



**BIALA WIND FARM**

# **INDEPENDENT ENVIRONMENTAL AUDIT REPORT**

for  
**Newtricity Developments Biala Pty Ltd**  
February 2021

# **BIALA WIND FARM**

## **INDEPENDENT ENVIRONMENTAL AUDIT REPORT**

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February 2021

*for:*

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## **LIMITATIONS OF REPORT**

In preparing this Independent Environmental Audit report, Hansen Bailey has assessed all activities appropriate and necessary to evaluate the environmental status of the site and operations on it. Hansen Bailey has addressed all technical matters which might reasonably be considered to be relevant to such an assessment conducted to standards which apply in New South Wales. Based on observations of the site, interviews with appropriate staff and a review of available documentation, it is Hansen Bailey's opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, Hansen Bailey can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues.

The conclusions presented in this report are professional opinions based solely upon Hansen Bailey's visual observations of the site and the immediate site vicinity, and upon Hansen Bailey's interpretation of the documentation reviewed, interviews and conversations with personnel knowledgeable about the site and other available information, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated.

Opinions presented in this report apply to the site's conditions and features as they existed at the time of Hansen Bailey's site visit on 23 – 24 September 2020, and those reasonably foreseeable. They necessarily cannot apply to conditions and features which Hansen Bailey is unaware of and has not had the opportunity to evaluate.

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

**BIALA WIND FARM**  
**INDEPENDENT ENVIRONMENTAL AUDIT REPORT**  
*for*  
***Newtricity Developments Biala Pty Ltd***

**1 INTRODUCTION**

**1.1 BACKGROUND**

Hansen Bailey was commissioned by Newtricity Developments Biala Pty Ltd (Newtricity) to conduct an Independent Environmental Audit (IEA) of the Biala Wind Farm (Biala). This IEA includes an assessment of compliance against Development Consent SSD 6039 and is the first IEA required under SSD 6039.

This IEA consisted of a desktop review of documentation, interviews with key Newtricity staff and a field inspection of temporary construction facilities (including the construction compound and offices), ancillary infrastructure (including the Operations and Maintenance Facility, access tracks and laydown areas), turbine hardstand areas and waterway crossings. The general IEA Itinerary is presented in **Appendix A**.

The auditing period that this IEA report applies to is from 5 August 2019 (commencement of construction) to 4 August 2020 (the IEA period).

The IEA was conducted by Dianne Munro (DM) (Lead Auditor – Exemplar Global Certified Auditor 107622) (see **Appendix B**), and Theresa Folpp (TF) (Auditor) from Hansen Bailey.

The IEA was conducted generally consistent with ‘ISO 19011 - Guidelines for Auditing Management Systems’ and the ‘Independent Audit Post Approval Requirements June 2018’ (Audit Guidelines) (DPE, 2018). Key documents reviewed during the IEA included:

- SSD 6039 (as modified); and
- Biala environmental management plans.

The field inspection was conducted on 23 September and 24 September 2020 by Dianne Munro. Stringent COVID19 practices were in place during the site visit, including social distancing. Photos from the field inspection are shown in **Appendix D**.

The weather conditions at the time of the inspection at the Goulburn Airport Bureau of Meteorology (BoM) station (located approximately 41 km to the south-east of Biala) consisted of westerly and westerly-north-westerly winds up to 70 km/h and a maximum temperature of 16 degrees Celsius. These conditions were consistent with those experienced during the site inspection at Biala and field inspections were considerably conducted at times of reduced wind.

Opening and closeout meetings held with key Newtricity staff (represented by AECOM, Goldwind, CATCON, and CPP) in attendance which generally included:

- Adam Lenihan (AL) – AECOM, Owners Site Representative;
- Angela Rozali (AR) – AECOM, Owners Project Manager;
- Andy Wang (AW) – Goldwind, Supply and Installation Contract Project Manager;
- Leigh Denton (LD) – Goldwind, HSEQ Supervisor;
- John McCarthy (JM) – Goldwind, HSEQ Coordinator;
- Brett Purdie (BP) – CPP, Electrical Balance of Plant Contract Project Manager;
- Zachary Woods (ZW) – CATCON, Civil Balance of Plant Contract Project Manager;
- Kyle O’Donoghue (KO) – CATCON, Principal Contractor’s Representative; and
- Dianne Munro (DM) – Hansen Bailey, Lead Auditor.

## 1.2 REPORT STRUCTURE

This report is generally structured as follows:

- **Section 1** provides an introduction, describes the requirement for the IEA and provides a guide to the structure of this report;
- **Section 2** provides a description and layout of the site and a summary of environmental approvals and management documents;
- **Section 3** outlines the requirements for this audit and where each has been addressed in this report;
- **Section 4** of this report lists any non-compliances identified; and
- **Section 5** provides a list of recommendations for both non-compliances and continuous improvement.

## 2 SITE DESCRIPTION

### 2.1 DEVELOPMENT CONSENT

SSD 6039 for Biala allows the development described in the 'Biala Wind Farm Environmental Impact Statement' (EIS) (ERM, 2015) as follows:

- Up to 31 wind turbines generators (WTGs) with a tip height of up to 185 metres (m) and hub height of up to 110 m;
- Ancillary infrastructure, including three new intersections with the site off Grabben Gullen Road, internal access roads, an operations/maintenance facility, internal electricity transmission lines and a substation;
- Upgrades to the local road network, including both Kialla Road and Range Road, to facilitate the delivery of wind turbines to and from the site; and
- Employment of up to 74 personnel during construction and seven personnel during operation.

SSD 6039 has been modified on two occasions as follows:

- Modification one (MOD1) was approved 9 October 2018 and allowed for the construction of an additional meteorological monitoring mast (to bring the total number of monitoring masts to four); and
- Modification two (MOD2) was approved on 9 January 2020 and allowed for changes to the electrical reticulation network and micrositing of some of the WTGs.

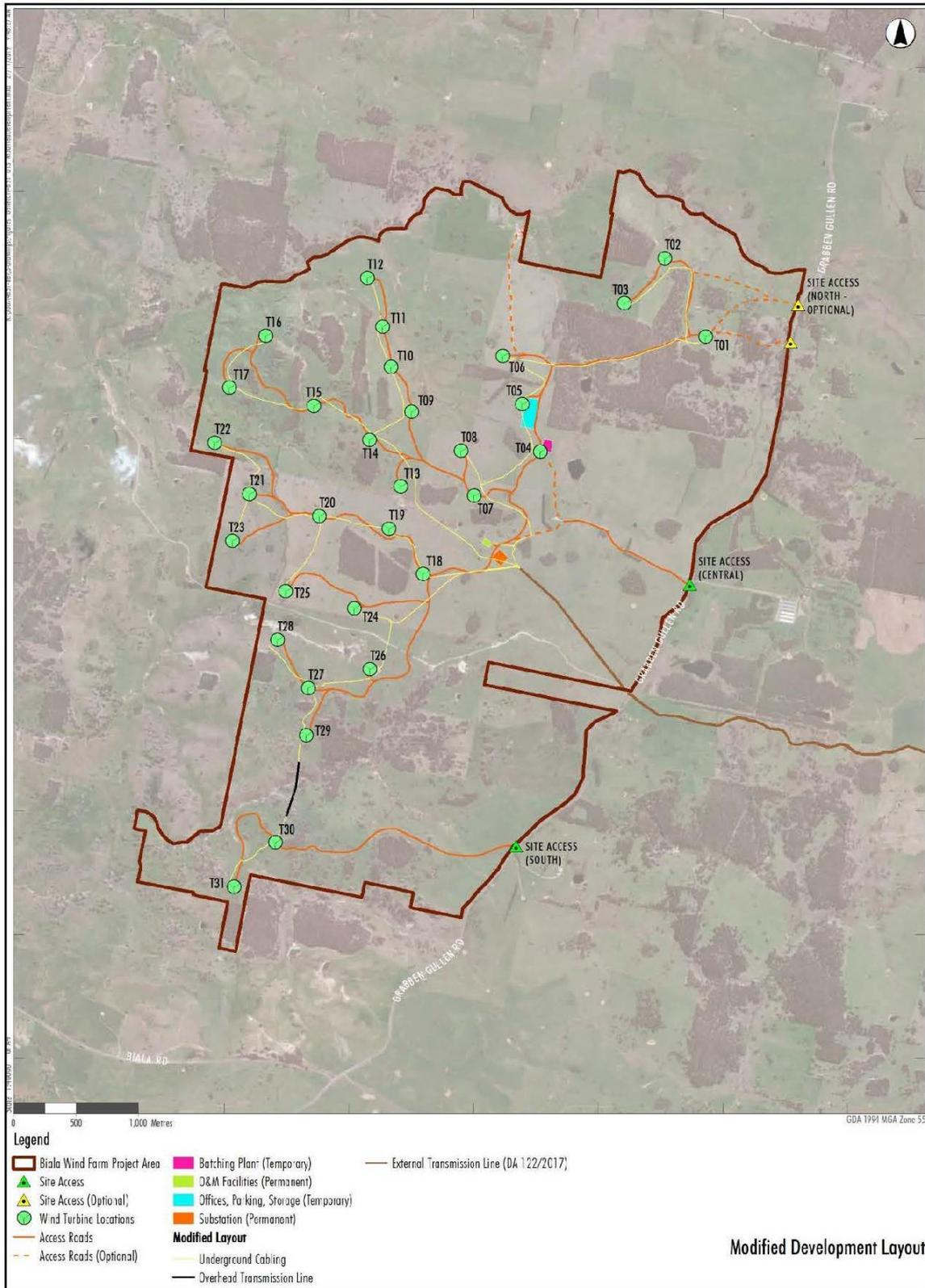
MOD2 was supported by the 'Consistency Review – Refinements to Design of Ancillary Infrastructure (Umwelt, 2019) (Consistency Review) which outlined and assessed the minor design changes and micro-siting of the ancillary infrastructure.

**Figure 1** shows the general layout of Biala as shown in the SSD 6039. SSD 6039 does not include all of the infrastructure required to connect the wind farm to the electricity network. In 2017, Biala submitted a Development Application (DA 122/2017) for an underground transmission line to connect Biala with the existing substation at Gullen Range Wind Farm. DA 122/2017 was approved by the Southern Regional Planning Panel (JRPP) on 17 January 2019. DA 122/2017 does not form part of this IEA.

### 2.2 MANAGEMENT PLANS, PROGRAMS AND STRATEGIES

SSD 6039 requires the preparation of a series of management plans. All currently approved management plans for the construction and operation (as relevant) phases were reviewed during this IEA, including the:

- 'Aboriginal Cultural Heritage Management Plan' (revised March, 2020);
- 'Biodiversity Management Plan' (revised March, 2020);
- 'Stage 1 Traffic Management Plan' (October, 2018);
- 'Stage 2 Traffic Management Plan' (February, 2020); and
- 'Bird and Bat Adaptive Management Program' (May, 2019).



**Figure 1**  
**Biala Development Layout**

### 3 IEA REQUIREMENTS

#### 3.1 DEVELOPMENT CONSENT

This IEA and subsequent report has been compiled pursuant to SSD 6039 (as modified) and the DPE Audit Guidelines (DPE, 2018) (discussed in **Section 3.2**).

Requirements for independent auditing under SSD 6039 (as modified) Schedule 4 Condition 6 is listed in **Table 1** which also lists where each is addressed in this document.

**Table 1**  
**Independent Environmental Audit Requirements**

Description	Where Addressed
<b>SSD 6039 Schedule 4 Condition 6</b>	
Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:	<b>This IEA</b>
(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);	<b>Section 3.2</b>
(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	<b>Appendix B and E</b>
(c) be carried out in consultation with the relevant agencies;	<b>Section 3.3 and Appendix E</b>
(d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and	<b>Section 4 and Appendix C</b>
(e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.	<b>Section 5</b>
Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.	<b>Responsibility of Newtricity</b>
The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	<b>Responsibility of Newtricity</b>

### 3.2 AUDIT GUIDELINES

This IEA report has also been prepared in accordance with the Audit Guidelines (DPE, 2018). **Table 2** lists key requirements from the Audit Guidelines, the relevant section of the Guidelines which references the requirement, and indicates where each is addressed in this report.

**Table 2**  
**Audit Guidelines Requirements**

Section	Description	Where Addressed
3.1.	Independent Audits must only be undertaken by a suitably qualified, experienced and independent auditor. Conditions of consent may require Independent Audits to be undertaken by an auditor and one or more technical specialists.	<b>Section 1, Appendix B and Appendix C</b>
3.2	The auditor must consult with the Department, and other agencies and stakeholders, including the Community Consultative Committee (if one is required for the project), to obtain their input into the scope of the audit.  Comments received during such consultation must be recorded and reported in the Independent Audit Report. Specific environmental issues raised during consultation must be investigated and findings of the investigation must be reported in the Independent Audit Report.	<b>Section 3.3 and Appendix E</b>
3.3	An independent audit must include: 1. an assessment of compliance with: a. conditions of consent applicable to the phase of the development that is being audited; b. all post approval documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; c. all environmental licences and approvals applicable to the development excluding environmental protection licences issued under the <i>Protection of the Environment Operations Act 1997</i> ;	<b>Appendix C</b>
3.3	2. an assessment of the environmental performance of the development, including but not necessarily limited to, an assessment of: a. actual impacts compared to predicted impacts documented in the environmental impact assessment; b. the physical extent of the development in comparison with the approved boundary, and any potential off-site impacts;	<b>Appendix C</b>

Section	Description	Where Addressed
	<ul style="list-style-type: none"> <li>c. incidents, non-compliances and complaints that occurred or were made during the audit period;</li> <li>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;</li> <li>e. feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period;</li> </ul>	
3.3	3. the status of implementation of previous Independent Audit findings, recommendations and actions (if any);	N/A
3.3	4. a high-level review of the project's environmental management systems (if any), including assessment of any third party certification of them, the type, nature and scope of the systems having regard to the nature and scale of the development, and the implementation of the systems. It is not expected that an Independent Audit comprises a management system audit, however any key deficiencies identified in the system should be discussed;	This IEA Report
3.3	5. a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and	This IEA Report
3.3	6. 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.	<b>Appendix C</b>
3.4	Audits must commence with an opening meeting and conclude with a closing meeting. The meetings must be attended by a representative of the proponent at manager level or above, the auditor and technical specialists (if any).	<b>Appendix A</b>
3.5	Independent Audits must include interviews with key personnel involved in project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development.	<b>Appendix A and Appendix C</b>
3.6	Independent Audits must include a physical site inspection. The site inspection must cover all development areas and environmental aspects that form part of the scope of the audit.	<b>Appendix C, Appendix D</b>

### 3.3 AGENCY CONSULTATION

During the preparation for this audit, input was sought from regulatory agencies and the Biala Community Consultative Committee (CCC) to confirm any areas of compliance or environmental management that should be a particular focus.

The following agencies were approached directly by Hansen Bailey in early September 2020 for input as part of the scoping phase of this IEA (see **Appendix E**):

- Department of Planning, Industry and Environment (DPIE);
- DPIE Compliance Division;
- Environment and Protection Authority (EPA);
- Transport for NSW (TfNSW), formally the Roads and Maritime Service;
- Airservices Australia (ASA);
- NSW Rural Fire Service (NSW RFS);
- Upper Lachlan Shire Council (ULSC); and
- Biala CCC Chair.

Where specific issues were raised during consultation, these are listed in **Table 3** along with a section on where each has been addressed in **Appendix C** of this IEA report.

**Table 3**  
**Agency Requirements**

Ref	Requirement	Where Addressed
<b>Department of Planning, Industry and Environment – Compliance Division</b>		
1.	Noise compliance	Sch 3 Cond 6 & 7
2.	Erosion and sediment controls/measures	Sch 3 Cond 17
3.	Dust management	Sch 3 Cond 14
4.	Truck movements and record keeping (use of approved routes)	Sch 3 Cond 24 & 28
5.	Compliance with roads upgrades to satisfaction of road authority	Sch 3 Cond 25
6.	Compliance with operating hours	Sch 3 Cond 7
7.	Complaints register/management of complaints and communication with community	Sch 4 Cond 1
8.	Compliance with obtaining other approvals such as Construction Certificates	Sch 2 Cond 6
9.	Aviation lights	Sch 3 Cond 4
10.	Night lighting	Sch 3 Cond 4

Ref	Requirement	Where Addressed
<b>Environment Protection Authority</b>		
11.	<p>Sediment and erosion control and associated potential for water pollution, specifically associated with watercourse crossings, road construction and construction of turbine bases. In early 2020, the EPA received two separate complaints of discharges of sediment laden water leaving the licensed premises and entering Wattle Creek. As a result of the investigations, the EPA issued an official caution to the licensee and its contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the Protection of the Environment Operations Act 1997. Throughout EPA's investigations into these complaints, the licensee and its contractor have been cooperative and willing to address non compliances identified to improve environmental performance in relation to their practices. Both the licensee and their contractor have made further submissions to the EPA detailing further corrective actions taken to resolve EPA concerns particularly in relation to management plans and procedures and improving future environmental performance.</p>	Sch 3 Cond 16
12.	<p>Dust, generally associated with truck movements on unsealed roads. Construction of the Biala Wind farm commenced during a severe drought. The EPA (and DPIE Compliance) received several complaints in relation to dust leaving the premises and impacting neighbouring properties and causing a hazard and safety issue to road users on a nearby public road. The EPA understands that the licensee was sourcing water from dams onsite and a neighbouring property and using water carts for dust suppression but this was proving futile on hot days with strong winds. Measures implemented by the licensee to minimise dust generation included: importing gravel to cap the roads as soon as practicable, water carts for dust suppression, review and cease civil construction on some high-risk windy days, and, limit onsite vehicle speeds. The licensee, in response to meeting with a complainant, further committed to having a water cart specifically assigned to wetting down the track between T02 and T03 during concrete pours of T02 and T03 which were the closest turbines to the complainant's property. The EPA also referred dust complaints onto DPIE Compliance and accepted the measures proposed and implemented but also suggested the licensee investigate other options for road sealing as the gravel seal was itself generating dust with vehicular movements.</p>	Sch 3 Cond 14
13.	<p>Noise, during construction particularly around out of hours works eg. concrete batching/pouring is often undertaken early or late in the workday to avoid the hottest part of the day, and erection of turbines requires optimum weather conditions which may lead to these works occurring at night and this can lead to noise and light related issues with nearby receptors. Several noise complaints were received by the EPA in June 2020 in relation to works conducted outside of standard construction hours. Whilst one complaint was</p>	Sch 3 Cond 7

Ref	Requirement	Where Addressed
	verified and appeared to relate to noise generated by the use of a generator to power several air-conditioning units throughout the night at the site compound, others have not been verified. Those complaints raised concern regarding the public consultation process, alleging that residents were provided with less than 24 hours' notice of the intended works, were asked to sign a Neighbour Program Agreement which may negate their ability to lodge a complaint, and that noise and light generated from night works were detrimentally impacting sheep lambing. These complaints were referred to DPIE compliance for follow up as the issues were consent related and not regulated by EPA.	
<b>Transport for NSW</b>		
14.	TfNSW is satisfied with the transport related conditions (Condition 24-28) detailed in Schedule 3 of the Development Consent.	N/A
<b>Community Consultative Committee Chair</b>		
15.	Termite mounds (nesting place for Lace Monitors (goanna)) – Outcome of that? <ul style="list-style-type: none"> <li>• Will landowners be educated about Lace Monitors and their needs (ie requiring termite mounds)?</li> <li>• Will any habitat for Lace Monitors be built (was planting of habitat considered/undertaken or local [within Biala] offsets funded to aid the Lace Monitors);</li> <li>• Were efforts made to identify and protect the vital termite mounds?</li> <li>• Are the termite mounds that were there at the commencement of construction still there?</li> <li>• Did the developer participate in all of the 6 fox baiting incidents this year (ie. foxes dig the eggs of the monitor out of the termite mounds)?</li> </ul>	Sch 3 Cond 20
16.	Little Eagle: <ul style="list-style-type: none"> <li>• What was done to protect large potential nesting trees for the Little Eagle?</li> <li>• Were nesting trees identified and not removed?</li> <li>• Were more trees planted here or nearby in some sort of offset arrangement?</li> <li>• If off set planting was undertaken in Biala [or immediately adjacent to Biala], can we get some details of the rate of planting? What rate of tree replacement was undertaken? 50 tubestock for each tree removed or 100? 150?</li> <li>• Were these specifically species preferred by Little Eagles?</li> </ul>	Sch 3 Cond 18
17.	What damage sediment entering Wattle creek from Run off from T1 and T2 has caused?	Sch 3 Cond 16

<b>Ref</b>	<b>Requirement</b>	<b>Where Addressed</b>
18.	There is a lot of timber piled up on the entrance into Reeves, will this timber harbour feral animals in the future?	Sch 3 Cond 20
19.	What fauna and flora has been destroyed with the over clearing of this habitat?	Sch 3 Cond 18
20.	There were far more trees removed then was needed.	Sch 3 Cond 18
21.	Sediment runoff from exposed subsoil into farm dams & Wattle Creek, particularly from the compound/hard surface areas.	Sch 3 Cond 16
22.	Unproductive subsoil left on the surface in construction areas including cable routes.	Sch 3 Cond 37
23.	Damage of construction areas whilst 'walking' the crane between tower sites.	Sch 3 Cond 37
24.	Rocks brought to the surface during earthworks & not re-buried or picked up including on cable lines.	Sch 3 Cond 36
25.	Shallow subsoil intentionally mixed with deeper subsoil used for fill, then covered with a small amount of topsoil significantly reducing the pasture productivity of these areas.	Sch 3 Cond 36

#### 4 NON-COMPLIANCES AGAINST DEVELOPMENT CONSENT

This section provides a discussion on the identified non-compliances against SSD 6039 at the time of the IEA.

A summary of the non-compliances against each condition is summarised in **Table 4**. Recommendations arising from the non-compliances are included in **Section 5**.

Table A of **Appendix C** provides a complete tabulated list of conditions of SSD 6039 with the compliance status and comments against each.

