

Silverton Wind Farm

Proponent Response – 2021 Independent
Environmental Audit

30 July 2021



Table 1 - Project Approval 08_0022: Non-Compliances (NC)

Condition Number	Compliance Requirement	2021 Independent Audit Finding	2021 Independent Audit Recommendation	Proponent's Proposed Action / Action taken / Response (as applicable)	Proposed Action Due Date
04.03	<p>Revision of Strategies, Plans and Programs Within 3 months of the submission of: a) an incident report under condition 5 below; b) an audit report under condition 7 below; or c) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent must review and, if necessary, revise the strategies, plans and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval. Note: This is to ensure strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to</p>	<p>Non-Compliant 2021-NC-01: Insufficient evidence was provided to demonstrate that all strategies, plans and programs were reviewed within three months of submission of the 2018 IEA. Specifically, there was no evidence that the Operations Environmental Management Strategy and the construction Traffic Management Plan were reviewed between 28 August 2018 and 28 November 2018.</p>	<p>It is recommended that strategies, plans and programs required under this approval be reviewed within three months of the submission of the 2021 IEA. Where one or more documents require revision, the approval process detailed in this condition must be implemented.</p>	<p>AGL and GE will review and if necessary, revise strategies, plans and programs, in accordance with the requirements of Condition 04.03. If a document(s) revision(s) is triggered, AGL and GE will submit any revised document(s) to DPIE in accordance with the requirements of Condition 04.03.</p>	<p>By 10/12/2021, if any revision(s) of any document(s) is triggered.</p>

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	improve the environmental performance of the project.				
04.06	<p>Regular Reporting The Proponent must provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.</p>	<p>Non-Compliant</p> <p>2021-NC-02: Environmental performance reporting is not consistently undertaken in accordance with relevant plans. Specific findings are summarised as follows:</p> <ul style="list-style-type: none"> • The Biodiversity and Adaptive Management Plan includes commitments to prepare and submit an annual report. An annual report has not been prepared to date. Biosis advised that the first report would be prepared in October 2021 which will capture the extended commissioning phase. • The Vegetation Monitoring Plan includes commitments to prepare 	It is recommended that environmental performance reporting is undertaken in a timely manner and in accordance with the requirements of relevant plans.	<p>GE will report on environmental performance in accordance with the requirements stipulated under the approved plans or programs.</p> <p>AGL will upload the relevant environmental performance reports to the Project website.</p>	<p>In accordance with the frequency and timing stipulated under the approved plans or programs.</p> <p>Once the relevant environmental performance report(s) are provided to AGL.</p>

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		<p>and submit an annual report. Vegetation monitoring was undertaken in 2018 and 2019, however the reports were not finalised until June 2020. As such, monitoring reports were not submitted annually to the relevant stakeholders during the audit period. Biosis advised that the 2020 monitoring report was delayed due to COVID-19 travel restrictions between NSW and Victoria.</p> <ul style="list-style-type: none"> The Bird and Bat Adaptive Management Plan includes commitments to prepare and submit an annual report. A bird and bat monitoring report was prepared for the period 2018 to 2020 rather than annually as required by 			

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		the Bird and Bat Adaptive Management Plan.			

Table 2 - Environment Protection Licence (EPL) 20882: Non-Compliances (NC)

Condition Number	Compliance Requirement	2021 Independent Audit Finding	2021 Independent Audit Recommendation	Proponent's Proposed Action / Action taken / Response (as applicable)	Proposed Action Due Date
O4.1	The licensee must have adequate fire prevention measures in place and develop procedures to manage fires which must be documented in the Pollution Incident Response Management Plan prepared for the premises.	<p>Non-Compliant</p> <p>2021-NC-03: <i>The Protection of the Environment Operations (General) Regulation (2009)</i>, Section 98E(2), requires the Pollution Incident Response Management Plan to be tested every 12 months. During the audit period, the Pollution Incident Response Management Plan was tested on 1 June 2021; testing of the plan was not undertaken in 2020 or 2019.</p>	It is recommended that testing of the Pollution Incident Response Management Plan is undertaken annually.	GE will test the Pollution Incident Response Management Plan every 12 months.	31/12/2021

Table 3 - Project Approval 08_0022: Opportunities for Improvement (OFI)

