b>Heritage NSW's</b> Aboriginal Heritage Information Management System (AHIMS) register;</li> </ul>	<ul style="list-style-type: none"> <li>- Construction Heritage Management Plan (CHMP), Flyers Creek Wind Farm Project (Rev. F, 10/06/20), prepared by Nacap.</li> <li>- DPE approval letter of CHMP (Rev. F, 10/06/20) dated 18/06/20</li> <li>- Copies of weekly inspections and monitoring as required in Section 8.1 of the CHMP</li> <li>- Copies of internal audits as required in Section 8.2 of the CHMP</li> <li>- Evidence of annual review of CHMP (in accordance with commitment in Section 8.3 of the CHMP)</li> </ul>	<p>All requirements of the CEMP in respect to heritage have been adequately addressed and incorporated into regular Project activity planning.</p> <p>Measures to proactively identify new Aboriginal sites within the Project area exceed requirements.</p> <p>Implementation of unexpected finds protocol in response to discovery of an unexpected mine shaft feature in January 2023 managed well.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>▪ procedures for dealing with human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force, <b>Heritage NSW</b> and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the Department and / or the NSW Police Force;</li> <li>▪ heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this Approval and <i>National Parks and Wildlife Act 1974</i> (where relevant) including site identification, protection and conservation of Aboriginal cultural heritage;</li> <li>▪ procedures for ongoing Aboriginal consultation and involvement for the duration of the Project, and ensure that the Orange Local Aboriginal Land Council (administrator) and Wiradjuri Traditional Owners Central West Corporation is kept informed of the process; and</li> <li>▪ mechanisms for the monitoring, review and amendment of this plan.</li> </ul> <p>ii. in relation to Historic Heritage:</p> <ul style="list-style-type: none"> <li>▪ identification of heritage items directly and indirectly affected by the Project;</li> <li>▪ details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and / or measures to protect unaffected sites during construction works in the vicinity);</li> <li>▪ procedures for dealing with previously unidentified heritage objects (including cessation of works in the vicinity), assessment of the</li> </ul>	<ul style="list-style-type: none"> <li>- Copies of monthly reports as required in Section 9.2 of CHMP</li> <li>- Any other relevant information regarding Unexpected Finds or heritage items identified on site</li> </ul>		

Approval (ID)	Requirement	Evidence collected	Technical Specialist Findings and Recommendations	Compliance Status
	<p>significance of the item(s) and determination of appropriate mitigation measures including when works can recommence by a suitably qualified and experienced archaeologist in consultation with the <b>Heritage NSW</b> and the Department, and assessment of the consistency of any new heritage impacts against the approved impacts of the Project;</p> <ul style="list-style-type: none"> <li>▪ heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under the <i>Heritage Act 1977</i> and these conditions) including site identification, protection and conservation of non-Aboriginal cultural heritage; and</li> <li>▪ mechanisms for the monitoring, review and amendment of this plan.</li> </ul>			

## Appendix B. Site Inspection Photographs (10 May 2023)



**Photograph 1. Temporary protective fencing around FCWF-IF-04 and adit**



**Photograph 2. FCWF-PAD-02 irregularly fenced area**



**Photograph 3. Fenced Trig station and hand-written signage**

*Photo 19 May 2023 by agreement*





**Photograph 4. Site FCWF-S-06 stone artefact scatter with Project track ~ 60 metres away**



**Photograph 5. Site FCWF-S-06 stone artefact scatter on ground exposure**



**Photograph 6. "Old Hut" water tank remnant element view north**



**Photograph 7. FCWF-S-04 and adjacent track**





**Photograph 8. FCWF-S-04 discarded fencing materials within fenced site area**



**Photograph 9. FCWF-S-04**

# Appendix G

## Independent Audit Declaration Form

## INDEPENDENT AUDIT REPORT DECLARATION FORM

(Template from DPIE Independent Audit Post Approval Requirements, May 2020).


<b>Project Name</b>	Flyers Creek Wind Farm
<b>Consent Number</b>	MP 08_0252
<b>Description of Project</b>	Wind Farm
<b>Project Address</b>	Errowanbang Road, Flyers Creek
<b>Proponent</b>	Flyers Creek Wind Farm Pty Ltd
<b>Title of Audit</b>	Flyers Creek Wind Farm MP 08_0252 Independent Environmental Audit No. 1 Report (May 2023)
<b>Date</b>	09 June 2023

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:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. 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;
- vi. 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;
- vii. 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
- viii. 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).

<b>Name of Auditor</b>	Toby Hobbs
<b>Signature</b>	
<b>Qualification</b>	MEnvMgmt, Lead Auditor (Exemplar Global)
<b>Company</b>	Vantage Environmental Management Pty Ltd
<b>Company Address</b>	PO Box 378, Albury NSW 2640