**Table 4**  
**Identified Non-Compliances**

Ref	Non-Compliance
Sch 3 Cond 7	<ul style="list-style-type: none"><li data-bbox="466 817 1362 882">• No approval from DPIE was gained prior to potentially audible Out of Hours construction work undertaken in June 2020.</li><li data-bbox="466 896 1251 958">• Attended monitoring confirmed that some work was audible at the intermediate monitoring locations.</li></ul>

## 5 AUDIT RECOMMENDATIONS

**Table 5** includes a consolidated list of continuous improvement recommendations relating to this IEA (as shown in **Table 4**). There was one non-compliance identified as part of this audit resulting in one non-compliance recommendation.

**Table 5**  
**IEA Recommendations**

Ref	Recommendation
<b>NON-COMPLIANCE RECOMMENDATIONS</b>	
Sch 3 Cond 7	<ul style="list-style-type: none"> <li>Update the 'Extended Hours Work Approval' (Goldwind, 2020) to clearly stipulate what the proponent considers to be an audible level at the closest private receiver(s) or representative location (if monitoring is not available due to access).</li> <li>Ensure written approval from DPIE received prior to undertaking any audible works for out of hour works.</li> <li>Consider seeking a modification to development consent which defines 'inaudible' relative to background levels (consistent with contemporary wind farm approvals) in the context of the condition.</li> </ul>
<b>CONTINUAL IMPROVEMENT RECOMMENDATIONS</b>	
Sch 2 Cond 3	<ul style="list-style-type: none"> <li>Consider if the Development Layout in Appendix 2 of SSD 6039 should be updated to be consistent with the MOD2 Map supplied by TM dated 2/8/19.</li> <li>Update Modification 2 date on consent to 9/1/20.</li> </ul>
Sch 3 Cond 16	<ul style="list-style-type: none"> <li>Ensure that 'crane tracking disturbance resulting from internal incident on 30/7/20 is remediated asap to satisfaction of landowner and sedimentation control retained to until area fully stabilised.</li> </ul>
Sch 3 Cond 17c)	<ul style="list-style-type: none"> <li>The T30/31 culvert off bank requires ongoing work and stabilisation (<b>Plate 16</b>).</li> <li>Since the site inspection, Newtricity has undertaken additional works in this area as detailed in <b>Appendix C</b>.</li> </ul>
Sch 3 Cond 17d)	<ul style="list-style-type: none"> <li>Provide refresher training to relevant personnel as to the requirement for bunding for potentially hazardous materials and inspections conducted to confirm compliance.</li> </ul>
Sch 3 Cond 20	<ul style="list-style-type: none"> <li>Recommend BCD consultation is included as an appendix of the BMP at next update.</li> </ul>
Sch 3 Cond 23	<ul style="list-style-type: none"> <li>Update Table 7.1 of the ACHMP when next revised to remove Aboriginal sites that have been salvaged (may retain detail in an Appendix) so practically relevant for operations phase.</li> </ul>

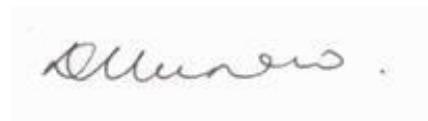
Ref	Recommendation
Sch 3 Cond 35c)	<ul style="list-style-type: none"> <li>• Refresher training for handling of wastes and clear labelling of bins when at Construction and/or O&amp;M Compounds. Since the site inspection, the Daily Prestart Form has been updated to include instructions for correct use of waste.</li> <li>• Residual waste materials and discarded blade support frames identified during the site inspection (see <b>Plate 25</b> and <b>Plate 27</b>) should be removed during final clean-up.</li> </ul>
Sch 3 Cond 37	<ul style="list-style-type: none"> <li>• Installation of signage and sediment fencing around topsoil stockpile located on private property (<b>Plate 6</b>) until the landowner removes the stockpile. Shape and seed the stockpile located near the O&amp;M Compound (<b>Plate 7</b>) if left open for more than four to six months to ensure stability and reduce sediment and erosion control.</li> <li>• Monitor 'Borrow Pit' rehabilitation area to ensure rehabilitation successful.</li> </ul>
Sch 4 Cond 1	<ul style="list-style-type: none"> <li>• Update Environmental Management Strategy (EMS) for operations, should personnel and responsibilities change.</li> </ul>
Sch 4 Cond 2	<ul style="list-style-type: none"> <li>• Keep a register which records that this condition was considered for each strategy/plan/program after each incident, audit and modification to demonstrate compliance for future audits.</li> </ul>

\* \* \*

for  
**HANSEN BAILEY**



Theresa Folpp  
 Environmental Scientist



Dianne Munro  
 Principal Environmental Scientist

***APPENDIX A***  
***Audit Itinerary***

**Biala Wind Farm**  
**Department of Planning, Industry & Environment Independent Environmental Audit**

**ITINERARY**  
**Site Component to be held from 23 – 24 September 2020**

**INVITEES**

Tim Mead (TM)	BJCE Australia	Construction Project Manager
Adam Lenihan (AL)	AECOM	Owners Site Representative
Angela Rozali (AR)	AECOM	Owners Project Manager
Shani Walton (SW)	AECOM	Environment Lead
Andy Wang (AW)	Goldwind	Supply and Installation (S&I) Contract Project Manager
Leigh Denton (LD)	Goldwind	HSEQ Supervisor
John McCarthy (JC)	Goldwind	HSEQ Coordinator
Brett Purdie (BP)	Consolidated Power Projects (CPP)	Electrical Balance of Plant (EBOP) Contract Project Manager
Zachary Woods (ZW)	CATCON	Civil Balance of Plant (CBOP) Contract Project Manager
Kyle O'Donoghue (KO)	CATCON	Principal Contractor's Representative
Jekabs Strikis (JS)	CATCON	Training and Compliance Manager
Dianne Munro (DM)	Hansen Bailey	Lead Auditor

**APOLOGIES**

Tim Mead (TM)

**DAY 1 – 23 September**

Time	Description	Location	Attendees
8 – 8:30am	<b>Opening Meeting</b> <ul style="list-style-type: none"> <li>• Introductions (AR)</li> <li>• IEA scope and purpose (DM)</li> <li>• Confidentiality arrangements (DM)</li> <li>• IEA process and timing (DM)</li> </ul>	GWA meeting room	All
To 9am	<b>Biala Presentation</b> <ul style="list-style-type: none"> <li>• Overview of activities (by site personnel)</li> </ul>	Owner's site office	DM, AR
To 12pm	<b>Compliance Review</b> <ul style="list-style-type: none"> <li>• SSD 6039 Individual Conditions</li> </ul>	Owner's site office	DM, AR
To 12:15pm	<b>Lunch</b>	Owner's site office	-
To 1:15pm	<b>Goldwind Discussion</b> <ul style="list-style-type: none"> <li>• Turbine design (height, capacity, locations)</li> <li>• Transformers</li> <li>• Turbine maintenance</li> <li>• Operating hours, personnel and schedule</li> </ul>	GWA office	DM, AR, AW, LD, JM

Time	Description	Location	Attendees
	<ul style="list-style-type: none"> <li>Environmental: visual, dust, noise, heritage, transport, rehabilitation, aviation, telecoms, bushfire, water, waste, complaints, incidents, compliance inspections</li> </ul>		
To 3pm	<b>Compliance Review (cont.)</b> <ul style="list-style-type: none"> <li>SSD 6039 Individual Conditions</li> <li>EPL 21280</li> </ul>	Owner's site office	DM, AR
To 5pm	<b>Site Inspection</b> <ul style="list-style-type: none"> <li>Turbines</li> <li>Laydown areas</li> <li>Underground reticulation</li> <li>Rehabilitation / Remediation / Maintenance</li> <li>Heritage / Ecology / Monitoring / Amenity</li> </ul>	Field	DM, AL, AR

### DAY 2 – 24 September

Time	Description	Location	Attendees
8 – 8:15am	<b>Day 2 Overview Meeting</b> <ul style="list-style-type: none"> <li>Confirm arrangements for Day 2</li> </ul>	Owner's site office	DM, AR
To 11am	<b>Compliance Review (cont.)</b> <ul style="list-style-type: none"> <li>EIS Project to actual comparison</li> <li>Supporting documents (EA and SEE) review</li> <li>Management plan commitments</li> </ul>	Owner's site office	DM, AR
To 12pm	<b>Consolidated Power Projects (CPP) Discussion</b> <ul style="list-style-type: none"> <li>Electrical reticulation design</li> <li>Substation</li> <li>Transmission line</li> <li>Optical fibre cables / communications</li> <li>Maintenance</li> <li>Monitoring masts</li> <li>Environmental: visual, dust, noise, heritage, transport, rehabilitation, telecoms, bushfire, water, waste, complaints, incidents, compliance inspections</li> </ul>	Owner's site office	DM, AR (site)  BP (dial-in)
To 12:15pm	<b>Lunch</b>	Site office	-
To 1:30pm	<b>CATCON Discussion</b> <ul style="list-style-type: none"> <li>Hardstand areas</li> <li>Access tracks and site access (upgrades)</li> <li>Public infrastructure upgrades</li> <li>Laydown areas</li> <li>Construction compounds / offices</li> <li>Rock crushing / concrete batching</li> <li>Operating hours, personnel and schedule</li> <li>Environmental: visual, dust, noise, heritage, transport, rehabilitation, aviation, telecoms, bushfire, water, waste, complaints, incidents, compliance inspections</li> </ul>	CATCON site office	DM, AR, KO (site) ZW, JS (Dial-in)
To 2:00pm (TBC)	<b>Closeout Preparation</b> <ul style="list-style-type: none"> <li>Auditor preparation for Closeout Meeting</li> </ul>	Owner's site office	DM
To 2:30pm (TBC)	<b>Close Out Meeting</b> <ul style="list-style-type: none"> <li>Overview of findings</li> <li>Confirmation of outstanding documents</li> <li>Confirm audit completion process</li> </ul>	GWA meeting room	All

***APPENDIX B***  
***Independent Audit***  
***Certification Form***

<b>Independent Environmental Audit Declaration Form</b>	
<b>Project</b>	
Name	Biala Wind Farm
Consent Number	SSD 6039 (as modified)
Description of Project	Biala Wind Farm
Project Address	Grabben Gullen Rd, Gurrundah NSW
Proponent	Newtricity Developments Biala Pty Ltd
<b>Independent Audit</b>	
Title of Audit	Biala Wind Farm Independent Environmental Audit
<b>Certificate</b>	<p>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:</p> <ul style="list-style-type: none"> <li>• The audit has been undertaken in accordance with relevant condition(s) of approval and the <i>Independent Post Approval Requirements (Department 2018)</i>;</li> <li>• The findings of the audit are reported truthfully, accurately and completely;</li> <li>• I have exercised due diligence and professional judgement in conducting the audit;</li> <li>• I have acted professionally, objectively and in an unbiased manner;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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</li> <li>• 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.</li> </ul> <p>Notes:</p> <p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> a person must not include false or misleading information (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 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</p> <p>b) The <i>Crimes Act 1900</i> 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).</p>
Name of Lead Auditor	Dianne Munro
Signature	
Qualification / Auditor Certification (Body, No. Grade)	Auditor for Environmental Management, EMS, Compliance and ISO14001:2015 Audit. Exemplar Global No. 107622
Email Address	<a href="mailto:dmunro@hansenbailey.com.au">dmunro@hansenbailey.com.au</a>
Company	Hansen Bailey Environmental Consultants
Company Address	6/127-129 John Street, Singleton NSW 2330
Date	5 February 2021

***APPENDIX C***  
***Compliance Tables***

**Table C-1**  
**SSD 6039 Conditions of Approval**

Blue type represents Modification 1 – 9 October 2018

Red type represents Modification 2 – 9 January 2020

Condition No.	Requirement / Condition	Status	Evidence
Sch 2, Cond 1	This consent does not operate until: (a) the development of the transmission line required to connect the wind farm to the high voltage electricity network: • has been granted consent, or approval by a determining authority within the meaning of section 110 of, under the <i>Environmental Planning and Assessment Act 1979</i> ; or • if the development is an activity which does not require consent or approval, a determining authority has assessed and determined to carry out the activity under Part 5 of the Environmental Planning and Assessment Act 1979; (b) the applicant has forwarded a copy of the consent, approval or determination (as the case may be) to the Department; and (c) the Secretary has notified the Applicant that it is satisfied that the requirement at 1(a) has been met.	Compliant	a) Development Consent 122/2017 was approved by the Southern Regional Planning Panel on 17 January 2019. b) Viewed letter dated 30 January 2019 from Department of Planning, Industry and Environment (DPIE) acknowledging receipt. Viewed email dated 30 January 2019 from TM. c) Viewed letter dated 30 January 2019 from DPIE acknowledging receipt.
Schedule 2, condition 2	In addition to meeting the specific environmental performance criteria established under this consent, the Applicant 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 development.	Compliant	No material harm was identified as occurring during the audit period (see conditions below).
Schedule 2, condition 3	The Applicant must carry out the development: (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent. Note: The general layout of the development is shown in Appendix 2.	Compliant	As part of the detailed design process (and supported by MOD 2) Newtricity determined that the approved substation was no longer required and made other minor changes to elements of the Project design (Consistency Review Biala Wind Farm - Refinements to Design of Ancillary Infrastructure, Umwelt, October 2019) (Consistency Review). The Consistency Review concluded that “there is an overall increase in the disturbance resulting from the Project in comparison to the EIS”. However, it found “whilst there are some minor changes to some of the predicted impacts (including a small increase in the permanent and temporary

Condition No.	Requirement / Condition	Status	Evidence
			<p>disturbance footprints), overall, the environmental impacts of the Project as a result of the micro-siting of the ancillary infrastructure and other proposed minor changes remains consistent with the impacts of the Current Layout as outlined in the EIS.”</p> <p>Additionally, MOD2 was sought and granted on 9/1/18 to clarify minor design changes and micro-siting of the Wind Turbine Generators (WTGs) and ancillary infrastructure within the already approved vegetation clearing limits. .</p> <p>At the time of the IEA site inspection, site access tracks and the construction compound had been constructed (see <b>Plate 4 and 5</b>), the Operations and Maintenance Facility was being constructed (see <b>Plate1</b>) and some turbines were operating and being erected (see response to Sch 2 Cond 5).</p> <p>Key project parameters were reviewed and the following was confirmed:</p> <ul style="list-style-type: none"> <li>• Sinoma blades are less than 75m (viewed ‘Goldwind Turbine Specification’);</li> <li>• Manning did not exceed 74 people during construction (the maximum was 60) (AM pers comms); and</li> <li>• Turbine maximum capacity of 3.5MW per turbine (viewed ‘Generating Systems Details’).</li> </ul> <p><b>Recommend considering whether the Development Layout in Appendix 2 of SSD 6039 should be updated to be consistent with the MOD2 Map supplied by TM dated 2/8/19.</b> The MOD2 Map differs from the Development Layout in the:</p> <ul style="list-style-type: none"> <li>• There are no access tracks from the northern access to T01 and T02,</li> <li>• The Offices, Parking and Storage facilities are no longer located at T05; and</li> <li>• There is laydown area now near T15.</li> </ul> <p><b>At next modification, recommend updating modification 2 date on consent to 9/1/20.</b></p>

Condition No.	Requirement / Condition	Status	Evidence
Sch 2, Cond 4	The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	Compliant	The Environment Protection Authority (EPA) and DPIE have visited the Project on a number of occasions (TM pers comms). There was no request from DPIE, however the EPA requested a letter regarding pollution feedback see Sch 3 Cond 16 for further detail.
Sch 2, Cond 5	The Applicant may construct, operate and replace or upgrade as necessary up to 31 wind turbines. Notes: • To avoid any doubt, the Applicant does not require additional approval to replace or upgrade wind turbines over time, as long as the replacement or upgrade is carried out in accordance with the conditions of this consent. • To identify the approved wind turbines, see the figures and corresponding GPS coordinates in Appendix 2.	Compliant	At the time of the IEA site inspection (23/9/20), there were: • 14 WTGs erected: WTGs 18, 19, 20, 21, 22, 23, 25, 16, 17, 11, 12, 1, 2 and 3. WTGs in the process of being erected were viewed during the site inspection (see <b>Plates 2 and 3</b> ). • Two WTGs tested: WTGs 22 and 23 but not yet commissioned; and • Two WTGs operating.
Schedule 2, condition 6	No wind turbines may be greater than 185 metres in height (measured from above ground level to the blade tip).	Compliant	Viewed Construction Certificate No. 502.10/2019 for installation of WTGs T1 through to T31 dated 21/3/20 which states that "confirmation to be provided via a Survey Report that the WTGS's are constructed in accordance with the requirements of the approval and approved documentation" under this condition. Viewed SSC Survey Report dated 7/7/20 which confirms T11, T12, T16 – 23 and T25 are less than 185m (approximately 179m).
Sch 2, Cond 7	The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided: (a) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix 2, except for turbine T29. (b) wind turbine T29 is moved at least 350 metres from the wedge-tailed eagle nest shown on the figure in Appendix 5, and if practicable, over 500m from this nest; (c) the closest turbine is moved no closer to residence H06, H07, H09, H11 or H12 shown in the figure in Appendix 2; (d) the revised location of a wind turbine is at least 50m from existing hollow-bearing trees; or where the proposed turbine location is already within 50m of existing hollow-bearing trees, the revised location of the turbine is not moved any closer to the existing hollow-	Not Triggered	Not triggered as MOD2 facilitated the final locations. a) As part of the detailed design process Newtricity has micro-sited some of the Wind Turbine Generators (WTGs) (Umwelt, October 2019). As stated in Section 2.5 of the Consistency Review "All micro-sited WTGs remain within 100 m of the locations proposed in the EIS and comply with the specified limits on micro-siting contained in Conditions 7(a) to (e)". The micro-sited locations of the WTGs are shown in relation to the original (consent approved) locations in Figure 2.3 of Umwelt (2019). The following infrastructure was also micro-sited in the Consistency Review:

Condition No.	Requirement / Condition	Status	Evidence
	<p>bearing trees; and                      (e) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent.</p>		<p>-Internal electrical reticulation network;                      -internal access tracks                      -temporary construction compound and batch plant.                      These changes are summarised below:</p> <ul style="list-style-type: none"> <li>• reduction in the width of the internal site tracks</li> <li>• adjustment to the layout of the crane pads at the wind turbine locations</li> <li>• allowance for disturbance due to cut and fill batters of tracks and crane hardstands</li> <li>• clarification of the disturbance area through the woodland area from T1 to T6.</li> </ul> <p>The Consistency Review found that “the micro-siting of the ancillary infrastructure would not result in any noncompliance with the conditions of the Development Consent.”</p> <p>No additional micro-siting has occurred since the Consistency Review (AR pers comms).</p> <p>b) There is no wedge-tailed eagle nest shown in Appendix 5 of the consolidated development consent for SSD 6039, however the nest is shown in Appendix 5 of the original consent. This should be clarified.</p> <p>T29 is not yet constructed but pad has been completed. T29 was micro-sited north and is located 430 m from the wedge-tailed eagle nest (Briefing Note to Tim Mead dated 22/01/20 titled ‘Wind Turbine Generator Micro-siting’) (Micro Siting Briefing).</p> <p>c) The Micro Siting Briefing states that “the requirements of this condition have been met by the proposed micro-sited WTG locations with the closest turbines not being micro-sited closer to residences H06, H07, H09, U11 or H12”.</p> <p>d) Viewed and compared the ‘Ecological Constraints’ map dated 10/3/20 to the Micro Siting Briefing. Proposed locations of turbines consistent. The following methodology was used in the Micro Siting Briefing to determine the final turbine locations:                      “An analysis using ArcGIS software was undertaken to compare the micro-sited WTG locations with mapped hollow bearing tree locations. Specifically, a 50 m buffer was created around the micro-sited WTGs to determine if</p>