Condition Number	Compliance Requirement	2021 Independent Audit Finding	2021 Independent Audit Recommendation	Proponent's Proposed Action / Action taken / Response (as applicable)	Proposed Action Due Date
03.16	<p>Operating Conditions The Proponent must:</p> <ul style="list-style-type: none"> a) minimise any soil erosion associated with the construction and decommissioning of the project by implementing the relevant mitigation measures in Managing Urban Stormwater: Soils and Construction Manual (Landcom 2004), or its latest version; b) ensure all waterway crossings are constructed in accordance with the relevant Water Guidelines for Controlled Activities on Waterfront Land (2012), or their latest version; c) store and handle all dangerous goods or hazardous materials on site, and ensure the concrete batching plants and substations on site are bunded, in accordance with AS1940-2004: The storage and handling of flammable and 	<p>Compliant</p> <p>Scouring was identified on the site access road off Daydream Mine Road, south of the Operations and Maintenance Facility (Appendix C, Photo C11).</p>	<p>2021-OFI-01:</p> <p>It is recommended that permanent drainage controls within this area of the site be reviewed and strengthened to minimise erosion.</p>	<p>AGL will review the performance of the drainage controls for the identified location (2021 IEA Report, Appendix C, Photo C11) in the site access road off Daydream Mine.</p>	30/06/2022

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	combustible liquids, or its latest version; and d) minimise any hydrocarbon spills on site, and clean up any spills as soon as possible after they occur.				
03.18	<p>Biodiversity Management Plan Prior to the commencement of construction, the Proponent must prepare a Biodiversity Management Plan for the project in consultation with OEH, DI Lands and local leaseholders on site, and to the satisfaction of the Secretary. This plan must:</p> <p>a) include updated baseline mapping of the vegetation communities and key fauna habitat onsite; b) clearly identify the areas on site that would be disturbed; c) include a:</p> <ul style="list-style-type: none"> • description of the measures that would be implemented for: 	<p>Compliant During engagement with government agencies on the scope of the 2021 IEA (Section 2.3.1), it was requested that:</p> <ul style="list-style-type: none"> • the review of the Biodiversity Adaptive Management Plan occurs in consultation with BCD prior to submission to DPIE for approval • goats are actively managed to allow vegetation to recover following 	<p>2021-OFI-02: In response to consultation undertaken with Biodiversity Conservation Division (BCD), it is recommended that the 2021 review of the Biodiversity Adaptive Management Plan is undertaken in consultation with the agencies and stakeholders nominated in this condition (OEH, DI Lands and local leaseholders on site) prior to submission to DPIE for approval.</p>	<p>GE will consult with the relevant agencies and stakeholders, nominated in Condition 03.18, regarding the review of the 2021 Biodiversity Adaptive Management Plan (BAMP).</p>	10/12/2021

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	<ul style="list-style-type: none"> - minimising the amount of clearing within the approved project footprint; - minimising the loss of key fauna habitat; - minimising the impacts of fauna on site, including undertaking pre-clearance surveys; - rehabilitating and revegetating temporary disturbance areas; - protecting vegetation and fauna habitat outside the approved disturbance area; - maximising the salvage of resources within the approved disturbance area – including rocks, vegetation and soil resources – for beneficial reuse (including revegetation and fauna habitat enhancement) on site; - collecting and propagating seed (where relevant); - controlling weeds and feral pests; - controlling erosion; - controlling access; and 	<p>high rainfall periods.</p> <p>During the site inspection, it was noted that there were two stray goats within Area 7.</p>	<p>2021-OFI-03: Undertake regular engagement with leaseholders on mustering arrangements to ensure goats continue to be excluded from Area 7.</p>	<p>GE will continue to engage with leaseholders on goats mustering arrangements for Area 7.</p>	<p>Ongoing. Latest engagement 07/07/2021.</p>

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	<ul style="list-style-type: none"> - bushfire management; • Recovery Plan for enhancing the conservation value of the Porcupine Grass Sparse Woodland CEEC on site; that includes <ul style="list-style-type: none"> - Baseline data on the vegetation and fauna habitat within the community; and - Detailed performance and completion criteria for evaluating the performance of the enhancement activities; • Barrier Range Dragon Management Plan for minimising any impacts on the species on site and enhancing the potential habitat for this species; • Goat Management Plan for the site; • Vegetation Management Plan for restoring vegetation and habitat in the temporary disturbance areas and clearing vegetation for transmission line maintenance; and • Include a detailed program to monitor and report on the 				

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	<p>performance of these measures.</p> <p>Following the Secretary's approval, the Proponent must implement the Biodiversity Management Plan.</p>				
03.19	<p>Bird and Bat Adaptive Management Plan</p> <p>Prior to the construction of any wind turbines, the Proponent must prepare a Bird and Bat Adaptive Management Plan for the project in consultation with OEH to the satisfaction of the Secretary. This program must include:</p> <p>a) baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could potentially be affected by the project;</p> <p>b) a detailed description of the measures that would be implemented on site for minimising bird and bat strike during the project, including:</p>	<p>Compliant</p> <p>During engagement with government agencies on the scope of the 2021 IEA (Section 2.3.1), it was recommend that all survey and monitoring related to bat use of the site and bat mortality is reviewed to ensure that there is at least one dataset from March.</p>	<p>2021-OFI-04:</p> <p>In response to consultation undertaken with Biodiversity Conservation Division (BCD), it is recommended that the Bird and Bat Adaptive Management Plan (BBAMP) specify that the carcass persistence autumn trials be undertaken in March of each year.</p>	<p>GE will consult with BCD to discuss and agree on timing for carcass persistence trials.</p>	10/12/2021