Condition No.	Requirement / Condition	Status	Evidence
			any hollow bearing trees intersected with the buffer areas. The analysis identified that there was one turbine with a hollow bearing tree within 50 m. This was T21 which has not been micro-sited and will remain in its current approved location. As there are no hollow bearing trees within 50 m of the micro-sited WTGs and WTG T21 will not be moved any closer to the existing hollow bearing tree within 50 m of its location, this consent condition is met by the proposed microsited WTG locations". e) See response to part a)
Sch 2, Cond 8	The Applicant must not undertake the construction of turbines T01, T02 and T03 during September and October, unless otherwise agreed in writing with the owner of Residence H07.	Not Triggered	Construction of T1, T2 and T3 did not occur during September and October. T1 - Commencement of construction began on 23/7/20 and construction was completed on 3/8/20. T1 is located 2,400 m from H7. T2 - Commencement of construction began on 22/6/20 and construction was completed on 30/7/20. T2 is located 2,100 m from H7. T3 - Commencement of construction began on 20/6/20 and construction was completed on 23/7/20. T3 is located 2,600 m from H7.
Schedule 2, Condition 9	Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the 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. Note: If the construction of the development is to be staged, then the provision of these plans may be staged.	Compliant	Includes all turbines (31). a) Viewed - Letter 18 October 2019 to DPIE, O&M and ancillary infrastructure coordinates and map. - Letter 2 August 2019 to DPIE – preconstruction at main entrance and batch plant. - Letter 12 September 2019 to DPIE – Access roads, hardstands and drainages including plan and no coordinates. b) Letter 25 September 2019 to DPIE – foundations, including coordinates and map.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 2, condition 10	<p>Prior to the commencement of the construction, operation and/or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing of the date of commencement or cessation.</p> <p>If the construction, operation and/or decommissioning of the development is to be staged, then the Applicant 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 Consultative Committee about the proposed staging plans.</p>	Compliant	<p>No decommissioning, two operating and 14 constructed at date of site visit.</p> <p>a) Construction letter dated 2 August 2019 to DPIE confirming commencement on 5 August 2019. Biala has not entered operations phase but has notified DPIE of WTG Commissioning commencing (viewed email to DPIE dated 15/6/20).</p> <p>b) Viewed monthly newsletter (July 2019) which includes a summary of works to commence and the Project Timeline. "Biala used a number of methods to communicate commencement of construction activities to community including newsletter updates, website updates, text message updates, and notified Council to distribute on their social channels" (AM pers comms). Evidence of notification provided in example newsletter (July 2019).</p>
Schedule 2, condition 11	<p>The Applicant must ensure that:</p> <p>(a) the wind turbines are constructed in accordance with the relevant standards, including the structural design requirements of IEC61400-1 (or equivalent);</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 Applicant 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 development.</li> </ul>	Compliant	<p>a) Viewed "Type Certificate" for GW140/3570. 17 October 2019 refers to IEC61400-1.</p> <p>b) Viewed O&amp;M building construction certificate S02/12/2019 dated 2/12/19. Viewed O&amp;M Interim Occupation Certificate dated 25/11/20.</p>
Schedule 2, condition 12	<p>The Applicant must ensure that all demolition work on site is carried out in accordance with AS 2601-2001: The Demolition of Structures, or its latest version</p>	Not Triggered	<p>No demolition has been carried out on site.</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 2, condition 13	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.	Not Triggered	None required in IEA period.
Schedule 2, condition 14	The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	a) There have been some minor plant and equipment issues from GWA including (oil leak from 600T crane: Incident Report 001439, oil leak from Franna Crane: Incident Report 001440 and hydraulic leak on pad from container trailer: Incident Report 001444). Viewed the following documentation for the 600T crane, Franna, 130T and 300T mobile cranes as examples of evidence of maintenance: - Safework NSW Certificate of Plant Item Registration - Cranesafe Green Ticket - Registration; and - Service record. b) Viewed the Risk Assessment Matrix for the 600T crane, Franna, 130T and 300T mobile cranes which includes control methods to minimise hazards.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 2, condition 15	<p>With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.</p> <p>With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant conditions of this consent.</p> <p>Refer also to notes in consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• <i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.</i></li> <li>• <i>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 stages, and the trigger for updating the strategy, plan or program</i></li> </ul>	Compliant	Traffic Management Plan (TMP) was staged – see response to Sch 3 Cond 38. Letter dated 14 February 2020 from DPIE to TM approving two staged approach and approving TMP (7 November 2020) version.
Schedule 2, condition 16	<p>Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must enter into a Voluntary Planning Agreement (VPA) with the Council in accordance with:</p> <p>(a) Division 6 of Part 4 of the EP&amp;A Act; and</p> <p>(b) the terms of the applicable offer summarised in Appendix 3.</p>	Compliant	<p>Viewed VPA with Upper Lachlan Shire Council (ULSC) signed October 2018 (ULSC) and Dec 2018 (Newtricity) (Appended to the Development Consent).</p> <p>VPA payment details include '\$2,500 per wind turbine per annum as installed at the development over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions in this consent, and CPI adjusted over time commencing at the September 2010 quarter.' As per response to Sch 2 Cond 10, operation commenced on 5/8/19.</p> <p>No payments have been made under the VPA. As per the definition in the VPA, monetary contributions are not required until commencement of operations.</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 1	<p>For a period of 5 years from the commencement of construction, the owner of:</p> <p>(a) residence H03a; and                      (b) any non-associated residence within 4 kms of any wind turbine. may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage). Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner. 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. All mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agree otherwise. If the Applicant 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 Secretary for resolution.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• <i>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.</i></li> <li>• <i>The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While landowners may ask for the implementation of visual impact mitigation measures shortly after the commencement of construction, they should consider the merits of delaying this request until the wind turbines are visible from their residence.</i></li> </ul>	Not Triggered	<p>a) The commencement of construction was 5/8/19. Therefore, 5 years has commenced but not yet ended (i.e. 5/8/24). No request has been made in the audit period (AR pers comms).                      b) See response to condition 2.</p>
Schedule 3, condition 2	<p>Prior to the commencement of construction, the Applicant must notify the relevant owners of the residences referred to in condition 1 above, that they have the right to request the Applicant to implement visual impact mitigation measures at their residence (including its curtilage) at any time within 5 years of the commencement of construction.</p>	Compliant	<p>Viewed spreadsheet listing 67 non-associated dwellings within 3-4 km. A visual mitigation letter (template) was mailbox dropped (i.e. not personalised) (AM pers comms). Viewed visual mitigation letter dated 7/5/19 notifying landholders of their right to visual mitigation within 5 years of commencement of construction. The letter was delivered in July 2019 and construction commenced 5/8/19.</p>

Condition No.	Requirement / Condition	Status	Evidence
			Spreadsheet lists residents that the letter was sent to. "H79 requested screening. Landscape consultant was engaged and went to his house and concluded unlikely he will see any turbines, however best to confirm following erection of T1 and T2. H79 contacted many times following erection of these turbines to confirm they are not visible, but H79 have not returned any of our communications." (AM pers comms).
Schedule 3, condition 3	The Applicant must: (a) minimise the off-site visual impacts of the development; (b) ensure the wind turbines are - painted off white/grey, unless otherwise agreed by the Secretary; and - finished with a surface treatment that minimise the potential for glare and reflection; (c) ensure the visual appearance of all ancillary infrastructure (including paint colours), blends in as far as possible with the surrounding landscape; and (d) not mount any advertising signs or logos in wind turbines or ancillary infrastructure	Compliant	a) The 'Biala Wind Farm Environmental Impact Statement' (ERM, 2015) proposed the following visual impact mitigation measures: <ul style="list-style-type: none"> <li>Planting vegetation close to view locations;</li> <li>Minimise the extent of cut and fill in the construction of roads; and</li> <li>Re-vegetating disturbed soil areas.</li> </ul> b) See various plates in <b>Appendix D</b> which shows current visual impact with well-establishing vegetation around site. No visual complaints were received during the audit period (only one lighting complaint). Turbine paint was viewed and confirmed compliant during the site inspection (see <b>Plate 8</b> ). c) Ancillary infrastructure was viewed during the site inspection. No planting has been required. d) There were no advertising signs or logos mounted on infrastructure viewed during the site inspection.
Schedule 3, condition 4	The Applicant must: (a) minimise the off-site lighting impacts of the development; (b) ensure that any aviation hazard lighting complies with CASA's requirements; (c) minimise the visual impacts of any aviation lighting by implement measures such as; - partial shielding of lights; - operating the lights only at night or during times of reduced visibility; and turning the lights on and off simultaneously; (d) ensure that all external lighting associated with the development (apart from any aviation hazard lighting): - is installed as low intensity lighting (except where required for safety or emergency purposes); - does not shine above the horizontal; - uses best management	Compliant	a) Construction compound is the only area requiring lighting. The O&M facility will require lighting when constructed. Lighting of the construction compound does not occur at night. There have been no lighting complaints during the IEA period. b) Viewed letter from BJCE to Goldwind and Department of Defence (DOD) (dated 20/8/19) to meet CASA requirements. Eighteen turbines require aviation lighting (as per the EIS Aviation Impact Assessment). Site visit showed some lighting affixed to turbines on the ground ready to be installed ( <b>Plate 9</b> ).

Condition No.	Requirement / Condition	Status	Evidence
	practice for bat deterrence; and complies with AS4282 (INT) 1997 or its latest version		<p>Aviation lighting is a steady red light. Viewed "internal product data sheet" for purchased lighting and "LM100 Medium Intensity Light" specifications.</p> <p>Viewed email letter to DOD 20/09/19 stating that lights can be low intensity from dusk until 11pm.</p> <p>c) Floodlights have been angled at 45 degrees below horizontal. For site compound, lighting details as follows:</p> <ul style="list-style-type: none"> <li>• Lights to provide safe work areas and task lighting</li> <li>• LED Flood type</li> <li>• 5 K Colour Spectrum</li> <li>• 50 Watt</li> <li>• 45deg below horizontal</li> </ul> <p>Viewed letter from Bestec Engineering dated 8/10/20 confirming that the design of the Biala Wind Farm is in accordance with AS4282 Control of Obtrusive Effects of Outdoor Lighting.</p>
Schedule 3, condition 5	The Applicant must ensure that shadow flicker from operational wind turbines does not exceed 30 hours per year at any non-associated residence.	Not Triggered	<p>As discussed in Sch 2 Cond 5, there are two WTGs operating. During the 12-month period of operation, the shadow flicker criteria has not exceeded 30 hours per year at a non-associated residence.</p> <p>The shadow flicker assessment as part of the EIS determined that there were not predicted to be any non-associated residences that would exceed 30 hours of shadow flicker per year. Four associated dwellings were predicted to exceed the criteria and "mitigation measures would be implemented where feasible and applicable at the request of the landholder (EIS, 2015, p.xi).</p> <p>No complaints in relation to shadow flicker have been received.</p>
Schedule 3, condition 6	The Applicant must: (a) minimise the construction or decommissioning noise of the development, including any associated traffic noise; and (b) ensure that the noise generated by any construction or decommissioning activities is managed in accordance with the best practice requirements outlined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009) or its latest version	Compliant	<p>a) No decommissioning activities has occurred.</p> <p>A Construction Noise and Vibration Management Plan (NMP) dated Nov 2019 is provided in Annex C of the Environmental Management Strategy (EMS). Noise and Vibration mitigation measures are outlined in Section 4 of the NMP. Key mitigation measures from the NMP were discussed during the site inspection as follows:</p>

Condition No.	Requirement / Condition	Status	Evidence
			<ul style="list-style-type: none"> <li>• NMP Section 4.1 - Toolbox talks are conducted and include contractor’s deliveries and routes. Viewed “Driver Induction and Route Record” (Nov 19) which includes a checkbox for “route taken” and is forwarded to CPP. Viewed “Delivery Driver Induction” which includes Site Main Entry and information about the “Driver Induction and Route Record”.</li> <li>• NMP Section 4.3 - Inspections and maintenance of equipment (including mufflers) is undertaken (see response to Sch 3 Cond 14). Noise padding is used on generators to reduce noise impacts.</li> <li>• NMP Section 4.4 - No reversing alarms are required on site.</li> <li>• NMP Section 4.5 - Scheduling practise is achieved through amalgamation of loads and trip reduction.</li> <li>• NMP Section 4.6 – No blasting has been required during IEA period.</li> </ul> <p>As stated in the IEA Regulator Response from the EPA (dated 8/9/20) “Several noise complaints were received by the EPA in June 2020 in relation to works conducted outside of standard construction hours. Whilst one complaint was verified and appeared to relate to noise generated by the use of a generator to power several air-conditioning units throughout the night at the site compound, others have not been verified. Those complaints raised concern regarding the public consultation process, alleging that residents were provided with less than 24 hours’ notice of the intended works, were asked to sign a Neighbour Program Agreement which may negate their ability to lodge a complaint, and that noise and light generated from night works were detrimentally impacting sheep lambing. These complaints were referred to DPIE compliance for follow up as the issues were consent related and not regulated by EPA”.</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>The Consistency Report found that micro-siting changes “will not prevent ongoing compliance with this condition.”</p> <p>b) The <i>Interim Construction Noise Guideline</i> (DECC, 2009) is referenced in the NMP.</p>
Schedule 3, condition 7	<p>Unless the Secretary agrees otherwise, the Applicant must only undertake construction or decommissioning activities between:</p> <p>(a) 7am to 6pm Monday to Friday; (b) 8am to 1pm Saturdays; and (c) at no times on Sundays and NSW public holidays.</p> <p>The following construction or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:</p> <ul style="list-style-type: none"> <li>- activities that are inaudible at non-associated residence;</li> <li>- the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or emergency work to avoid the loss of life, property and/or material harm to the environment.</li> </ul>	<b>Not Compliant</b>	<p>No decommissioning activities have occurred. This condition therefore only applied to construction during the audit period.</p> <p>Construction can be undertaken without the approval of the Secretary if activities:</p> <ul style="list-style-type: none"> <li>• Were requested by Police or authorities for safety reasons or emergency work. This did not apply in the audit period; or</li> <li>• are inaudible at a non-associated residence. This potentially applies as described below.</li> </ul> <p>NDBPL states that the activities described below were carried out on the basis that they were likely to be inaudible at a non-associated residence and could accordingly be carried out outside the standard construction hours without the approval of the Secretary (TM pers comms).</p> <p><b>Out of Hours Work</b></p> <p>On 20/5/20, Newtricity notified DPIE by email on its intention to commence out of hours works (OOHW) in June 2020. The email specifically referenced condition 6 and 7 of the consent and provided an OOHW assessment for DPIE review.</p> <p>DPIE responded by email on 21/5/20 requesting further information regarding the “breakdown of proposed activities (audible and inaudible)”. Newtricity responded by email on 4/6/20 stating that “The desktop conservative OOHW assessment identified the activities to be unlikely (but possible) to be audible” and that “a site specific” Noise Impact Assessment by an acoustics specialist has been commissioned to further validate the expected noise emissions from the proposed OOHW. No response was received from DPIE.</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>Some out of hours work (OOHW) was undertaken between 5/8/19 and 2/4/20 including concrete pours and crane lifting. <b>No approval from DPIE was obtained prior to the works being undertaken.</b> However, the concrete pours were assessed to be likely to be inaudible at non-associated residences. No complaints were received during these works.</p> <p>On other occasions, complaints in relation to OOHW were received from non-associated receivers via DPIE to the Proponent. Viewed letter to DPIE 14/7/20 regarding complaint (see response to Sch 3 Cond 6). Letter included a commitment to cease further OOHW.</p> <p>Reviewed report for EPA and DPIE 'Incident Report Noise Complaint during Out of Hours Work Trial at Turbine 25 on 11/06/2020' (Goldwind). The report is specific to a trial at Turbine 25 between 18:00 and 21:15 on 11/06/2020 and provides details on construction, monitoring, investigation and mitigation – where complaints were received. Consultation was undertaken within 3 km prior to the works being conducted on 11/6/20.</p> <p>A second period of OOHW work carried out at Turbine 25 in the early hours of 17 June 2020, without complaints being received.</p> <ul style="list-style-type: none"> <li>• An unattended noise monitor was setup up at 1.7 km from Turbine 25 prior to the works being undertaken with results between 32.4- 48.9 dBA LAeq noise monitoring results recorded.</li> <li>• An AECOM representative undertook attended noise monitoring at selected locations (Location 2 and 3 being intermediate locations between the work and non-associated receivers) <b>however it is unclear which date the results apply to</b> (section 4). Section 4.2 describes monitoring results at 2 state “crane noise audible and rattle gun audible”, at 3 state “no work noise audible”. <b>Attended monitoring therefore confirmed that some work was audible at the monitoring location (2.25 km to nearest non associated private receiver). Although it is possible the activities were inaudible, no statement</b></li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<p><b>is provided by the monitoring specialist or modeller to confirm that:</b></p> <ol style="list-style-type: none"> <li><b>1. the project-noise was inaudible at the nearest receiver; or</b></li> <li><b>2. clearly stipulates the definition of "inaudible" as "inaudible" is not defined under legislation or a relevant Guideline.</b></li> </ol> <ul style="list-style-type: none"> <li>• Noise modelling conducted by EMM concluded that "The predicted noise levels at HN05 and HN06 are very low and satisfy the EPL 21280 requirements."</li> </ul> <p>In consultation with the DPIE, GWA is now in the process of preparing an Out of Hours (OOH) protocol for future works which will include attended noise monitoring (AW pers comms). An application has been submitted to DPIE (see below) and pending their response, GWA will update OOH protocol to account for DPIE comments.</p> <p>On 7/10/20 Newtricity (on behalf of Goldwind) applied for a 'Request for Extended Hours Work Approval' (EHWA) (Goldwind, September 2020) from DPIE. The application included a 'Construction Noise Assessment' (ERM, July 2020), <b>for the future construction of additional wind turbines at Biala Wind Farm</b> outside of daytime construction hours.</p> <p>The ERM Noise Assessment includes a section on Audibility (Section 6.1) and concludes (in Section 7) that "With regard to the condition of approval that activities be inaudible outside of standard work hours, as background levels as low as 20dBA have been recorded in the area, in theory predicted noise levels above 10dBA could possibly be audible. However, noise levels this low fall outside the capabilities of hand held sound level meters used for environmental noise measurement and would be outside the threshold of audibility for the general population."</p> <p>Additionally, during the IEA period, there was some OOHW on Saturdays and Sundays in accordance with media release 2/4/20 from DPIE "extending hours for Covid-19" on between 2/4/20 and Aug 2020.</p> <p><b>Recommend that EHWA be updated to clearly stipulate what the proponent considers to be an audible level at</b></p>

Condition No.	Requirement / Condition	Status	Evidence											
			the closest private receiver(s) (e.g. background plus 5 dBA) or a representative location (if monitoring is not available due to access) for proposed activities. Recommend to ensure written approval from DPIE received prior to undertaking any potentially audible works during out of hour periods. Consider seeking a 4.55(1) modification to development consent which defines 'inaudible' relative to background levels (consistent with contemporary wind farm approvals) in the context of the condition.											
Schedule 3, condition 8	The Applicant may only carry out blasting on site between 9 am and 5 pm Monday to Friday and between 8 am and 1 pm on Saturday inclusive. No blasting is allowed on Sundays or public holidays.	Not Triggered	No blasting has occurred during the IEA period (AL pers comms).											
Schedule 3, condition 9	The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 1. Table 1: Blasting criteria <table border="1" data-bbox="392 858 1075 1066"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Any non- associated residence</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts or events over a period of 12 months</td> </tr> </tbody> </table>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Any non- associated residence	120	10	0%	115	5	5% of the total number of blasts or events over a period of 12 months	Not Triggered	No blasting has occurred during the IEA period (AL pers comms).
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Schedule 3, condition 10	<p>The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 2 at any non-associated residence.</p> <p>Table 2: Noise criteria dB(A)</p> <table border="1"> <thead> <tr> <th rowspan="2">Residence</th> <th colspan="10">Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)</th> </tr> <tr> <th>3</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 or more</th> </tr> </thead> <tbody> <tr> <td>H03, H04</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>46</td> </tr> <tr> <td>H05</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>37</td> <td>38</td> <td>39</td> <td>41</td> <td>43</td> </tr> <tr> <td>H06</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>38</td> <td>40</td> <td>43</td> <td>46</td> </tr> <tr> <td>H07</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> <td>44</td> <td>46</td> <td>50</td> </tr> <tr> <td>H09</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> <td>42</td> <td>44</td> <td>45</td> <td>47</td> <td>48</td> </tr> <tr> <td>H11</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>46</td> </tr> <tr> <td>H12</td> <td>35</td> <td>35</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>45</td> <td>46</td> <td>48</td> </tr> <tr> <td>H13, H14</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>39</td> <td>39</td> <td>40</td> <td>40</td> <td>40</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th rowspan="2">Residence</th> <th colspan="10">Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)</th> </tr> <tr> <th>3</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 or more</th> </tr> </thead> <tbody> <tr> <td>H15</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>36</td> <td>37</td> <td>37</td> <td>38</td> <td>39</td> </tr> <tr> <td>H17</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> <td>42</td> <td>44</td> <td>45</td> <td>47</td> <td>48</td> </tr> <tr> <td>DA18</td> <td>35</td> <td>35</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>45</td> <td>46</td> <td>48</td> </tr> <tr> <td>All other non-associated residences</td> <td colspan="10">The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)</td> </tr> </tbody> </table>	Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)										3	4	5	6	7	8	9	10	11	12 or more	H03, H04	35	35	36	37	38	39	40	42	43	46	H05	35	35	35	35	35	37	38	39	41	43	H06	35	35	35	35	35	36	38	40	43	46	H07	35	35	36	37	38	40	41	44	46	50	H09	36	37	38	40	41	42	44	45	47	48	H11	35	35	35	36	37	39	40	42	43	46	H12	35	35	37	39	40	42	43	45	46	48	H13, H14	35	35	36	37	38	39	39	40	40	40	Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)										3	4	5	6	7	8	9	10	11	12 or more	H15	35	35	35	35	36	36	37	37	38	39	H17	36	37	38	40	41	42	44	45	47	48	DA18	35	35	37	39	40	42	43	45	46	48	All other non-associated residences	The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)										Not Triggered	As per response to Sch 2 Cond 5, there are two WTGs operating. It is proposed that monitoring under this condition will commence when all turbines are operating.
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	<p><i>Note: To identify the residences referred to in Table 2, see the applicable figure in Appendix 2.</i></p> <p><i>Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the South Australian Environment Protection Authority's Wind Farms – Environmental Noise Guidelines 2009 (or its latest version), as modified by the provisions in Appendix 4. 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. However, these criteria do not apply if the Applicant has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.</i></p>		
Schedule 3, condition 11	<p>The Applicant must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) LAeq(15 minute) at any non-associated residence.</p> <p><i>Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (or its equivalent) as modified by the provisions in Appendix 4.</i></p>	Not Triggered	See response to Sch 3 Cond 10.
Schedule 3, condition 12	<p>Within 6 months of the commencement of operations, the Applicant must:</p> <p>(a) undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(b) submit a copy of the monitoring results to the Department and the EPA.</p>	Not Triggered	Viewed letter dated 5/8/19 confirming that "commencement of operations" will be when "all WTGs are constructed, tested and commissioned in accordance with Transgrid and AMO requests. Commencement of operations is likely to be in early 2021."
Schedule 3, condition 13	<p>The Applicant must undertake further noise monitoring of the development if required by the Secretary.</p>	Not Triggered	The Secretary has not requested further noise monitoring under this condition.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 14	The Applicant must: (a) minimise the off-site dust, fume and blast emissions of the development; and (b) minimise the surface disturbance of the site.	Compliant	a) Viewed 'Air Quality Management Procedures' (Nov, 2019) (AQMP). Section 3 considers dust, diesel fume and blast emissions and Section 4 outlines management procedures for each. There have been two complaints in relation to dust during the audit period: one internal complaint and one to the DPIE. TM (pers comms) confirmed that on the days of the complaints (1/2/20), there were water carts operating and a corrective action for gravel on the southern entrance was undertaken. Evidence including inspection reports, tool box talks, induction package were viewed during the site inspection. It was confirmed that light vehicles were operating on the days that the complaints were made. As stated in the IEA Regulator Response from the EPA (dated 8/9/20) "Construction of the Biala Wind farm commenced during a severe drought. The EPA (and DPIE Compliance) received several complaints in relation to dust leaving the premises and impacting neighbouring properties and causing a hazard and safety issue to road users on a nearby public road. The EPA understands that the licensee was sourcing water from dams onsite and a neighbouring property and using water carts for dust suppression but this was proving futile on hot days with strong winds. Measures implemented by the licensee to minimise dust generation included: importing gravel to cap the roads as soon as practicable, water carts for dust suppression, review and cease civil construction on some high risk windy days, and, limit onsite vehicle speeds. The licensee, in response to meeting with a complainant, further committed to having a water cart specifically assigned to wetting down the track between T02 and T03 during concrete pours of T02 and T03 which were the closest turbines to the complainant's property. The EPA also referred dust complaints onto DPIE Compliance and accepted the measures proposed and implemented but also suggested the licensee

Condition No.	Requirement / Condition	Status	Evidence
			<p>investigate other options for road sealing as the gravel seal was itself generating dust with vehicular movements.”</p> <p>b) The total disturbance predicted in the EIS was 42.37 ha (Section 2.5.1). Total disturbance was revised as part of the Consistency Review (MOD2) and updated to 58.07 ha. To date there has been 55.94 ha of disturbance for civil works (facilities and electrical infrastructure, turbine hardstands and access tracks) (source: ‘Disturbance Running Tally’ spreadsheet supplied from Biala). Some areas surrounding infrastructure has been rehabilitated / revegetated (see <b>Plates 11, 13, 14 and 28</b>). The O&amp;M Facility was relocated to an already disturbed batch plant location to reduce disturbance (TM pers comms). This relocation was confirmed during the site inspection. The Consistency Review concluded “Dust management for the Project will remain consistent with the approach specified in the EIS and the proposed changes will not prevent ongoing compliance with this condition. The reduced length of the road network should assist in minimising dust generation.”</p>
Schedule 3, condition 15	<p>The Applicant must ensure that it has sufficient water for all stages of the development; and if necessary, adjust the scale of the development to match its available water supply.</p> <p><i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i></p>	Compliant	<p>As stated in Section 14.3 of the EIS, preliminary discussion regarding water licences have been held with NSW Office of Water..... the options assessed demonstrate that water can be feasibly supplied by the use of existing dams... the method adopted has not yet been decided and a decision will be made following further discussions with relevant landholders and an assessment of economic and other factors”</p> <p>As further stated in Section 14.3 of the EIS, the estimated total water demand over the proposed 24 month construction period was 32.66ML.</p> <p>The following lists CATCON water sources for the Project (source: email from Project Manager dated 28/8/20):</p>

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			<table border="1" data-bbox="1339 379 1910 619"> <thead> <tr> <th colspan="2">Biala CBOP Water supply</th> </tr> <tr> <th>Water Source</th> <th>quantity (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td>Wilson's dam</td> <td>3840</td> </tr> <tr> <td>Asplet dam</td> <td>4344</td> </tr> <tr> <td>Goulburn and Gunning water supply</td> <td>990</td> </tr> <tr> <td>Reeves dam</td> <td>6046</td> </tr> <tr> <td>Total</td> <td>15220</td> </tr> </tbody> </table> <p>The following table shows Consolidated Power Projects (CPP) and Goldwind (GWA) water sources for the Project (source: unknown):</p> <table border="1" data-bbox="1352 738 1919 847"> <thead> <tr> <th colspan="2">Biala EBOP Water Supply</th> </tr> <tr> <th>Water Source</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>Council's recycled water standpipe which is excess from the recycling plant.</td> <td>3000000 L</td> </tr> </tbody> </table> <table border="1" data-bbox="1352 874 1919 983"> <thead> <tr> <th colspan="2">Biala S&amp;I Water Supply</th> </tr> <tr> <th>Water Source</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>Goulburn Mulwaree Council standpipe on Chinaman's Lane</td> <td>150000 L</td> </tr> </tbody> </table>	Biala CBOP Water supply		Water Source	quantity (m <sup>3</sup> )	Wilson's dam	3840	Asplet dam	4344	Goulburn and Gunning water supply	990	Reeves dam	6046	Total	15220	Biala EBOP Water Supply		Water Source	Quantity	Council's recycled water standpipe which is excess from the recycling plant.	3000000 L	Biala S&I Water Supply		Water Source	Quantity	Goulburn Mulwaree Council standpipe on Chinaman's Lane	150000 L
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Water Source	Quantity																												
Goulburn Mulwaree Council standpipe on Chinaman's Lane	150000 L																												
Schedule 3, condition 16	Unless an EPL authorises otherwise, the Applicant must comply with Section 120 of the POEO Act.  <i>Note: Section 120 of the POEO Act makes it an offence to pollute any waters.</i>	Compliant	There are no water quality limits or locations outlined in the EPL and no Water Management Plan under the consent. A Soil and Water Quality Management Procedure is provided in Annex I of the Environmental Management Strategy. As stated in the IEA Regulator Response from the EPA (dated 8/9/20) "In early 2020, the EPA received two separate complaints of discharges of sediment laden water leaving the licensed premises and entering Wattle Creek. As a result of the investigations, the EPA issued an official caution to the licensee and its contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the <i>Protection of the Environment Operations Act 1997</i> . Throughout EPA's investigations into																										

Condition No.	Requirement / Condition	Status	Evidence
			<p>these complaints, the licensee and its contractor have been cooperative and willing to address non compliances identified to improve environmental performance in relation to their practices. Both the licensee and their contractor have made further submissions to the EPA detailing further corrective actions taken to resolve EPA concerns particularly in relation to management plans and procedures and improving future environmental performance.”</p> <p>EPA have since conducted a tool box talk and Newtricity now notify EPA when significant rain (as a diligence precaution measure) (TM pers comms).</p> <p>Since Jan 2020, there has been significant rain and further complaints to the EPA which have been investigated. EPA notified Newtricity that there were no breaches (TM pers comms).</p> <p>Works in this area are now finished (finally formed) with minor rehab being completed (CATCON seeded area) (TM pers comms). There is some scouring and maintenance occurring (TM pers comms).</p> <p>Soil erosion surrounding Wattle Creek was also reviewed during the site inspection, sediment fencing and drainage line grass was established and successful upslope from the Creek towards the turbine and pad (see <b>Plates 18 - 20</b>).</p> <p>An internal incident occurred on 30/7/20 where the tracking of a construction crane created disturbance during wet weather on an associated landholder's property within a drainage line. Although temporarily well managed with bales/sedimentation fences and other stabilisation is in place in consultation with the landowner, remediation had not yet occurred at the date of the site visit. <b>Recommend to ensure that 'crane tracking disturbance is remediated asap to satisfaction of landowner and sedimentation control retained to until area fully stabilised.</b> Following the site inspection, AR noted that “All landowners have requested seeding to be done only at the end of February early March. Most areas were rectified within a week of the tracking. Some areas have sunk and GWA is working with suitable contractors to manufacture</p>

Condition No.	Requirement / Condition	Status	Evidence
			topsoil. This will be discussed with landowners in late December or early January. Consultation with landowners has been undertaken as necessary."
Schedule 3, condition 17	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) ensure the wind turbines and ancillary infrastructure, particularly any access roads on steep slopes, are designed, constructed and maintained to minimise any soil erosion;</li> <li>(b) minimise any soil erosion associated with the construction and decommissioning of the development by implementing the relevant mitigation measures in Managing Urban Stormwater: Soils and Construction (Landcom, 2004), or its latest version;</li> <li>(c) ensure all waterway crossings are constructed in accordance with the relevant Water Guidelines for Controlled Activities on Waterfront Land (2012), or their latest version;</li> <li>(d) store and handle all dangerous or hazardous materials on site in accordance with AS1940-2004: The storage and handling of flammable and combustible liquids, or its latest version;</li> <li>(e) ensure the concrete batching plants and substation are suitably banded; and</li> <li>(f) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.</li> </ul>	Compliant	<p>a) Soil Management Procedures are outlined in Section 4 of the 'Soil and Water Quality Management Procedures' (Nov,2019). During construction, all CATCON contractors are to establish a set of erosion and sediment control plans on one or more drawings of the site and mark-up showing the proposed locations of initial control. Sediment Control Plan dated 25/8/20 shows sediment controls surrounding T30 and T31 including "sand bags installed and removal of ground revegetation controls". See response to part c) for discussion on site inspection. The site inspection identified adequate erosion and sediment controls other than those listed in part c of this condition.</p> <p>b) Section 4 Step 4 of the 'Soil and Water Quality Management Procedures' (Nov,2019) references this guideline and specifically states "Install sediment and erosion control devices according to the standards of Managing Urban Stormwater: Soils and Construction, Vol 1, March 2004."</p> <p>c) Water Guidelines are references in the 'Soil and Water Quality Management Procedures' (Nov,2019). T30/31 - The site inspection of T30/31 culvert showed erosion and sediment controls and water ponding (see Plate 14 and 15) with further works required to stabilise the area (<b>Plate 16</b>). Since the site inspection, permanent structures, rock protection and drainage has been installed at this location. Exposed areas/banks have been topsoiled and seeded and revegetation is ongoing. Banks have had hydromulch applied (see <b>Plate 29</b>). Temporary erosion controls remain in place until area is stable. Ongoing inspections carried out. <b>Recommend that the off bank at culvert requires ongoing attention (as proposed) with further stabilisation works (Plate 16).</b></p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>T2 - Viewed Weekly Environmental Inspection dated 8/8/20 at T2 downstream during heavy rainfall event. Erosion and sediment controls re-worked and filtering water flowing from watercourse.</p> <p>d) Viewed 'Engineering Certificate of Design and Construction – Stormwater and Drainage' dated 28/9/20 confirming that the design of the completed stormwater and drainage works at Biala are in accordance with the 'NSW Department of Primary Industries Office of Water – Guidelines for instream works on waterfront land (Controlled Activities on Water Front Land), dated July 2012.' Few dangerous goods are used onsite and relevantly kept in a small, locked storage area (see <b>Plate 26</b>) with the MSDS register available when requested. The site <b>visit revealed that although coolant was stored within shipping containers at the construction office component, which were acceptable, the doors were left open. Recommend that refresher training should be provided to all relevant personnel as to the requirements for relevant hazardous materials. Inspections conducted should confirm ongoing compliance (see Plate 24).</b></p> <p>e) The substation was not constructed under this consent. There are no concrete batching plants remaining on site.</p> <p>f) See response to Sch 3 Cond 35.</p>
Schedule 3, condition 18	<p>The Applicant must:</p> <p>(a) ensure that no more than <b>1.23</b> hectares of the Tablelands Snow Gum, Black Salee, Candlebark and Ribbon Gum Grassy Woodland EEC is cleared for the development, unless the Secretary agrees otherwise;</p> <p>(b) minimise: - the impacts of the development on hollow-bearing trees and termite mounds; - the impacts of the development on threatened bird and bat populations; and - the clearing of native vegetation and key habitat within the approved disturbance footprint.</p>	Compliant	<p>a) Viewed 'As-Built Biodiversity Impact / Disturbance' table dated 28/8/20 which states that 0.5442 of the Tablelands Snow Gum, Black Salee, Candlebark and Ribbon Gum Grassy Woodland EEC has been disturbed.</p> <p>b) Hollow-bearing trees: Table 5.3 ID5.3B of the 'Biodiversity Management Plan' (March 2020) (BMP) states that "any large trees &gt;50cm dbh; trees with hollows; or areas of native grassland or woodland will need to be recorded". Viewed 'Large Tree Clearance Register' dated 17/1/20 which registers tree location, tree type, tree size and any fauna that are found to be</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>resident in the tree. The tree clearance register was updated on a progressive basis, throughout the period of the civil works.</p> <p>The Consistency Review also concluded that the “micro-siting and minor changes to the ancillary infrastructure will not prevent ongoing compliance with the clearing limit for the EEC. The micro-siting and other proposed minor changes have been designed so that the area of native vegetation impact does not increase and to avoid hollow-bearing trees and termite mounds. The proposed changes will therefore not prevent ongoing compliance with this condition”.</p> <p>Termite Mounds: during IEA consultation, the Community Consultative Committee (CCC) requested an update on the termite mounds (see <b>Table 3</b> of this IEA for further detail).</p> <p>Termite mound management and pre-clearance surveys are discussed in Sch 3 Cond 20.</p>

Condition No.	Requirement / Condition	Status	Evidence																
Schedule 3, condition 19	<p>Within 2 years of the commencement of construction, the Applicant must retire biodiversity credits of a number and class specified in Table 3 below, to the satisfaction of BCD, unless the Secretary agrees otherwise.</p> <p>The retirement of the credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme, and can be achieved by:</p> <p>(a) acquiring or retiring 'biodiversity credits' within the meaning of the BC Act;</p> <p>(b) making payments into an offset fund that has been established by the NSW Government; or</p> <p>(c) providing suitable supplementary measures.</p> <p>Table 3: Ecosystem credit requirements</p> <table border="1" data-bbox="398 738 1077 959"> <thead> <tr> <th>Biometric Vegetation Type</th> <th>Biometric Condition</th> <th>Impact Area (ha)</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td rowspan="3">PCT ID 351: Brittle Gum – Board-leaved Peppermint – Red Stringy open forest in the north-western part (Yass to Orange) of South Eastern Highlands Bioregion</td> <td>Moderate_Good_Moderate</td> <td>0.86</td> <td rowspan="3">48</td> </tr> <tr> <td>Moderate_Good_Sparse</td> <td>0.29</td> </tr> <tr> <td>Moderate_Good_Derived Native Grassland</td> <td>1.31</td> </tr> <tr> <td>PCT ID 1097: Ribbon Gum – Narrow-leaved Peppermint grassy open forest on basalt plateaux, Sydney Basin Bioregion and South Eastern Highlands Bioregion</td> <td>Moderate_Good_Moderate</td> <td>1.23</td> <td>47</td> </tr> </tbody> </table>	Biometric Vegetation Type	Biometric Condition	Impact Area (ha)	Credits Required	PCT ID 351: Brittle Gum – Board-leaved Peppermint – Red Stringy open forest in the north-western part (Yass to Orange) of South Eastern Highlands Bioregion	Moderate_Good_Moderate	0.86	48	Moderate_Good_Sparse	0.29	Moderate_Good_Derived Native Grassland	1.31	PCT ID 1097: Ribbon Gum – Narrow-leaved Peppermint grassy open forest on basalt plateaux, Sydney Basin Bioregion and South Eastern Highlands Bioregion	Moderate_Good_Moderate	1.23	47	Not Triggered	<p>As per response to Sch 2 Cond 10, construction commenced 5/8/10, therefore biodiversity credits must be retired by 5/8/21 which is outside of the IEA period. Biala are “currently working with Umwelt to investigate the options for Newtricity to offset biodiversity credits for Biala Wind Farm. The proposal includes the options of the credit market, payment to the Biodiversity Conservation Fund, or the possibility of establishing a stewardship site.”</p> <p>The Consistency Review concluded that “A review of the available detailed design data has indicated that Newtricity is expected to be able to maintain the extent of clearing of native vegetation to remain consistent with the impact areas stated in this condition and therefore the credit requirements have not changed. The currently available detailed design for the Project impacts on smaller areas of native vegetation than outlined in this condition. Therefore, it is expected that there is sufficient capacity for any further impacts that may be determined as necessary as an outcome of this process. Accordingly, the proposed Project changes will not prevent ongoing compliance with this condition.”</p>
Biometric Vegetation Type	Biometric Condition	Impact Area (ha)	Credits Required																
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	<p>Note: Following repeal of the TSC Act on 25 August 2017, credits created under that Act are taken to be “biodiversity credits” under the BC Act by virtue of clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</p>																		