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	<ul style="list-style-type: none"> • locating turbines as far as possible away from any raptor nests; • minimising the availability of raptor perches; • prompt carcass removal; • controlling pests; • using best practice methods for bat deterrence; and • adaptive management of turbines to reduce mortality; and <p>c) trigger levels for further investigation of the potential impacts of the project on particular bird or bat species or populations, and the potential implementation of measures to enhance or protect these species or populations in the locality; and</p> <p>d) a detailed program to monitor and report on the effectiveness of these measures, and any bird or bat strikes on site.</p> <p>Following the Secretary's approval, the Proponent must</p>				

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	implement the Bird and Bat Adaptive Management Plan, and incorporate it into the Biodiversity Management Plan.				
03.21	<p>Heritage Management Plan Prior to the commencement of construction, the Proponent must prepare a Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; b) be prepared in consultation with OEH, Aboriginal stakeholders (in relation to Aboriginal heritage) and any local historical organisations (in relation to historical heritage); c) include updated baseline mapping of the heritage items on site (see the figures and tables in Appendix 6); 	<p>Compliant The Operational Heritage Management Plan specifies that the boundaries of all Aboriginal heritage sites within the Project disturbance area must be clearly marked with star pickets or pegs and highly visible flagging tape. During the site inspection, it was noted that Aboriginal Heritage site 23-4-0183 was marked with a stake, but not protected by flagging tape (Appendix C, Photo C5).</p>	<p>2021-OFI-05: While the Aboriginal Heritage site 23-4-0183 is located at the edge of the area of disturbance, it is recommended that flagging tape is installed around the perimeter to minimise the risk of impact. AGL advised that consultation is being undertaken with Broken Hill Local Aboriginal Land Council to determine the preferred controls for protection of Aboriginal Heritage sites.</p>	<p>GE has installed flagging tape around the perimeter of Aboriginal Heritage site 23-4-0183 (refer to Appendix A).</p>	11/06/2021

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	<p>d) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> • managing the discovery of human remains or previously unidentified heritage items; • conducting further archaeological and heritage assessment in any disturbance areas where this assessment has not already been carried out; and • ensuring any workers on site receive suitable heritage inductions prior to carrying out any work on site; <p>e) include the following for the management of Aboriginal heritage:</p> <ul style="list-style-type: none"> • a description of the measures that would be implemented to: <ul style="list-style-type: none"> - protect the heritage items outside the project disturbance area; - minimise and manage the impacts of the project on heritage items within the - disturbance area, including: 				

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	<p>o any proposed archaeological investigations and/or salvage measures; and</p> <p>o a strategy for the long-term management of any items or material that are collected during any of these archaeological or works;</p> <ul style="list-style-type: none"> - monitor and report on the effectiveness of any mitigation measures and any heritage impacts of the project; - maintain and manage reasonable access for Aboriginal stakeholders to heritage items on site; and - provide for ongoing consultation with Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage on site; <p>f) include the following for the management of historic heritage:</p> <ul style="list-style-type: none"> • a description of the measures that would be implemented to: 				

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	<ul style="list-style-type: none"> - protect the heritage items outside the project disturbance area; - minimise and manage the impacts of the project on heritage items within the disturbance area, including: <ul style="list-style-type: none"> o archaeological test excavations or salvage of all sites of local significance in accordance with the NSW Heritage Manual; and o photographic and archival recording of all heritage items that would be affected by the project; and monitor and report on the effectiveness of these measures and any heritage impacts of the project. <p>Following the Secretary's approval, the Proponent must implement the Heritage Management Plan.</p>				
03.36	<p>Progressive Rehabilitation: The Proponent must</p> <ul style="list-style-type: none"> a) rehabilitate all areas of the site not proposed for future 	<p>Compliant It was observed during the site inspection that aggregate remained in</p>	<p>2021-OFI-06: It is recommended that the Defects Register be revised to reflect the</p>	<p>AGL has updated the Defects Register to reflect the staged rehabilitation of the Crusher Pit site.</p>	29/07/2021

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	<p>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 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>	<p>situ at the former Crusher Pit site and rehabilitation was not significantly progressed (Appendix C, Photos C10). AGL advised that the surplus aggregate has been retained for the planned rectification of the access roads as detailed in the Defects Register.</p>	<p>staged rehabilitation of the Crusher Pit site.</p>		

Appendix A - Aboriginal Heritage site 23-4-0183