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 20	<p>Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with BCD; and</p> <p>(b) include:</p> <ul style="list-style-type: none"> <li>• updated baseline mapping of the vegetation communities and key fauna habitat on site;</li> <li>• a description of the measures that would be implemented for: <ul style="list-style-type: none"> <li>- minimising the amount of native vegetation clearing within the approved development footprint;</li> <li>- minimising the loss of key fauna habitat, including tree hollows and termite mounds;</li> <li>- minimising the impacts on fauna on site, including undertaking pre-clearance surveys;</li> <li>- rehabilitating and revegetating temporary disturbance areas;</li> <li>- protecting native vegetation and key fauna habitat outside the approved disturbance area;</li> <li>- maximising the salvage of resources within the approved disturbance area including vegetative and soil resources – for beneficial reuse (including fauna habitat enhancement) during the rehabilitation and revegetation of the site;</li> <li>- collecting and propagating seed (where relevant);</li> <li>- controlling weeds and feral pests;</li> <li>- controlling erosion; and</li> <li>- bushfire management;</li> </ul> </li> <li>• a detailed program to monitor and report on the effectiveness of these measures.</li> </ul> <p>Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.</p>	Compliant	<p>Viewed Biodiversity Management Plan (BMP) dated March 2020. Viewed approval letter from DPIE dated 8/11/18 for previous version of BMP dated 7/11/18. Viewed approval letter from DPIE dated 11/5/20 for March 2020 version.</p> <p>a) Viewed BCD consultation letter dated 16/3/18 listing required updates to BMP. Viewed Section 1.6.2 of the BMP which states that a meeting was held with BCD on 17/1/17. BCD comments on the draft BMP are also provided in this section. This section also refers to Annex B and states that "a copy of all correspondence has been provided in Annex B", <b>however the correspondence is not in Annex B. Recommend BCD consultation is included as an appendix of the BMP at next update.</b></p> <p>b) Confirmed the BMP includes:</p> <ul style="list-style-type: none"> <li>• Section 3, Figure 1.1, Figure 3.1 and 3.2, Table 5.a and Annex B <ul style="list-style-type: none"> <li>- Table 5.2</li> <li>- Table 5.3.</li> <li>- Table 5.4</li> <li>- Table 5.5</li> <li>- Table 5.6</li> <li>- Table 5.3. Resource salvage is undertaken by the landowner.</li> <li>- Table 5.5. Collecting and propagating seed has not occurred.</li> <li>- Table 5.7. The landholder manages weeds and feral pest.</li> <li>- Table 5.8 and 5.9</li> <li>- Table 5.9</li> </ul> </li> <li>• Section 6</li> </ul> <p>Key management and mitigation measures outlined in the BMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Table 5.1 Ecological Constraints Mapping: The Ecological Constraints Map provided in Annex B of the BMP includes key flora communities and fauna habitat listed in ID5.1A of the BMP. As per ID5.1B, The Consistency Review concluded that the final layout "would not result in an increase in the impact of the</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<p>Project on native vegetation or important habitat features, with appropriate habitat avoidance feature avoidance controls remaining in place (in line with existing commitments and the conditions of the Development Consent).”</p> <ul style="list-style-type: none"> <li>Table 5.3 Measures to minimise the loss of key fauna habitat: Pre- clearance surveys are required to be undertaken prior to construction activities (BMP, Table 5.3). Viewed four examples of pre-clearance reports for construction activities within a biodiversity management zone which describe vegetation and habitat features, large trees and Tablelands Snow Gum / grassy woodland. Figures within the reports show that the development footprint is demarcated with pegs and flagging. The recommendations in the Sept 2019 pre-clearance survey for “Road T26, T27, T28 and T29” confirm compliance with BMP ID 5.3E as there were several large trees that were required to be cleared and the recommendations were for “an ecologist to supervise and document the tree clearing”. The recommendation to “salvage the fallen logs for future re-use during rehabilitation” in the Sept 2019 pre-clearance survey for “Road 20 and Road 21 to T19” confirms compliance with BMP ID 5.F. Salvaged fallen logs were viewed during the site inspection (<b>Plate 12</b>). Stockpiling of material has been conducted in accordance with the landowner. During IEA Agency Consultation, the CCC raised an issue regarding timber being placed at the entrance to the Reeves property harbouring feral animals (see Section 3.3). Timber has been placed at this location to create habitat for native fauna (AR pers comms). This location was chosen as it is near an adjacent area of similar habitat (BMP management measure of 5.3F). It is unknown whether this timber will harbour feral animals (AR pers comms). As per the BMP, works will avoid any impact to clusters of rock and termite mounds. Where unavoidable, works will minimise impacts to these features by not</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<p>placing excavating soils on top of the feature or placing spoil upslope of the feature. Viewed letter dated 9/1/20 approving the relocation of a termite mound in accordance with the procedure outlined in ID5.3D of the BMP.</p> <ul style="list-style-type: none"> <li>• Table 5.4 Measures to minimise on-site impacts on fauna: Viewed CATCON Site Induction which includes hazards relating to wildlife including speed limits, work hours, correct waste disposal and signage in accordance with BMP ID 5.4G.'</li> <li>• Table 5.5 Measures to rehabilitate and revegetate temporary disturbance areas: in accordance with BMP ID 5.5E, "inspections will continue with same environmental consultant, R.Sharp until all areas have been adequately rehabilitated and reached the benchmark goal." Viewed the 'Biala Wind Farm Rehabilitation Report' dated 8/1/20 prepared in accordance with BMP ID5.5D.</li> <li>• Table 5.7 Measures to control weeds and feral pests: Viewed CATCON Site Induction which includes site rules to control the spread of weeds. Viewed landowner boundary fence with a sign reading "no access unless authorised by CATCON and signed vehicle hygiene inspection is completed" (see <b>Plate 22</b>).</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 21	<p>21. Prior to the commissioning of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with BCD, and to the satisfaction of the Secretary. This plan must include:</p> <p>(a) at least 12 months' worth of current (or updated) baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could 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 operation of the development, including:</p> <ul style="list-style-type: none"> <li>• minimising the availability of raptor perches;</li> <li>• prompt carcass removal;</li> <li>• controlling pests; and</li> <li>• using best practice methods for bat deterrence, including managing potential lighting impacts;</li> </ul> <p>(c) trigger levels for further investigation of the potential impacts of the project on particular bird or bat species or populations;</p> <p>(d) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird or bat species or population, including the implementation of measures to:</p> <ul style="list-style-type: none"> <li>• reduce the mortality of these species or populations (such as restricting operation of certain turbines during certain periods); or</li> <li>• enhance and propagate these species or population in the locality; and</li> </ul> <p>(e) 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 Applicant must implement the Bird and Bat Adaptive Management Plan.</p>	Compliant	<p>As per response to Sch 2 Cond 4, at the time of the IEA site inspection, two turbines were operating but not yet commissioned.</p> <p>Viewed Bird and Bat Adaptive Management Program (BBAMP) dated May 2019. Viewed DPIE approval letter dated 11/5/20.</p> <p>a) Section 2.1.1 and Section 3 b) Section 5 c) Section 6.1.1 and 6.2.1 d) Section 6 e) Section 3,4 and 6.4</p> <p>Biala was beginning to implement the BBAMP at the time of the site inspection.</p> <p>Viewed BCD letter 19/2/20 commenting on draft BBAMP.</p>
Schedule 3, condition 22	<p>The Applicant must:</p> <p>(a) ensure the development does not cause any direct or indirect impact on the Aboriginal heritage sites identified in the table in Appendix 6, unless the Secretary agrees otherwise; and</p> <p>(b) minimise any impacts on BWF PAD1, and carry out detailed test excavations and salvage of potential archaeological deposits at this site if impacts cannot be avoided.</p> <p><i>Note: The locations of the Aboriginal heritage items referred to in this condition are shown on the figure in Appendix 6.</i></p>	Compliant	<p>The Consistency Review concluded that "The proposed changes will not prevent ongoing compliance with this condition."</p> <p>Site visit viewed fencing and signage of heritage sites in the vicinity of construction (<b>Plate 21</b>).</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 23	<p>23. Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with BCD and Aboriginal stakeholders;</p> <p>(c) include updated baseline mapping of the heritage items within and adjoining the development disturbance area;</p> <p>(d) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>• protecting Aboriginal heritage sites outside the development disturbance area;</li> <li>• minimising and managing the impacts of the development on heritage items within the disturbance footprint, including: <ul style="list-style-type: none"> <li>- test excavations and salvage (if required) of potential Archaeological deposits that will be impacted by the development (including heritage item BWF PAD 1);</li> <li>- salvage of heritage items BWF 8 and BWF 18; and</li> <li>- a strategy for the long term management of any Aboriginal heritage items or material collected during the test excavation or salvage works</li> </ul> </li> <li>• a contingency plan and reporting procedure if: <ul style="list-style-type: none"> <li>- Aboriginal heritage items outside the approved disturbance area are damaged;</li> <li>- previously unidentified Aboriginal heritage sites are found; or</li> <li>- Aboriginal skeletal material is discovered;</li> </ul> </li> <li>• ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;</li> <li>• ongoing consultation with Aboriginal stakeholders during the implementation of the plan; and</li> </ul> <p>(e) a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.</p> <p>Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.</p>	Compliant	<p>Viewed Aboriginal Cultural Heritage Management Plan (ACHMP) dated March 2020 (attached salvage works). Viewed approval letter from DPIE dated 30/10/18</p> <p>a) Viewed DPIE 'Approval of Experts' letter dated 30/11/17.</p> <p>b) Section 3 contains the following information</p> <ul style="list-style-type: none"> <li>- BCD comments on the draft ACHMP;</li> <li>- Consultation with Aboriginal Stakeholders including names of Aboriginal stakeholders, a workshop held in Dec 2017 and draft ACHMP provided May 2018.</li> </ul> <p>Viewed Appendix B of the ACHMP which provides a comprehensive list of consultation including a list of agencies contacted (OEH and Aboriginal Stakeholders), agency responses, newspaper advertisement dates and dates notifications were sent to RAPs.</p> <p>c) Section 4.2</p> <p>d) Table 7.1</p> <ul style="list-style-type: none"> <li>- Section 6 and 7</li> <li>- Section 7.2</li> <li>- Section 7.1</li> <li>- Section 3.4</li> </ul> <p>e) Section 8</p> <p>Key management and mitigation measures outlined in the ACHMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Viewed CATCON Site Induction which includes legislative obligations, summary of significant sites (including site types), significance of the landscape, unexpected finds / human remains protocol and site access requirements. There have been no unexpected finds or incident relating to Aboriginal heritage management.</li> <li>• T30 and 31 relocated to avoid impact to heritage sites.</li> <li>• Process for salvages included in ACHMP appendices. There have been no issues regarding salvage.</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<ul style="list-style-type: none"> <li>• AECOM regularly inspects extant sites / exclusion zone fencing and signage. Viewed 'Monthly Site Environmental Inspection Nov 2019' confirming heritage fencing in place. .</li> <li>• The site inspection identified a number of Heritage Exclusion Zones with signs giving instructions to "not disturb or touch". Any enquiries could be made to the construction manager (see <b>Plate 21</b>).</li> </ul> <p>Following the site visit, the following key commitments from the ACHMP were confirmed via ERM Letter dated 2/12/20:</p> <ul style="list-style-type: none"> <li>• AHIMS site cards that were identified during the 2018 survey had not been submitted to AHIMS. In response, ERM submitted these sites to AHIMS on 18/11/20 and sites were registered;</li> <li>• AHIMS had not received the correct notification of impact to sites. In response, Aboriginal Site Impact Recording Forms were submitted to correct the inaccuracies;</li> <li>• Artefacts from the Biala Wind Farm Salvage and Test Excavations are being kept at the ERM office in Canberra. These objects will remain at this location until reburial can be organised, at which time they will be relocated to the Project. In consultation with the Registered Aboriginal Parties (RAPs), the decision was made to hold off on reburial of objects until all construction at Biala had been completed. ERM provided a letter to the RAPs on 1/12/20 indicating that reburial will be occurring within the next three months, and providing details of proposed reburial locations for RAP review. Once the location and date of burial have been confirmed, and objects have been deposited, ERM will report the locations to AHIMS and provide confirmation of reburial to Heritage NSW.</li> </ul> <p><b>Recommend to update Table 7.1 of the ACHMP when next revised to remove Aboriginal sites that have been salvaged (may retain in an Appendix).</b></p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 24	<p>The Applicant must ensure that:</p> <p>(a) all over-dimensional vehicle access to and from the site is via the Hume Highway southern interchange through Goulburn, north along Crookwell-Goulburn Road and then bypassing Crookwell township via Grange Road, Cullen Street, Kialla Road, and Range Road connecting to Grabben Gullen Road;</p> <p>(b) all heavy vehicle access to and from the site is via the Hume Highway to Gunning then north along Grabben Gullen Road; and</p> <p>(c) development related heavy vehicles must not travel on Hume Street and Yass Street in Gunning (south of Collector Road).</p> <p><i>Notes: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network. The identified over-dimensional and heavy vehicle access routes are shown in the figure in Appendix 8.</i></p>	Compliant	<p>a) In vehicle tracking and Traffic Management Plan (TMP). Viewed travel permits from Roads and Maritime Service (RMS) and Council for blades, generator, nacelle and tower components. Viewed email to haulage contractor which included project direction and requirements (local road use, site access, speed limits and school bus times). There were five community complaints made during the audit period relating to trucks using incorrect delivery routes. These complaints related to the development consent for the transmission line, and were deemed not applicable to this consent (TM pers comms). Notifications were provided to the DPIE out of courtesy and were not considered by Newtricity as a reportable incident (TM pers comms).</p> <p>b) TMP includes heavy vehicle access via the Hume Highway to Cuning then north along Grabben Gully Road. No travel permits distributed. No complaints relating to travel on Hume Street and Yass Street in Gunning were received (AR pers comms). Viewed 1.3 'Directions and Requests' from transport route and email Luke Witt (CPP) emailing contractors to issue to drivers. <b>Response to confirm received was not available, recommend kept in future.</b></p>
Schedule 3, condition 25	<p>Prior to any over-dimensional vehicles accessing the site, the Applicant must carry out the road upgrades in the schedule of works in Appendix 7 to the satisfaction of Council.</p>	Compliant	<p>Appendix 7 shows two routes:</p> <ul style="list-style-type: none"> <li>- Over-dimensional vehicle use of Kiala Road (for turbine delivery vehicles, 300 movements predicted). Upgrades for culverts</li> <li>- Heavy vehicle use of Range Road: 7.3km pavement, stabilization, culverts and no bridges.</li> </ul> <p>There were six intersection upgrades completed (Goldwind completed five and BJCE completed one). Viewed letter from UHSC dated 28/1/20 which included a list of considerations for the road upgrades. The upgrade request from Council took time to negotiate which delayed delivery (TM pers comms). K. O'Reilly from DPIE assisted and a practical completion of sign off from council was achieved (TM pers comms). Viewed "Practical Completion Letter" from ULSC dated</p>

Condition No.	Requirement / Condition	Status	Evidence
			24/7/18 for works on Kialla Road. Viewed "Conditions of Consent" letter from ULSC dated 2/7/20 for works on Range Road.
Schedule 3, condition 26	<p>Road Maintenance</p> <p>26. The Applicant must:</p> <p>(a) prepare a dilapidation survey of:</p> <ul style="list-style-type: none"> <li>• the designated heavy vehicle route:                             <ul style="list-style-type: none"> <li>- prior to the commencement of any construction or decommissioning works other than pre-construction minor works; and</li> <li>- within 1 month of the completion of any construction or decommissioning works other than pre-construction minor works;</li> </ul> </li> <li>• the designated over-dimensional vehicle route:                             <ul style="list-style-type: none"> <li>- prior to the use of the route by any over-dimensional vehicles for the construction or decommissioning of the development; and</li> <li>- within 1 month of the completion of the use of the route by over-dimensional vehicles for the construction or decommissioning of the development;</li> </ul> </li> </ul> <p>(b) rehabilitate and/or make good any development-related damage:</p> <ul style="list-style-type: none"> <li>• identified during the carrying out of the relevant construction and/or decommissioning works if it could endanger road safety, as soon as possible after the damage is identified but within 7 days at the latest; and</li> <li>• identified during any dilapidation survey carried out following the completion of the relevant construction and/or decommissioning works within 2 months of the completion of the survey, unless the relevant roads authority agrees otherwise, to the satisfaction of the relevant roads authority.</li> </ul> <p>If the construction and/or decommissioning of the development is to be staged, the obligations in this condition apply to each stage of construction and/or decommissioning.</p> <p>If there is a dispute about the scope of any remedial works or the implementation of these works, then either party may refer the matter to the Secretary for resolution.</p>	Compliant	<p>a) Post dilapidation survey completed and was due in 1-2 weeks following the IEA site inspection. The survey would propose required works with local council only.</p> <p>b) Prior to the dilapidation survey, there was some damage that required urgent repair. These repairs were completed.</p>
Schedule 3, condition 27	The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use.	Compliant	Biala has a Crown Lands licence for all crossing points and have confirmed via site survey that infrastructure does not overhang any areas (AM pers comms). <b>The site survey results were not viewed during the IEA.</b>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 28	<p>28. Prior to the commencement of construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and Council, and to the satisfaction of the Secretary. This plan must:</p> <p>(a) detail the measures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• minimise the traffic safety impacts of the development and disruptions to local road users during the construction and decommissioning of the development, including: <ul style="list-style-type: none"> <li>- temporary traffic controls, including detours and signage;</li> <li>- notifying the local community about development-related traffic impacts;</li> <li>- avoiding potential conflicts between development-related traffic and the stock movements of the owner of Residence H07 by implementing measures such as: <ul style="list-style-type: none"> <li>o consulting with the landowner to confirm likely stock movement frequency, timing and duration;</li> <li>o notification protocols for stock movements, including a dedicated phone number; and</li> <li>o temporary traffic controls on Grabben Gullen Road such as traffic flags or signals;</li> </ul> </li> <li>- avoiding potential conflict between development-related traffic and school buses in consultation with school bus operators by implementing measures such as avoiding traffic movements during school bus service times or providing an escort for school buses;</li> <li>- ensuring development-related traffic does not track dirt onto the public road network;</li> <li>- ensuring loaded vehicles entering or leaving the site have their loads covered or contained;</li> <li>- there is sufficient parking on site for all development-related traffic;</li> <li>- responding to any emergency repair requirements or maintenance during construction and/or decommissioning; and</li> <li>- a traffic management system for managing over-dimensional vehicles; <ul style="list-style-type: none"> <li>• comply with the traffic conditions in this consent;</li> </ul> </li> </ul> </li> </ul> <p>(b) include a drivers code of conduct that addresses:</p> <ul style="list-style-type: none"> <li>• travelling speeds;</li> <li>• procedures to ensure that drivers adhere to the designated heavy and over-dimensional vehicle routes; and</li> <li>• procedures to ensure that drivers implement safe driving practices;</li> </ul>	Compliant	<p>Viewed the following Traffic Management Plans (TMP):</p> <ul style="list-style-type: none"> <li>• Stage 1 TMP dated 17/10/18 for the Balance of Plant (BoP) works consisting of civil and electrical cabling, substation and operations/ maintenance buildings.</li> <li>• Stage 2 TMP dated 11/2/20 for the WTG supply and installation.</li> </ul> <p>Viewed staged submission approval letter from DPIE dated 12/7/18.</p> <p>Stage 1 TMP. Viewed Stage 1 TMP approval letter dated 11/7/19. Section 6 outlines consultation with TfNSW (formally RMS) and Council. Letter dated 19/07/20 from RMS commenting on plan. Construction commenced 12/8/19.</p> <p>a)</p> <ul style="list-style-type: none"> <li>• Section 4.9 and 7, Table 4.4 <ul style="list-style-type: none"> <li>- Notify Community - Section 6.3 and Table 4.4</li> <li>- Avoid conflicts (H07) – Section 2.8, Table 4.4 and App D</li> <li>- Avoid conflicts with school buses – Section 2.6, 5.1.2, 5.1.3 and 6.3, Table 4.4</li> <li>- Track dirt – Section 3.2.4</li> <li>- Loaded vehicles – Section 5.1.3 and Table 4.4</li> <li>- Parking – Section 3.6 and Table 4.4</li> <li>- Emergency response – Section 4.8.2</li> <li>- OSOM management Appendix A</li> </ul> </li> </ul> <p>b) Section 5 and Table 4.4</p> <p>c) Section 7</p> <p>Key management and mitigation measures outlined in the Stage 1 TMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Permits / Consents / Licences – Viewed s138 dated 22/7/19 for Grabben Gully Road. No RMS roads have been impacted. Viewed email dated 25/7 stating that a Works Authorisation Deed not required.</li> <li>• Haulage – see response to Sch 3 Cond 24.</li> <li>• Access point requirements – The entrance to Grabben Gully Road was viewed during the site inspection and incorporates 20 m of sealed roads. A tyre cleaning grid</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
	<p>(c) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct. Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.</p>		<p>has not been installed. Temporary truck signage was sighted during the site inspection.</p> <ul style="list-style-type: none"> <li>• Road condition and dilapidation – see response to Sch 3 Cond 26.</li> <li>• Consultation – see response to Sch 4 Cond 3. Team used radio to communicate regularly. Some complaints on escorts and drivers. Some public overtaking unsafely. No changes to practices made.</li> <li>• Traffic Control Plans – are used to avoid potential conflicts between development-related traffic and the stock movements of Residence H07.</li> <li>• Safety of road users and construction site – signs not obscured (see <b>Plate 22</b>). Traffic controllers are subcontracted.</li> <li>• Driver's Code of Conduct - attached to the TMP. The TMP is offered to haulage contractor prior to commencing travel.</li> <li>• Stock movements – has not occurred during the IEA period.</li> <li>• School bus routes – see response to Sch 3 Cond 24. Few vehicles onsite currently for maintenance only. Communicated to community through consultation materials.</li> </ul> <p>Key management and mitigation measures outlined in the Stage 2 TMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Permits / Consents / Licences – BJSE obtained approvals from Upper Lachlan Shire Council prior to works commencing.</li> <li>• Haulage – see response to Sch 3 Cond 24.</li> <li>• Road condition and dilapidation – see response to Sch 3 Cond 26.</li> </ul> <p>A Traffic Guidance Scheme (TGS) was required for Stage 2 of Biala and provided to stakeholders. Viewed spreadsheet titled '19766 OPF Consulting Biala 14510' showing list of stakeholders who received the TGS. Viewed four examples of emails sent to stakeholders.</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>Following the IEA site inspection, it was recommended that the TMP be updated to remove the requirement to prepare a Works Authorisation Deed with Transport for NSW (formally the RMS).</p> <p>Viewed email from RMS dated 25/7/19 stating that a Works Authorisation Deed was not required for Stage 1 works at Biala. This email was provided to DPIE on 26/7/19 requesting DPIE to confirm whether acceptable and no further was required. DPIE confirmed by email on 26/7/19 that no further action was required.</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 29	Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, and the RAAF (together the authorities): (a) coordinates in latitude and longitude of each wind turbine and mast; (b) final height of each wind turbine and mast in Australian Height Datum; (c) ground level at the base of each wind turbine and mast in Australian Height Datum; (d) confirmation of compliance with any OLS (Obstacle Limitation Surface); and (e) details of any proposed aviation hazard lighting	Compliant	Turbine erection commenced on 26/3/20. ASA and CASA were first notified on 2/7/18 to ASA and CASA for wind monitoring towers. Viewed email dated 25/3/20 to Aviation Safety Authority (ASA) and DoD which contains information within this condition. Viewed email dated 31/5/20 providing CASA an erection update. Viewed email from CASA dated 2/6/20 confirming "advice is sufficient". No response from the RAAF. Viewed email from ASA dated 17/12/20 confirming final notification and notice of completion of works. ASA also confirmed that "no more information is required for the Project unless there are any changes (e.g addition / removal of turbines)"
Schedule 3, condition 30	Within 30 days of the practical completion of the construction of any wind turbine or mast, the Applicant must: (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or (b) update the information previously provided	Compliant	Viewed email ASA and DOD dated 3/9/20 updating "remarks" column. Email sent monthly to ASA and DOD with updates.
Schedule 3, condition 31	Prior to the construction of any wind turbines, the Applicant must: (a) re-route the fixed point-to-point microwave link crossing the middle of the site to the satisfaction of RFS; and (b) implement measures to minimise the risk of television broadcasting interference due to the development at residences H03, H05, H06 and H07	Compliant	a) As per response to Sch 3 Cond 29, the first turbine was built on 26/3/20. Viewed email from NSW RFS dated 13/7/18 stating that "NSW RFS confirms that Schedule 3 Condition 31 Part A has been completed to the satisfaction of the Service. b) Viewed emails to H03, H05 and H07 dated 9/4/20 offering to install a VAST box to minimise the risk of tv interference. "H03 and H07 subsequently requested VAST box installations and which were completed" (AM pers comms).
Schedule 3, condition 32	If the development results in the disruption to any radiocommunications services (including point-to-point microwave links) in the area, then the Applicant must make good any disruption to these services ASAP following the disruption but no later than 1 month following the disruption of the service unless the relevant services provider or user or Secretary agrees otherwise. If there is a dispute about the mitigation measures to be implemented or the implementation of these mitigation measures, then either party may refer the matter to the Secretary for resolution.	Not Triggered	This has not occurred during the IEA period.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 33	The Applicant must: (a) ensure that the development: - provides for asset protection in accordance with the RFS's <i>Planning for Bushfire Protection 2006</i> (or equivalent); - is suitably equipped to respond to any fires on site; (b) develop procedures to manage potential fires on site, in consultation with the RFS; and (c) assist the RFS and emergency services as much as possible if there is a fire in the vicinity of the site.	Compliant	a) Viewed the 'Bushfire Protection and Fire Risk Evaluation' dated 2/9/20, which references the RFS's <i>Planning for Bushfire Protection 2006</i> . b) Bushfire Management Plan dated 5/3/20 was viewed during the site inspection and includes procedures to manage potential fires on site. c) There have been no requests from the RFS or emergency services for assistance during the IEA period.
Schedule 3, condition 34	The Applicant must: (a) prepare a Safety Management System for the development in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'</i> prior to commissioning any wind turbines on site; and (b) implement, and if necessary update, the system over the remaining life of the development.	Compliant	a) As discussed in Sch 2 Cond 8, two turbines are commissioned. The Goldwind and CATCON safety plans have been combined. Viewed CATCON Work Health and Safety (WHS) Management Plan dated 27/4/20 (issued for construction 24/10/19), CATCON Project Management Plan dated 30/3/20 (issued for construction 24/9/19) and Goldwind WHS Plan dated 4/3/20. None of these documents directly reference the <i>Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'</i> b) The safety plan was updated for consideration of COVID-19.
Schedule 3, condition 35	The Applicant must: (a) minimise the waste generated by the development; (b) classify all waste generated on site in accordance with the EPA's <i>Waste Classification Guidelines 2014</i> (or its latest version); (c) store and handle all waste generated on site in accordance with its classification (d) not receive or dispose of any waste on site; and (e) ensure all waste is disposed of at appropriately licensed waste facilities.	Compliant	a) Viewed the 'Waste Management and Classification Procedures' dated Oct 2019 for construction and operation. At the time of the IEA site inspection, the procedure did not outline methods to minimise generated waste. Following the site inspection, the procedure was updated to include minimisation of waste both in construction and operation. b) Waste is classified in Section 4 of the 'Waste Management and Classification Procedures'. The EPA's <i>Waste Classification Guidelines 2014</i> is referenced in Section 2.2. c) Waste management was discussed during the site inspection. There are three waste streams onsite managed by Goldwind – containers, steel and tarps. Steel frames are recycled. Waste consolidation areas are located at the Construction Compound, Batch Plant and Laydown area (see <b>Plate 23</b> ). Fuel and coolant is contained within a trailered lock up container with a

Condition No.	Requirement / Condition	Status	Evidence
			<p>13,000L capacity (located on pad 18) (see <b>Plate 24</b>) and a small mobile tank. There have been five minor spills on the fuel pads. The site was in a tidy condition during the site inspection, however minor, contamination of some recycling waste bins was observed. Following the IEA site inspection, refresher training and clear labelling of bins when at new O&amp;M Facility and Construction compound (dependant on timing) was recommended. Since the IEA site inspection, the Daily Prestart Form has been updated to include instructions for correct use of waste.</p> <p><b>Recommended that residual waste materials and discarded blade support frames identified during the site inspection (see Plate 25 and Plate 27) should be removed during final clean-up.</b> Steel including blade support frames are being managed by NDBPL (AR pers comms). These steel components have been turned into scrap metal and sent to recycling. Profits have been donated to landowners.</p> <p>d) There is no waste received or disposed on site.                      e) Waste is disposed of at the Goulburn waste facility.</p>

Condition No.	Requirement / Condition	Status	Evidence																		
Schedule 3, condition 36	<p>Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 4.</p> <p>Table 4: Rehabilitation Objectives</p> <table border="1" data-bbox="387 536 1093 959"> <thead> <tr> <th data-bbox="387 536 602 576">Feature</th> <th data-bbox="602 536 1093 576">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 576 602 660">Development site (as a whole)</td> <td data-bbox="602 576 1093 660"> <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 data-bbox="387 660 602 692">Revegetation</td> <td data-bbox="602 660 1093 692"> <ul style="list-style-type: none"> <li>• Restore native vegetation generally as identified in the EIS</li> </ul> </td> </tr> <tr> <td data-bbox="387 692 602 767">Above ground wind turbine infrastructure (excluding wind turbine pads)</td> <td data-bbox="602 692 1093 767"> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless the Secretary agrees otherwise</li> </ul> </td> </tr> <tr> <td data-bbox="387 767 602 799">Wind turbine pads</td> <td data-bbox="602 767 1093 799"> <ul style="list-style-type: none"> <li>• To be covered with soil and/or rock and revegetated</li> </ul> </td> </tr> <tr> <td data-bbox="387 799 602 852">Above ground ancillary infrastructure</td> <td data-bbox="602 799 1093 852"> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary</li> </ul> </td> </tr> <tr> <td data-bbox="387 852 602 895">Internal access roads</td> <td data-bbox="602 852 1093 895"> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary</li> </ul> </td> </tr> <tr> <td data-bbox="387 895 602 927">Land use</td> <td data-bbox="602 895 1093 927"> <ul style="list-style-type: none"> <li>• Restore or maintain land capability as described in the EIS</li> </ul> </td> </tr> <tr> <td data-bbox="387 927 602 959">Community</td> <td data-bbox="602 927 1093 959"> <ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	Development 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 EIS</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 Secretary 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 Secretary</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 Secretary</li> </ul>	Land use	<ul style="list-style-type: none"> <li>• Restore or maintain land capability as described in the EIS</li> </ul>	Community	<ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul>	Not Triggered	<p>Operation has not commenced and cessation of operations did not occur during the IEA period. As discussed during the site inspection, the following rehabilitation has occurred: access tracks to T2 tracks (see <b>Plate 13</b>).</p> <p>The CCC noted during IEA Agency Consultation (Section 3.3) that “rocks brought to the surface during earthworks and not re-buried or picked up including on cable lines”. This issue is most likely related to the development of the underground transmission line under DA122/2017 (AR pers comms).</p> <p>Viewed ‘CPP Landowner Post Works Consultation’ form for trenching and installation of 33kV underground cable which shows no stones or rocks left on site and is signed by the landholder.</p> <p>Disturbed areas have been topsoiled and seeded and there is no indication that areas do not match previous conditions regarding rock (AR pers comms). There have also been no other complaints regarding this matter (AR pers comms).</p> <p>On a different matter, the CCC noted during IEA Agency Consultation that “shallow subsoil intentionally mixed with deeper subsoil used for fill, then covered with a small amount of topsoil significantly reducing the pasture productivity of these areas”. There is no requirement to manage subsoil in multiple layers (AR pers comms). Landowners will not accept imported topsoil as there is a potential weed issue. As a result, Newtricity is working with the landowners to engage a contractor to manufacture topsoil onsite to ensure it is suitable for pasture productivity for areas which require filling. This includes the option for mixing in compost with existing subsoil. Quotes have been received and will be shared with landowners to ensure suitability and timing for final rehabilitation (AR pers comms).</p>
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Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 37	<p>The Applicant 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>	Compliant	<p>CATCON is responsible for rehabilitation. The Consistency Review stated that “Following the completion of construction of the ancillary infrastructure, areas not required for ongoing operational use will be rehabilitated. The proposed changes will not prevent ongoing compliance with this condition.”</p> <p>Viewed the ‘Biala Wind Farm Rehabilitation Report’ dated 8/1/20 which outlines benchmarking and monitoring locations. The site inspection revealed good quality roads with significant scour protection and remediation evident. Remediation of steeper slopes to prevent erosion was evidence during the site survey, see <b>Plate 14</b>.</p> <p>Viewed ‘Catcon Punch List’ which summarises required rectification works, material required and whether the task has been completed.</p> <p>A topsoil stockpile is located on private land and is shown in <b>Plate 6. Recommend installation of signage and sediment fencing until the landowner removes the stockpile for use (as proposed).</b></p> <p>A temporary soil stockpile is also located near the O&amp;M Facility (shown in <b>Plate 7</b>). As discussed during the site inspection, the intention is to use the soil for rehabilitation of the construction compound pad prior to December. <b>Recommend stockpile is shaped and seeded if stockpile left open for more than 4-6 months to ensure stability and reduce sediment and erosion control.</b></p> <p>Following the site inspection, it was confirmed that this stockpile would be used for rehabilitation prior to six months of being left open. Some of this topsoil stockpile has already been used by Catcon and Goldwind for rehabilitation works. Remaining topsoil will be used in the rehabilitation of the site compound area which is expected to occur by March 2021 (AR pers comms).</p> <p>In regards to the “Borrow pit” adjacent to a laydown area, “to flatten the laydown area, approximately 14,000 tonnes of material was extracted and crushed on-site, which is well below that described in the EIS. The wind farm EPL allows annual capacity of up to 500,000 tonnes. This material was retained and used in various locations on the project as civil</p>

Condition No.	Requirement / Condition	Status	Evidence
			works were constructed using cut to fill methods. The laydown area was reshaped and topsoiled as shown in <b>Plate 28</b> . Rehabilitation was completed like other areas of temporary disturbance on the project in accordance with the BMP" (AM pers comms). The Borrow Pit is discussed and shown in various figures in the Consistency Review <b>Recommend the area is monitored to ensure rehabilitation successful in this area.</b>
Schedule 3, condition 38	Any individual wind turbines which cease operating for more than 12 consecutive months must be dismantled within 18 months after that 12 month period, unless the Secretary agrees otherwise.	Not Triggered	This did not occur during the IEA period.
Schedule 4, condition 1	Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must: (a) provide the strategic framework for environmental management of the development; (b) identify the statutory approvals that apply to the development; (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; (d) describe the procedures that would be implemented to: • keep the local community and relevant agencies informed about the operation and environmental performance of the development; • receive, handle, respond to, and record complaints; • resolve any disputes that may arise; • respond to any non-compliance; • respond to emergencies; and (e) include: • copies of any strategies, plans and programs approved under the conditions of this consent; and • a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all the monitoring and reporting obligations under the conditions of this consent. Following the Secretary's approval, the Applicant shall implement the Environmental Management Strategy.	Compliant	Construction commenced 5/8/19. Viewed the 'Environmental Management Strategy' dated Oct 2018 (EMS). Viewed approval letter from DPIE dated 30/10/18. a) Section 2, 3, 4, 5, 6 and 7 b) Section 2 c) Section 3 d) Section 4 and 6 e) Section 5, 6 and 7 Viewed the complaints register for the IEA period, each complaint is addressed under the relevant condition. Overall, the IEA identified good systems in place and collaboration between partners (i.e. BJCE, CPP, Goldwind and Catcon). Collaboration included consistent awareness of issues and preparation during the site visit. Environmental inspections are undertaken and acted on with 'Punch Lists' to closeout. <b>Recommend that EMS be updated for operations should personnel and responsibilities require updating.</b>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 4, condition 2	<p>Within 3 months of the submission of:</p> <p>(a) an incident report under condition 4 below;</p> <p>(b) an audit report under condition 7 below; or</p> <p>(c) any modification to the conditions of this consent (unless the conditions require otherwise), the Applicant must review and, if necessary, revise the strategies, plans, and programs required under this consent 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.</p> <p>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 development.</p>	Compliant	<p>a) There have been no reportable incidents, reported under condition 4 below (TM pers comms)</p> <p>b) There has been no audit report under condition 7 below</p> <p>c) This consent has been modified on two occasion. The ACHMP was updated for modification two.</p> <p><b>Recommend that a register be kept which records that this condition was considered for each strategy/plan/program after each incident, audit and modification for future audits.</b></p>
Schedule 4, condition 3	<p>The Applicant must:</p> <p>(a) operate a Community Consultative Committee for the development prior to the commencement of construction; and</p> <p>(b) operate this Committee following establishment, to the satisfaction of the Secretary, and in accordance with the Community Consultative Committee Guidelines for State Significant Projects (2016), or its latest version.</p>	Compliant	<p>a) The first meeting of the CCC was conducted 21/7/15 and four meetings are held each year (generally). Viewed minutes on the Biala Wind Farm website (28/1/20). Key discussion with the CCC include road upgrades, access, biosecurity measures, bushfire and Community Enhancement Fund. The CCC were consulted in preparation for this IEA and their response is shown <b>Section 3</b>.</p> <p>b) No evidence that the CCC is operated to the satisfaction of the Secretary.</p>
Schedule 4, condition 4	<p>The Department must be notified in writing immediately via the Major Project Portal after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.</p>	Not Triggered	<p>There have been no reportable incidents within the IEA period (TM pers comms).</p>
Schedule 4, condition 5	<p>The Department must be notified in writing via the Major Project Portal within 7 days after the Applicant becomes aware of any non-compliance. The notification must identify the development and the application number for it, set out the condition of consent that the development 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.</p>	Not Triggered	<p>There have not been any notifications to DPIE for a non-compliance during the IEA period.</p> <ul style="list-style-type: none"> <li>The EPA issued an official caution to the licensee and its contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the <i>Protection of the Environment Operations Act 1997</i>. This is discussed in Sch 3 Cond 16.</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<ul style="list-style-type: none"> <li>Out of Hours construction is discussed in Sch 3 Cond 7.</li> <li>Vehicle access is discussed in Sch 3 Cond 24 and 25.</li> </ul>
Schedule 4, condition 6	<p>Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:</p> <p>(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);</p> <p>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(c) be carried out in consultation with the relevant agencies;</p> <p>(d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.</p> <p>Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.</p> <p>The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	Compliant	<p>As per response to Sch 2 Cond 10, construction commenced 5/8/19. The IEA Audit Team was appointed 24/7/20 and the site inspection occurred 23-24/9/20.</p> <p>a) See Section 3 of Main Report.</p> <p>b) D Munro holds Exemplar Certification (see <b>Appendix B.</b> of this IEA). The IEA Team appointment endorsed by letter from DPIE dated 24/7/20.</p> <p>c) Consultation is outlined in <b>Section 3</b> and <b>Appendix E</b> of this IEA.</p> <p>d) This IEA.</p> <p>e) Outcomes and recommendations are provided in Section 5 of the Main Report.</p>
Schedule 4, condition 7	Deleted	N/A	
Schedule 4, condition 8	Deleted	N/A	

Condition No.	Requirement / Condition	Status	Evidence
Schedule 4, condition 9	9. The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the development: <ul style="list-style-type: none"> <li>• the EIS;</li> <li>• the final layout plans for the development;</li> <li>• current statutory approvals for the development;</li> <li>• approved strategies, plans or programs required under the conditions of this consent;</li> <li>• the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;</li> <li>• a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;</li> <li>• a complaints register, which is to be updated on a monthly basis;</li> <li>• minutes of CCC meetings;</li> <li>• the annual Statement of Compliance with the EPL</li> <li>• any independent environmental audit, and the Applicant's response to the recommendations in any audit; and</li> <li>• any other matter required by the Secretary; and</li> </ul> (b) keep this information up to date, to the satisfaction of the Secretary.	Compliant	a) Viewed Biala Wind Farm website ( <a href="https://bialawindfarm.com/">https://bialawindfarm.com/</a> ) and the following information listed under this condition was not available: <ul style="list-style-type: none"> <li>• Final layout plans for the Development;</li> <li>• Monitoring results - the only monitoring results required under this consent is noise and blast. There was no blasting or noise monitoring undertaken during the IEA period, therefore, results not available. All other reporting is either internal, or in accordance with incident reporting.</li> <li>• The 2020 annual Statement of Compliance will be the first to be completed and was submitted 21/9/20.</li> </ul> b) The publicly available information listed under part a) that is available on the website is up to date

***APPENDIX D***  
***Site Inspection Plates***



**Plate 1**  
**O&M Compound under construction**



**Plate 2**  
**Turbine 31 being erected with adjacent laydown area**



**Plate 3**  
**Crane erecting turbine blade**



**Plate 4**  
**Site access road**



**Plate 5  
Construction compound**



**Plate 6  
Subsoil stockpiles located on private land near Turbine 2**



**Plate 7**  
**Temporary stockpile requiring seeding if left opened for four months**



**Plate 8**  
**Example of visual treatments for wind turbines**



**Plate 9**  
**Aviation Lighting**



**Plate 10**  
**Revegetation area located Turbine 13**



**Plate 11**  
**Rehabilitation of batter downslope of laydown area**



**Plate 12**  
**Salvaged fallen logs**



**Plate 13**  
**Successful rehabilitation underneath overhead reticulation**



**Plate 14**  
**Rehabilitated water way crossing near T30/31**



**Plate 15**  
**Water ponding at culvert near T30/31**



**Plate 16**  
**Off bank at culvert near T30/T31 requires stabilisation**



**Plate 17**  
**Drainage at O&M Compound requiring stabilisation**



**Plate 18**  
**Compliance of Wattle Creek and lack of erosion**



**Plate 19**  
**Compliance of Wattle Creek and lack of erosion**



**Plate 20**  
**Wattle Creek sediment fencing and drainage line grass establishing since erosion**



**Plate 21**  
**Heritage Exclusion Zone example**



**Plate 22**  
**Landowner boundary identified, weed control**



**Plate 23**  
**Segregated Waste Bins**



**Plate 24**  
**Storage of coolant in containers (however door open)**



**Plate 25**  
**Residual waste materials (small volumes of pallets to be removed)**



**Plate 26**  
**Hazardous goods storage, very little on site**



**Plate 27**  
**Blade support frames on site**



**Plate 28**  
**"Borrow Pit" rehabilitation**



**Plate 29**

**“Hydro Mulching” of off bank at culvert near T30/T31 following IEA site inspection**

***APPENDIX E***  
***Regulatory Correspondence***

Mr Tim Mead  
Biala Wind Farm  
Suite 3, Level 21, 1 York Street  
SYDNEY NSW 2000

24/07/2020

Dear Mr Mead

**Biala Wind Farm (SSD 6039)  
Independent Environmental Audit – Endorsement of Experts**

I refer to your request (SSI 6039) for the Secretary's approval of suitably qualified, experienced and independent team of experts to prepare the Independent Environmental Audit for the Biala Wind Farm.

In accordance with condition 6(b), Schedule 4 of SSI 6039 (the 'Consent') and the *Independent Audit Post Approval Requirements*, the Secretary has agreed to the following audit team:

- Ms Dianne Munro, *Principal Environmental Scientist*; and
- Ms Theresa Folpp, *Environmental Scientist*.

Please ensure this correspondence is appended to the Independent Audit Report.

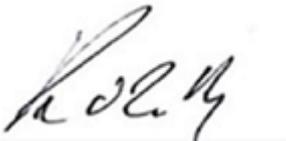
The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements*. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

If you wish to discuss the matter further, please contact May Patterson on 02 8275 1190.

Yours sincerely



Katrina O'Reilly  
Team Leader - Compliance  
Compliance

As nominee of the Planning Secretary

## Theresa Folpp

---

**From:** Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>  
**Sent:** Monday, September 7, 2020 11:38 AM  
**To:** Theresa Folpp  
**Cc:** Dianne Munro; May Patterson  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Theresa,

Could you please look into the aviation lights/night lighting associated with the project as well.

Regards  
Katrina

---

**From:** Theresa Folpp [mailto:TFolpp@hansenbailey.com.au]  
**Sent:** Friday, 4 September 2020 11:22 AM  
**To:** Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>  
**Cc:** Dianne Munro <dmunro@hansenbailey.com.au>  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Great, thanks Katrina.

Regards,  
Theresa

---

**From:** Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>  
**Sent:** Friday, September 4, 2020 11:22 AM  
**To:** Theresa Folpp <[TFolpp@hansenbailey.com.au](mailto:TFolpp@hansenbailey.com.au)>  
**Cc:** Dianne Munro <[DMunro@hansenbailey.com.au](mailto:DMunro@hansenbailey.com.au)>  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Thankyou Theresa for your email.

Specific areas the Department would like focus on include:

- Noise compliance
- Erosion and sediment controls/measures
- Dust management
- Truck movements and record keeping (use of approved routes)
- Compliance with roads upgrades to satisfaction of road authority
- Compliance with operating hours
- Complaints register/management of complaints and communication with community
- Compliance with obtaining other approvals such as CC's

Regards  
Katrina  
**Katrina O'Reilly**  
**Team Leader Compliance**

Compliance | Department of Planning, Industry and Environment  
T 02 6229 7909 | M 0429 400261 | E [katrina.oreilly@planning.nsw.gov.au](mailto:katrina.oreilly@planning.nsw.gov.au)  
PO Box 5475 | Level 1 11 Farrer Place Queanbeyan NSW 2620  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



The Department of Planning, Industry 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.

---

**From:** Theresa Folpp [<mailto:TFolpp@hansenbailey.com.au>]  
**Sent:** Wednesday, 2 September 2020 9:43 AM  
**To:** Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>  
**Cc:** Dianne Munro <[dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)>  
**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Katrina,

Hansen Bailey has been approved by the Department of Planning, Industry & Environment to conduct the 2020 Independent Environmental Audit (IEA) for Biala Wind Farm in accordance with Schedule 4, Condition 6 of Development Consent SSD 6039.

This condition requires that:

*"Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:*

- (a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);*
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- (c) be carried out in consultation with the relevant agencies;*
- (d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and*
- (e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.*

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

*The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary."*

In accordance with Condition (6c) as part of consultation with relevant agencies, could you please provide comment on any specific environmental issues you require particular focus on as part of the IEA process.

If you could respond by **7 September**, it would be appreciated. Please do not hesitate to call Dianne Munro - Principal Auditor as required on:

Email: [dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)  
Phone: 02 6575 2000

Regards,  
Theresa

## Theresa Folpp

---

**From:** Janine Goodwin <Janine.Goodwin@epa.nsw.gov.au>  
**Sent:** Tuesday, September 8, 2020 7:51 AM  
**To:** Theresa Folpp  
**Cc:** EPA RSD Queanbeyan Mailbox; Sharon Peters  
**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Dear Theresa,

Thank you for your email correspondence to the Environment Protection Authority (EPA) on 2 September 2020 seeking feedback on the environmental performance of the Biala Wind Farm Project ('the project') for the purpose of an independent environmental audit. I understand the audit is a requirement of the development approval for Biala Wind Farm and that consultation with the EPA is required as part of the IEA Guidelines. Please accept this email as evidence of consultation with the EPA.

The EPA regulates activities associated with the construction and operation of the project in accordance with the conditions of Environment Protection Licence No. 21280 issued to the Newtricity Developments Biala Pty Ltd. The EPA has its own audit process, regulatory mechanisms and inspection programs to monitor compliance with the licence. The construction phase of the project is nearing completion, however, the main areas of interest given the nature of wind farm projects include:

- Sediment and erosion control and associated potential for water pollution, specifically associated with watercourse crossings, road construction and construction of turbine bases;
- Dust, generally associated with truck movements on unsealed roads;
- Noise, during construction particularly around out of hours works eg. concrete batching/pouring is often undertaken early or late in the workday to avoid the hottest part of the day, and erection of turbines requires optimum weather conditions which may lead to these works occurring at night and this can lead to noise and light related issues with nearby receptors.

The EPA has received a number of complaints during the construction of this project in relation to dust, water pollution and noise. The following provides a summary:

### Dust

Construction of the Biala Wind farm commenced during a severe drought. The EPA (and DPIE Compliance) received several complaints in relation to dust leaving the premises and impacting neighbouring properties and causing a hazard and safety issue to road users on a nearby public road. The EPA understands that the licensee was sourcing water from dams onsite and a neighbouring property and using water carts for dust suppression but this was proving futile on hot days with strong winds. Measures implemented by the licensee to minimise dust generation included: importing gravel to cap the roads as soon as practicable, water carts for dust suppression, review and cease civil construction on some high risk windy days, and, limit onsite vehicle speeds. The licensee, in response to meeting with a complainant, further committed to having a water cart specifically assigned to wetting down the track between T02 and T03 during concrete pours of T02 and T03 which were the closest turbines to the complainants property. The EPA also referred dust complaints onto DPIE Compliance and accepted the measures proposed and implemented but also suggested the licensee investigate other options for road sealing as the gravel seal was itself generating dust with vehicular movements.

### Water Pollution

In early 2020, the EPA received two separate complaints of discharges of sediment laden water leaving the licensed premises and entering Wattle Creek. As a result of the investigations, the EPA issued an official caution to the licensee and its principal contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the *Protection of the Environment Operations Act 1997*. Throughout EPA's investigations into these complaints, the licensee and its contractor have been cooperative and willing to address non compliances identified to improve environmental performance in relation to their practices. Both the licensee and their contractor have made further submissions to the EPA detailing further corrective actions

taken to resolve EPA concerns particularly in relation to management plans and procedures and improving future environmental performance.

## Noise

Several noise complaints were received by the EPA in June 2020 in relation to works conducted outside of standard construction hours. Whilst one complaint was verified and appeared to relate to noise generated by the use of a generator to power several air-conditioning units throughout the night at the site compound, others have not been verified. Those complaints raised concern regarding the public consultation process, alleging that residents were provided with less than 24 hours notice of the intended works, were asked to sign a Neighbour Program Agreement which may negate their ability to lodge a complaint, and that noise and light generated from night works were detrimentally impacting sheep lambing. These complaints were referred to DPIE compliance for follow up as the issues were consent related and not regulated by EPA.

If you have any questions or wish to discuss this matter further, please contact the EPA by email at [queanbeyan@epa.nsw.gov.au](mailto:queanbeyan@epa.nsw.gov.au)

Kind regards  
Janine

**Janine Goodwin**

**Unit Head Regional Operations**

**Regulatory Operations – Regional South**

NSW Environment Protection Authority

+61 2 6229 7002 +61 0409 719 764

[janine.goodwin@epa.nsw.gov.au](mailto:janine.goodwin@epa.nsw.gov.au) [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) [@EPA NSW](#)

**Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555**



Please send all official electronic correspondence to [queanbeyan@epa.nsw.gov.au](mailto:queanbeyan@epa.nsw.gov.au)

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**From:** Theresa Folpp <[TFolpp@hansenbailey.com.au](mailto:TFolpp@hansenbailey.com.au)>

**Sent:** Wednesday, 2 September 2020 9:44 AM

**To:** Sharon Peters <[Sharon.Peters@epa.nsw.gov.au](mailto:Sharon.Peters@epa.nsw.gov.au)>

**Cc:** Dianne Munro <[dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)>

**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Sharon,

Hansen Bailey has been approved by the Department of Planning, Industry & Environment to conduct the 2020 Independent Environmental Audit (IEA) for Biala Wind Farm in accordance with Schedule 4, Condition 6 of Development Consent SSD 6039.

This condition requires that:

*“Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:*

*(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);*

*(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*

- (c) be carried out in consultation with the relevant agencies;
- (d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
- (e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

*The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary."*

In accordance with Condition (6c) as part of consultation with relevant agencies, could you please provide comment on any specific environmental issues you require particular focus on as part of the IEA process.

If you could respond by **7 September**, it would be appreciated. Please do not hesitate to call Dianne Munro - Principal Auditor as required on:

Email: [dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)

Phone: 02 6575 2000

Regards,  
Theresa

**Theresa Folpp**  
*Environmental Scientist*

HANSEN BAILEY

Tel: (02) 6575 2000

Email : [folpp@hansenbailey.com.au](mailto:folpp@hansenbailey.com.au)

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## Theresa Folpp

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**From:** Hayley Sarvanandan <Hayley.Sarvanandan@transport.nsw.gov.au>  
**Sent:** Tuesday, September 8, 2020 8:53 AM  
**To:** Theresa Folpp  
**Cc:** Development Southern  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation  
**Attachments:** SSD6039 Biala Wind Farm consent.pdf

Hi Theresa

I refer to your email below.

TfNSW is satisfied with the transport related conditions (Condition 24-28) detailed in Schedule 3 of the Development Consent.

Thanks  
Hayley

Hayley Sarvanandan  
Development Assessment Officer  
Land Use Southern  
Regional and Outer Metro, Southern  
**Transport for NSW**

T 02 4221 2548 | F 02 4221 2777  
Level 4 90 Crown Street Wollongong NSW 2500



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**From:** Theresa Folpp [<mailto:TFolpp@hansenbailey.com.au>]  
**Sent:** Wednesday, 2 September 2020 9:47 AM  
**To:** Rebecca Reedman <[Rebecca.Reedman@transport.nsw.gov.au](mailto:Rebecca.Reedman@transport.nsw.gov.au)>  
**Cc:** Dianne Munro <[DMunro@hansenbailey.com.au](mailto:DMunro@hansenbailey.com.au)>  
**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Rebecca,

Hansen Bailey has been approved by the Department of Planning, Industry & Environment to conduct the 2020 Independent Environmental Audit (IEA) for Biala Wind Farm in accordance with Schedule 4, Condition 6 of Development Consent SSD 6039.

This condition requires that:

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- (b) *be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- (c) *be carried out in consultation with the relevant agencies;*
- (d) *assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and*
- (e) *recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.*

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

*The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary."*

In accordance with Condition (6c) as part of consultation with relevant agencies, could you please provide comment on any specific environmental issues you require particular focus on as part of the IEA process.

If you could respond by **7 September**, it would be appreciated. Please do not hesitate to call Dianne Munro - Principal Auditor as required on:

Email: [dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)

Phone: 02 6575 2000

Regards,  
Theresa

**Theresa Folpp**  
*Environmental Scientist*

HANSEN BAILEY

Tel: (02) 6575 2000

Email : [folpp@hansenbailey.com.au](mailto:folpp@hansenbailey.com.au)

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## Theresa Folpp

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**From:** nic <nic.carmody@bigpond.com>  
**Sent:** Monday, September 7, 2020 4:06 PM  
**To:** Theresa Folpp  
**Cc:** Dianne Munro  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Good afternoon Theresa & Dianne,

I have contacted the members of the Community Consultative Committee(CCC) regarding the Biala Wind Farm Independent Environmental Audit.. Their responses are listed below:

1. In the approval process, mention was made of termite mounds, specifically in relation to them being the nesting place for the Lace Monitors (goanna like animals essential in the local ecosystem and suffering a decline in population).  
I'm interested to see what the outcome of that was.

I know the local Landcare group approached the wind farm but was unsuccessful, with a project the aim of which was to educate landowners and build habitat for Lace Monitors.

The person approached noted that there would be a community grant pool available [as per all wind farms]. But this does not allow for ANY investment on privately owned land. So would prevent the planned habitat protection and creation. ie; impossible to do given the guidelines of the 'fund'. They were unwilling to fund this project outside those "fund parameters".

So what was done for the lace monitors? Were efforts made to identify and protect these vital termite mounds? Are the termite mounds that were there at the commencement of construction still there?

Were other efforts made. For example; fox\* baiting - Biala has had 6+ baiting events this year - did the developer participate in all of these? [\*Foxes dig the eggs of the monitor out of the termite mounds]. Was planting of habitat considered/undertaken or local [within Biala] offsets funded to aid the Lace Monitors given the almost certain displacement due to the wind farm construction?

The [unfunded] Landcare project also focused on the Little Eagle. This was also [especially] mentioned in the approval documentation for the Biala Wind Farm. What was done to protect large potential nesting trees for the Little Eagle? These trees take hundreds of years to reach an appropriate size. Trees were undoubtedly removed in the construction process. Were nesting trees identified and not removed? Were more trees planted here or nearby in some sort of offset arrangement? [Again, this was an offer from the Landcare group rejected by the developer so keen to understand what they have done to remediate any such habitat/potential-habitat destruction, given they rejected the opportunity to fund such a local based offset?]. If off set planting was undertaken in Biala [or immediately adjacent to Biala], can we get some details of the rate of planting? Obviously you don't replace a 30 tonne gum tree with a single 30 cm high tubestock. What rate of tree replacement was undertaken? 50 tubestock for each tree removed or 100? 150? Were these specifically species preferred by Little Eagles?

2. What damage sediment entering Wattle creek from Run off from T1 and T2 has caused?  
Also, there is a lot of timber piled up on the entrance into Reeves, Will this timber harbour feral animals in the future?  
And what fauna and Flora has been destroyed with the over clearing of this habitat?  
I believe there were far more trees removed then was needed.

3. Some resident concerns are as follows: - sediment runoff from exposed subsoil into farm dams & Wattle Creek, particularly from the compound/hard surface areas;
- unproductive subsoil left on the surface in construction areas including cable routes;
  - crane pads at tower sites built from deep subsoil & left as such;
  - damage off construction areas whilst 'walking' the crane between tower sites;
  - rocks brought to the surface during earthworks & not re-buried or picked up including on cable lines;
  - shallow subsoil intentionally mixed with deeper subsoil used for fill, then covered with a small amount of topsoil significantly reducing the pasture productivity of these areas.

On behalf of the Biala CCC, thank you for the opportunity in providing input to the audit. If a representative of Hansen Bailey would like to attend/address a CCC meeting, please contact me to arrange a suitable mutual time.

Kind Regards,

**Nic Carmody** OAM  
SOLUTIONS  
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**BIALA WIND FARM**

# **INDEPENDENT ENVIRONMENTAL AUDIT REPORT**

for  
**Newtricity Developments Biala Pty Ltd**  
February 2021

# **BIALA WIND FARM**

## **INDEPENDENT ENVIRONMENTAL AUDIT REPORT**

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February 2021

*for:*

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## **LIMITATIONS OF REPORT**

In preparing this Independent Environmental Audit report, Hansen Bailey has assessed all activities appropriate and necessary to evaluate the environmental status of the site and operations on it. Hansen Bailey has addressed all technical matters which might reasonably be considered to be relevant to such an assessment conducted to standards which apply in New South Wales. Based on observations of the site, interviews with appropriate staff and a review of available documentation, it is Hansen Bailey's opinion that the potential critical environmental issues associated with the site and operations are those discussed in this report. However, Hansen Bailey can only advise on the basis of the information available to them and therefore cannot dismiss absolutely the possibility that parts of the site, or adjacent properties, may give rise to additional issues.

The conclusions presented in this report are professional opinions based solely upon Hansen Bailey's visual observations of the site and the immediate site vicinity, and upon Hansen Bailey's interpretation of the documentation reviewed, interviews and conversations with personnel knowledgeable about the site and other available information, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated.

Opinions presented in this report apply to the site's conditions and features as they existed at the time of Hansen Bailey's site visit on 23 – 24 September 2020, and those reasonably foreseeable. They necessarily cannot apply to conditions and features which Hansen Bailey is unaware of and has not had the opportunity to evaluate.

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

**BIALA WIND FARM**  
**INDEPENDENT ENVIRONMENTAL AUDIT REPORT**  
*for*  
***Newtricity Developments Biala Pty Ltd***

**1 INTRODUCTION**

**1.1 BACKGROUND**

Hansen Bailey was commissioned by Newtricity Developments Biala Pty Ltd (Newtricity) to conduct an Independent Environmental Audit (IEA) of the Biala Wind Farm (Biala). This IEA includes an assessment of compliance against Development Consent SSD 6039 and is the first IEA required under SSD 6039.

This IEA consisted of a desktop review of documentation, interviews with key Newtricity staff and a field inspection of temporary construction facilities (including the construction compound and offices), ancillary infrastructure (including the Operations and Maintenance Facility, access tracks and laydown areas), turbine hardstand areas and waterway crossings. The general IEA Itinerary is presented in **Appendix A**.

The auditing period that this IEA report applies to is from 5 August 2019 (commencement of construction) to 4 August 2020 (the IEA period).

The IEA was conducted by Dianne Munro (DM) (Lead Auditor – Exemplar Global Certified Auditor 107622) (see **Appendix B**), and Theresa Folpp (TF) (Auditor) from Hansen Bailey.

The IEA was conducted generally consistent with ‘ISO 19011 - Guidelines for Auditing Management Systems’ and the ‘Independent Audit Post Approval Requirements June 2018’ (Audit Guidelines) (DPE, 2018). Key documents reviewed during the IEA included:

- SSD 6039 (as modified); and
- Biala environmental management plans.

The field inspection was conducted on 23 September and 24 September 2020 by Dianne Munro. Stringent COVID19 practices were in place during the site visit, including social distancing. Photos from the field inspection are shown in **Appendix D**.

The weather conditions at the time of the inspection at the Goulburn Airport Bureau of Meteorology (BoM) station (located approximately 41 km to the south-east of Biala) consisted of westerly and westerly-north-westerly winds up to 70 km/h and a maximum temperature of 16 degrees Celsius. These conditions were consistent with those experienced during the site inspection at Biala and field inspections were considerably conducted at times of reduced wind.

Opening and closeout meetings held with key Newtricity staff (represented by AECOM, Goldwind, CATCON, and CPP) in attendance which generally included:

- Adam Lenihan (AL) – AECOM, Owners Site Representative;
- Angela Rozali (AR) – AECOM, Owners Project Manager;
- Andy Wang (AW) – Goldwind, Supply and Installation Contract Project Manager;
- Leigh Denton (LD) – Goldwind, HSEQ Supervisor;
- John McCarthy (JM) – Goldwind, HSEQ Coordinator;
- Brett Purdie (BP) – CPP, Electrical Balance of Plant Contract Project Manager;
- Zachary Woods (ZW) – CATCON, Civil Balance of Plant Contract Project Manager;
- Kyle O'Donoghue (KO) – CATCON, Principal Contractor's Representative; and
- Dianne Munro (DM) – Hansen Bailey, Lead Auditor.

## 1.2 REPORT STRUCTURE

This report is generally structured as follows:

- **Section 1** provides an introduction, describes the requirement for the IEA and provides a guide to the structure of this report;
- **Section 2** provides a description and layout of the site and a summary of environmental approvals and management documents;
- **Section 3** outlines the requirements for this audit and where each has been addressed in this report;
- **Section 4** of this report lists any non-compliances identified; and
- **Section 5** provides a list of recommendations for both non-compliances and continuous improvement.

## 2 SITE DESCRIPTION

### 2.1 DEVELOPMENT CONSENT

SSD 6039 for Biala allows the development described in the 'Biala Wind Farm Environmental Impact Statement' (EIS) (ERM, 2015) as follows:

- Up to 31 wind turbines generators (WTGs) with a tip height of up to 185 metres (m) and hub height of up to 110 m;
- Ancillary infrastructure, including three new intersections with the site off Grabben Gullen Road, internal access roads, an operations/maintenance facility, internal electricity transmission lines and a substation;
- Upgrades to the local road network, including both Kialla Road and Range Road, to facilitate the delivery of wind turbines to and from the site; and
- Employment of up to 74 personnel during construction and seven personnel during operation.

SSD 6039 has been modified on two occasions as follows:

- Modification one (MOD1) was approved 9 October 2018 and allowed for the construction of an additional meteorological monitoring mast (to bring the total number of monitoring masts to four); and
- Modification two (MOD2) was approved on 9 January 2020 and allowed for changes to the electrical reticulation network and micrositing of some of the WTGs.

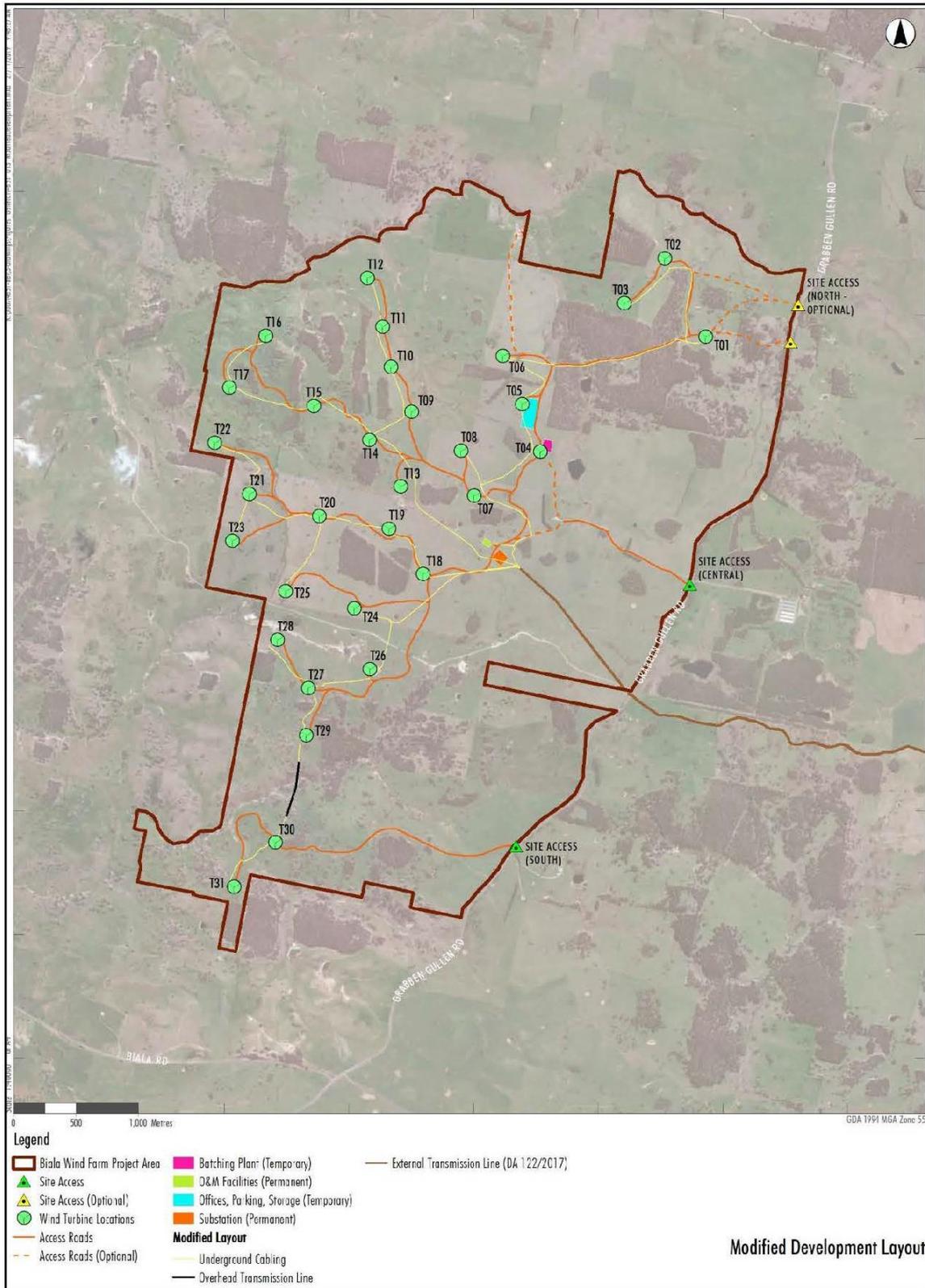
MOD2 was supported by the 'Consistency Review – Refinements to Design of Ancillary Infrastructure (Umwelt, 2019) (Consistency Review) which outlined and assessed the minor design changes and micro-siting of the ancillary infrastructure.

**Figure 1** shows the general layout of Biala as shown in the SSD 6039. SSD 6039 does not include all of the infrastructure required to connect the wind farm to the electricity network. In 2017, Biala submitted a Development Application (DA 122/2017) for an underground transmission line to connect Biala with the existing substation at Gullen Range Wind Farm. DA 122/2017 was approved by the Southern Regional Planning Panel (JRPP) on 17 January 2019. DA 122/2017 does not form part of this IEA.

### 2.2 MANAGEMENT PLANS, PROGRAMS AND STRATEGIES

SSD 6039 requires the preparation of a series of management plans. All currently approved management plans for the construction and operation (as relevant) phases were reviewed during this IEA, including the:

- 'Aboriginal Cultural Heritage Management Plan' (revised March, 2020);
- 'Biodiversity Management Plan' (revised March, 2020);
- 'Stage 1 Traffic Management Plan' (October, 2018);
- 'Stage 2 Traffic Management Plan' (February, 2020); and
- 'Bird and Bat Adaptive Management Program' (May, 2019).



**Figure 1**  
**Biala Development Layout**

### 3 IEA REQUIREMENTS

#### 3.1 DEVELOPMENT CONSENT

This IEA and subsequent report has been compiled pursuant to SSD 6039 (as modified) and the DPE Audit Guidelines (DPE, 2018) (discussed in **Section 3.2**).

Requirements for independent auditing under SSD 6039 (as modified) Schedule 4 Condition 6 is listed in **Table 1** which also lists where each is addressed in this document.

**Table 1**  
**Independent Environmental Audit Requirements**

Description	Where Addressed
<b>SSD 6039 Schedule 4 Condition 6</b>	
Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:	<b>This IEA</b>
(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);	<b>Section 3.2</b>
(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	<b>Appendix B and E</b>
(c) be carried out in consultation with the relevant agencies;	<b>Section 3.3 and Appendix E</b>
(d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and	<b>Section 4 and Appendix C</b>
(e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.	<b>Section 5</b>
Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.	<b>Responsibility of Newtricity</b>
The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	<b>Responsibility of Newtricity</b>

### 3.2 AUDIT GUIDELINES

This IEA report has also been prepared in accordance with the Audit Guidelines (DPE, 2018). **Table 2** lists key requirements from the Audit Guidelines, the relevant section of the Guidelines which references the requirement, and indicates where each is addressed in this report.

**Table 2**  
**Audit Guidelines Requirements**

Section	Description	Where Addressed
3.1.	Independent Audits must only be undertaken by a suitably qualified, experienced and independent auditor. Conditions of consent may require Independent Audits to be undertaken by an auditor and one or more technical specialists.	<b>Section 1, Appendix B and Appendix C</b>
3.2	The auditor must consult with the Department, and other agencies and stakeholders, including the Community Consultative Committee (if one is required for the project), to obtain their input into the scope of the audit.  Comments received during such consultation must be recorded and reported in the Independent Audit Report. Specific environmental issues raised during consultation must be investigated and findings of the investigation must be reported in the Independent Audit Report.	<b>Section 3.3 and Appendix E</b>
3.3	An independent audit must include: 1. an assessment of compliance with: a. conditions of consent applicable to the phase of the development that is being audited; b. all post approval documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans; c. all environmental licences and approvals applicable to the development excluding environmental protection licences issued under the <i>Protection of the Environment Operations Act 1997</i> ;	<b>Appendix C</b>
3.3	2. an assessment of the environmental performance of the development, including but not necessarily limited to, an assessment of: a. actual impacts compared to predicted impacts documented in the environmental impact assessment; b. the physical extent of the development in comparison with the approved boundary, and any potential off-site impacts;	<b>Appendix C</b>

Section	Description	Where Addressed
	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; e. feedback received from the Department, and other agencies and stakeholders, including the community or Community Consultative Committee, on the environmental performance of the project during the audit period;	
3.3	3. the status of implementation of previous Independent Audit findings, recommendations and actions (if any);	N/A
3.3	4. a high-level review of the project's environmental management systems (if any), including assessment of any third party certification of them, the type, nature and scope of the systems having regard to the nature and scale of the development, and the implementation of the systems. It is not expected that an Independent Audit comprises a management system audit, however any key deficiencies identified in the system should be discussed;	This IEA Report
3.3	5. a high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and	This IEA Report
3.3	6. 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.	<b>Appendix C</b>
3.4	Audits must commence with an opening meeting and conclude with a closing meeting. The meetings must be attended by a representative of the proponent at manager level or above, the auditor and technical specialists (if any).	<b>Appendix A</b>
3.5	Independent Audits must include interviews with key personnel involved in project delivery, including those with responsibility for environmental management, to assist with verifying the compliance status of the development.	<b>Appendix A and Appendix C</b>
3.6	Independent Audits must include a physical site inspection. The site inspection must cover all development areas and environmental aspects that form part of the scope of the audit.	<b>Appendix C, Appendix D</b>

### 3.3 AGENCY CONSULTATION

During the preparation for this audit, input was sought from regulatory agencies and the Biala Community Consultative Committee (CCC) to confirm any areas of compliance or environmental management that should be a particular focus.

The following agencies were approached directly by Hansen Bailey in early September 2020 for input as part of the scoping phase of this IEA (see **Appendix E**):

- Department of Planning, Industry and Environment (DPIE);
- DPIE Compliance Division;
- Environment and Protection Authority (EPA);
- Transport for NSW (TfNSW), formally the Roads and Maritime Service;
- Airservices Australia (ASA);
- NSW Rural Fire Service (NSW RFS);
- Upper Lachlan Shire Council (ULSC); and
- Biala CCC Chair.

Where specific issues were raised during consultation, these are listed in **Table 3** along with a section on where each has been addressed in **Appendix C** of this IEA report.

**Table 3**  
**Agency Requirements**

Ref	Requirement	Where Addressed
<b>Department of Planning, Industry and Environment – Compliance Division</b>		
1.	Noise compliance	Sch 3 Cond 6 & 7
2.	Erosion and sediment controls/measures	Sch 3 Cond 17
3.	Dust management	Sch 3 Cond 14
4.	Truck movements and record keeping (use of approved routes)	Sch 3 Cond 24 & 28
5.	Compliance with roads upgrades to satisfaction of road authority	Sch 3 Cond 25
6.	Compliance with operating hours	Sch 3 Cond 7
7.	Complaints register/management of complaints and communication with community	Sch 4 Cond 1
8.	Compliance with obtaining other approvals such as Construction Certificates	Sch 2 Cond 6
9.	Aviation lights	Sch 3 Cond 4
10.	Night lighting	Sch 3 Cond 4

Ref	Requirement	Where Addressed
<b>Environment Protection Authority</b>		
11.	<p>Sediment and erosion control and associated potential for water pollution, specifically associated with watercourse crossings, road construction and construction of turbine bases. In early 2020, the EPA received two separate complaints of discharges of sediment laden water leaving the licensed premises and entering Wattle Creek. As a result of the investigations, the EPA issued an official caution to the licensee and its contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the Protection of the Environment Operations Act 1997. Throughout EPA's investigations into these complaints, the licensee and its contractor have been cooperative and willing to address non compliances identified to improve environmental performance in relation to their practices. Both the licensee and their contractor have made further submissions to the EPA detailing further corrective actions taken to resolve EPA concerns particularly in relation to management plans and procedures and improving future environmental performance.</p>	Sch 3 Cond 16
12.	<p>Dust, generally associated with truck movements on unsealed roads. Construction of the Biala Wind farm commenced during a severe drought. The EPA (and DPIE Compliance) received several complaints in relation to dust leaving the premises and impacting neighbouring properties and causing a hazard and safety issue to road users on a nearby public road. The EPA understands that the licensee was sourcing water from dams onsite and a neighbouring property and using water carts for dust suppression but this was proving futile on hot days with strong winds. Measures implemented by the licensee to minimise dust generation included: importing gravel to cap the roads as soon as practicable, water carts for dust suppression, review and cease civil construction on some high-risk windy days, and, limit onsite vehicle speeds. The licensee, in response to meeting with a complainant, further committed to having a water cart specifically assigned to wetting down the track between T02 and T03 during concrete pours of T02 and T03 which were the closest turbines to the complainant's property. The EPA also referred dust complaints onto DPIE Compliance and accepted the measures proposed and implemented but also suggested the licensee investigate other options for road sealing as the gravel seal was itself generating dust with vehicular movements.</p>	Sch 3 Cond 14
13.	<p>Noise, during construction particularly around out of hours works eg. concrete batching/pouring is often undertaken early or late in the workday to avoid the hottest part of the day, and erection of turbines requires optimum weather conditions which may lead to these works occurring at night and this can lead to noise and light related issues with nearby receptors. Several noise complaints were received by the EPA in June 2020 in relation to works conducted outside of standard construction hours. Whilst one complaint was</p>	Sch 3 Cond 7

Ref	Requirement	Where Addressed
	verified and appeared to relate to noise generated by the use of a generator to power several air-conditioning units throughout the night at the site compound, others have not been verified. Those complaints raised concern regarding the public consultation process, alleging that residents were provided with less than 24 hours' notice of the intended works, were asked to sign a Neighbour Program Agreement which may negate their ability to lodge a complaint, and that noise and light generated from night works were detrimentally impacting sheep lambing. These complaints were referred to DPIE compliance for follow up as the issues were consent related and not regulated by EPA.	
<b>Transport for NSW</b>		
14.	TfNSW is satisfied with the transport related conditions (Condition 24-28) detailed in Schedule 3 of the Development Consent.	N/A
<b>Community Consultative Committee Chair</b>		
15.	<p>Termite mounds (nesting place for Lace Monitors (goanna)) – Outcome of that?</p> <ul style="list-style-type: none"> <li>• Will landowners be educated about Lace Monitors and their needs (ie requiring termite mounds)?</li> <li>• Will any habitat for Lace Monitors be built (was planting of habitat considered/undertaken or local [within Biala] offsets funded to aid the Lace Monitors);</li> <li>• Were efforts made to identify and protect the vital termite mounds?</li> <li>• Are the termite mounds that were there at the commencement of construction still there?</li> <li>• Did the developer participate in all of the 6 fox baiting incidents this year (ie. foxes dig the eggs of the monitor out of the termite mounds)?</li> </ul>	Sch 3 Cond 20
16.	<p>Little Eagle:</p> <ul style="list-style-type: none"> <li>• What was done to protect large potential nesting trees for the Little Eagle?</li> <li>• Were nesting trees identified and not removed?</li> <li>• Were more trees planted here or nearby in some sort of offset arrangement?</li> <li>• If off set planting was undertaken in Biala [or immediately adjacent to Biala], can we get some details of the rate of planting? What rate of tree replacement was undertaken? 50 tubestock for each tree removed or 100? 150?</li> <li>• Were these specifically species preferred by Little Eagles?</li> </ul>	Sch 3 Cond 18
17.	What damage sediment entering Wattle creek from Run off from T1 and T2 has caused?	Sch 3 Cond 16

<b>Ref</b>	<b>Requirement</b>	<b>Where Addressed</b>
18.	There is a lot of timber piled up on the entrance into Reeves, will this timber harbour feral animals in the future?	Sch 3 Cond 20
19.	What fauna and flora has been destroyed with the over clearing of this habitat?	Sch 3 Cond 18
20.	There were far more trees removed then was needed.	Sch 3 Cond 18
21.	Sediment runoff from exposed subsoil into farm dams & Wattle Creek, particularly from the compound/hard surface areas.	Sch 3 Cond 16
22.	Unproductive subsoil left on the surface in construction areas including cable routes.	Sch 3 Cond 37
23.	Damage of construction areas whilst 'walking' the crane between tower sites.	Sch 3 Cond 37
24.	Rocks brought to the surface during earthworks & not re-buried or picked up including on cable lines.	Sch 3 Cond 36
25.	Shallow subsoil intentionally mixed with deeper subsoil used for fill, then covered with a small amount of topsoil significantly reducing the pasture productivity of these areas.	Sch 3 Cond 36

#### 4 NON-COMPLIANCES AGAINST DEVELOPMENT CONSENT

This section provides a discussion on the identified non-compliances against SSD 6039 at the time of the IEA.

A summary of the non-compliances against each condition is summarised in **Table 4**. Recommendations arising from the non-compliances are included in **Section 5**.

Table A of **Appendix C** provides a complete tabulated list of conditions of SSD 6039 with the compliance status and comments against each.

**Table 4**  
**Identified Non-Compliances**

Ref	Non-Compliance
Sch 3 Cond 7	<ul style="list-style-type: none"><li data-bbox="467 819 1362 882">• No approval from DPIE was gained prior to potentially audible Out of Hours construction work undertaken in June 2020.</li><li data-bbox="467 898 1251 960">• Attended monitoring confirmed that some work was audible at the intermediate monitoring locations.</li></ul>

## 5 AUDIT RECOMMENDATIONS

**Table 5** includes a consolidated list of continuous improvement recommendations relating to this IEA (as shown in **Table 4**). There was one non-compliance identified as part of this audit resulting in one non-compliance recommendation.

**Table 5**  
**IEA Recommendations**

Ref	Recommendation
<b>NON-COMPLIANCE RECOMMENDATIONS</b>	
Sch 3 Cond 7	<ul style="list-style-type: none"> <li>• Update the 'Extended Hours Work Approval' (Goldwind, 2020) to clearly stipulate what the proponent considers to be an audible level at the closest private receiver(s) or representative location (if monitoring is not available due to access).</li> <li>• Ensure written approval from DPIE received prior to undertaking any audible works for out of hour works.</li> <li>• Consider seeking a modification to development consent which defines 'inaudible' relative to background levels (consistent with contemporary wind farm approvals) in the context of the condition.</li> </ul>
<b>CONTINUAL IMPROVEMENT RECOMMENDATIONS</b>	
Sch 2 Cond 3	<ul style="list-style-type: none"> <li>• Consider if the Development Layout in Appendix 2 of SSD 6039 should be updated to be consistent with the MOD2 Map supplied by TM dated 2/8/19.</li> <li>• Update Modification 2 date on consent to 9/1/20.</li> </ul>
Sch 3 Cond 16	<ul style="list-style-type: none"> <li>• Ensure that 'crane tracking disturbance resulting from internal incident on 30/7/20 is remediated asap to satisfaction of landowner and sedimentation control retained to until area fully stabilised.</li> </ul>
Sch 3 Cond 17c)	<ul style="list-style-type: none"> <li>• The T30/31 culvert off bank requires ongoing work and stabilisation (<b>Plate 16</b>).</li> <li>• Since the site inspection, Newtricity has undertaken additional works in this area as detailed in <b>Appendix C</b>.</li> </ul>
Sch 3 Cond 17d)	<ul style="list-style-type: none"> <li>• Provide refresher training to relevant personnel as to the requirement for bunding for potentially hazardous materials and inspections conducted to confirm compliance.</li> </ul>
Sch 3 Cond 20	<ul style="list-style-type: none"> <li>• Recommend BCD consultation is included as an appendix of the BMP at next update.</li> </ul>
Sch 3 Cond 23	<ul style="list-style-type: none"> <li>• Update Table 7.1 of the ACHMP when next revised to remove Aboriginal sites that have been salvaged (may retain detail in an Appendix) so practically relevant for operations phase.</li> </ul>

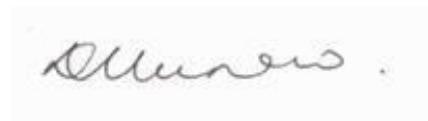
Ref	Recommendation
Sch 3 Cond 35c)	<ul style="list-style-type: none"> <li>• Refresher training for handling of wastes and clear labelling of bins when at Construction and/or O&amp;M Compounds. Since the site inspection, the Daily Prestart Form has been updated to include instructions for correct use of waste.</li> <li>• Residual waste materials and discarded blade support frames identified during the site inspection (see <b>Plate 25</b> and <b>Plate 27</b>) should be removed during final clean-up.</li> </ul>
Sch 3 Cond 37	<ul style="list-style-type: none"> <li>• Installation of signage and sediment fencing around topsoil stockpile located on private property (<b>Plate 6</b>) until the landowner removes the stockpile. Shape and seed the stockpile located near the O&amp;M Compound (<b>Plate 7</b>) if left open for more than four to six months to ensure stability and reduce sediment and erosion control.</li> <li>• Monitor 'Borrow Pit' rehabilitation area to ensure rehabilitation successful.</li> </ul>
Sch 4 Cond 1	<ul style="list-style-type: none"> <li>• Update Environmental Management Strategy (EMS) for operations, should personnel and responsibilities change.</li> </ul>
Sch 4 Cond 2	<ul style="list-style-type: none"> <li>• Keep a register which records that this condition was considered for each strategy/plan/program after each incident, audit and modification to demonstrate compliance for future audits.</li> </ul>

\* \* \*

for  
**HANSEN BAILEY**



Theresa Folpp  
 Environmental Scientist



Dianne Munro  
 Principal Environmental Scientist

***APPENDIX A***  
***Audit Itinerary***

**Biala Wind Farm**  
**Department of Planning, Industry & Environment Independent Environmental Audit**

**ITINERARY**  
**Site Component to be held from 23 – 24 September 2020**

**INVITEES**

Tim Mead (TM)	BJCE Australia	Construction Project Manager
Adam Lenihan (AL)	AECOM	Owners Site Representative
Angela Rozali (AR)	AECOM	Owners Project Manager
Shani Walton (SW)	AECOM	Environment Lead
Andy Wang (AW)	Goldwind	Supply and Installation (S&I) Contract Project Manager
Leigh Denton (LD)	Goldwind	HSEQ Supervisor
John McCarthy (JC)	Goldwind	HSEQ Coordinator
Brett Purdie (BP)	Consolidated Power Projects (CPP)	Electrical Balance of Plant (EBOP) Contract Project Manager
Zachary Woods (ZW)	CATCON	Civil Balance of Plant (CBOP) Contract Project Manager
Kyle O'Donoghue (KO)	CATCON	Principal Contractor's Representative
Jekabs Strikis (JS)	CATCON	Training and Compliance Manager
Dianne Munro (DM)	Hansen Bailey	Lead Auditor

**APOLOGIES**

Tim Mead (TM)

**DAY 1 – 23 September**

Time	Description	Location	Attendees
8 – 8:30am	<b>Opening Meeting</b> <ul style="list-style-type: none"> <li>• Introductions (AR)</li> <li>• IEA scope and purpose (DM)</li> <li>• Confidentiality arrangements (DM)</li> <li>• IEA process and timing (DM)</li> </ul>	GWA meeting room	All
To 9am	<b>Biala Presentation</b> <ul style="list-style-type: none"> <li>• Overview of activities (by site personnel)</li> </ul>	Owner's site office	DM, AR
To 12pm	<b>Compliance Review</b> <ul style="list-style-type: none"> <li>• SSD 6039 Individual Conditions</li> </ul>	Owner's site office	DM, AR
To 12:15pm	<b>Lunch</b>	Owner's site office	-
To 1:15pm	<b>Goldwind Discussion</b> <ul style="list-style-type: none"> <li>• Turbine design (height, capacity, locations)</li> <li>• Transformers</li> <li>• Turbine maintenance</li> <li>• Operating hours, personnel and schedule</li> </ul>	GWA office	DM, AR, AW, LD, JM

Time	Description	Location	Attendees
	<ul style="list-style-type: none"> <li>Environmental: visual, dust, noise, heritage, transport, rehabilitation, aviation, telecoms, bushfire, water, waste, complaints, incidents, compliance inspections</li> </ul>		
To 3pm	<b>Compliance Review (cont.)</b> <ul style="list-style-type: none"> <li>SSD 6039 Individual Conditions</li> <li>EPL 21280</li> </ul>	Owner's site office	DM, AR
To 5pm	<b>Site Inspection</b> <ul style="list-style-type: none"> <li>Turbines</li> <li>Laydown areas</li> <li>Underground reticulation</li> <li>Rehabilitation / Remediation / Maintenance</li> <li>Heritage / Ecology / Monitoring / Amenity</li> </ul>	Field	DM, AL, AR

### DAY 2 – 24 September

Time	Description	Location	Attendees
8 – 8:15am	<b>Day 2 Overview Meeting</b> <ul style="list-style-type: none"> <li>Confirm arrangements for Day 2</li> </ul>	Owner's site office	DM, AR
To 11am	<b>Compliance Review (cont.)</b> <ul style="list-style-type: none"> <li>EIS Project to actual comparison</li> <li>Supporting documents (EA and SEE) review</li> <li>Management plan commitments</li> </ul>	Owner's site office	DM, AR
To 12pm	<b>Consolidated Power Projects (CPP) Discussion</b> <ul style="list-style-type: none"> <li>Electrical reticulation design</li> <li>Substation</li> <li>Transmission line</li> <li>Optical fibre cables / communications</li> <li>Maintenance</li> <li>Monitoring masts</li> <li>Environmental: visual, dust, noise, heritage, transport, rehabilitation, telecoms, bushfire, water, waste, complaints, incidents, compliance inspections</li> </ul>	Owner's site office	DM, AR (site)  BP (dial-in)
To 12:15pm	<b>Lunch</b>	Site office	-
To 1:30pm	<b>CATCON Discussion</b> <ul style="list-style-type: none"> <li>Hardstand areas</li> <li>Access tracks and site access (upgrades)</li> <li>Public infrastructure upgrades</li> <li>Laydown areas</li> <li>Construction compounds / offices</li> <li>Rock crushing / concrete batching</li> <li>Operating hours, personnel and schedule</li> <li>Environmental: visual, dust, noise, heritage, transport, rehabilitation, aviation, telecoms, bushfire, water, waste, complaints, incidents, compliance inspections</li> </ul>	CATCON site office	DM, AR, KO (site) ZW, JS (Dial-in)
To 2:00pm (TBC)	<b>Closeout Preparation</b> <ul style="list-style-type: none"> <li>Auditor preparation for Closeout Meeting</li> </ul>	Owner's site office	DM
To 2:30pm (TBC)	<b>Close Out Meeting</b> <ul style="list-style-type: none"> <li>Overview of findings</li> <li>Confirmation of outstanding documents</li> <li>Confirm audit completion process</li> </ul>	GWA meeting room	All

***APPENDIX B***  
***Independent Audit***  
***Certification Form***

<b>Independent Environmental Audit Declaration Form</b>	
<b>Project</b>	
Name	Biala Wind Farm
Consent Number	SSD 6039 (as modified)
Description of Project	Biala Wind Farm
Project Address	Grabben Gullen Rd, Gurrundah NSW
Proponent	Newtricity Developments Biala Pty Ltd
<b>Independent Audit</b>	
Title of Audit	Biala Wind Farm Independent Environmental Audit
<b>Certificate</b>	<p>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:</p> <ul style="list-style-type: none"> <li>• The audit has been undertaken in accordance with relevant condition(s) of approval and the <i>Independent Post Approval Requirements (Department 2018)</i>;</li> <li>• The findings of the audit are reported truthfully, accurately and completely;</li> <li>• I have exercised due diligence and professional judgement in conducting the audit;</li> <li>• I have acted professionally, objectively and in an unbiased manner;</li> <li>• 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;</li> <li>• 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;</li> <li>• 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</li> <li>• 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.</li> </ul> <p>Notes:</p> <p>a) Under section 10.6 of the <i>Environmental Planning and Assessment Act 1979</i> a person must not include false or misleading information (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 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</p> <p>b) The <i>Crimes Act 1900</i> 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).</p>
Name of Lead Auditor	Dianne Munro
Signature	
Qualification / Auditor Certification (Body, No. Grade)	Auditor for Environmental Management, EMS, Compliance and ISO14001:2015 Audit. Exemplar Global No. 107622
Email Address	<a href="mailto:dmunro@hansenbailey.com.au">dmunro@hansenbailey.com.au</a>
Company	Hansen Bailey Environmental Consultants
Company Address	6/127-129 John Street, Singleton NSW 2330
Date	5 February 2021

***APPENDIX C***  
***Compliance Tables***

**Table C-1**  
**SSD 6039 Conditions of Approval**

Blue type represents Modification 1 – 9 October 2018

Red type represents Modification 2 – 9 January 2020

Condition No.	Requirement / Condition	Status	Evidence
Sch 2, Cond 1	This consent does not operate until: (a) the development of the transmission line required to connect the wind farm to the high voltage electricity network: • has been granted consent, or approval by a determining authority within the meaning of section 110 of, under the <i>Environmental Planning and Assessment Act 1979</i> ; or • if the development is an activity which does not require consent or approval, a determining authority has assessed and determined to carry out the activity under Part 5 of the Environmental Planning and Assessment Act 1979; (b) the applicant has forwarded a copy of the consent, approval or determination (as the case may be) to the Department; and (c) the Secretary has notified the Applicant that it is satisfied that the requirement at 1(a) has been met.	Compliant	a) Development Consent 122/2017 was approved by the Southern Regional Planning Panel on 17 January 2019. b) Viewed letter dated 30 January 2019 from Department of Planning, Industry and Environment (DPIE) acknowledging receipt. Viewed email dated 30 January 2019 from TM. c) Viewed letter dated 30 January 2019 from DPIE acknowledging receipt.
Schedule 2, condition 2	In addition to meeting the specific environmental performance criteria established under this consent, the Applicant 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 development.	Compliant	No material harm was identified as occurring during the audit period (see conditions below).
Schedule 2, condition 3	The Applicant must carry out the development: (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent. Note: The general layout of the development is shown in Appendix 2.	Compliant	As part of the detailed design process (and supported by MOD 2) Newtricity determined that the approved substation was no longer required and made other minor changes to elements of the Project design (Consistency Review Biala Wind Farm - Refinements to Design of Ancillary Infrastructure, Umwelt, October 2019) (Consistency Review). The Consistency Review concluded that “there is an overall increase in the disturbance resulting from the Project in comparison to the EIS”. However, it found “whilst there are some minor changes to some of the predicted impacts (including a small increase in the permanent and temporary

Condition No.	Requirement / Condition	Status	Evidence
			<p>disturbance footprints), overall, the environmental impacts of the Project as a result of the micro-siting of the ancillary infrastructure and other proposed minor changes remains consistent with the impacts of the Current Layout as outlined in the EIS.”</p> <p>Additionally, MOD2 was sought and granted on 9/1/18 to clarify minor design changes and micro-siting of the Wind Turbine Generators (WTGs) and ancillary infrastructure within the already approved vegetation clearing limits. . .</p> <p>At the time of the IEA site inspection, site access tracks and the construction compound had been constructed (see <b>Plate 4 and 5</b>), the Operations and Maintenance Facility was being constructed (see <b>Plate1</b>) and some turbines were operating and being erected (see response to Sch 2 Cond 5).</p> <p>Key project parameters were reviewed and the following was confirmed:</p> <ul style="list-style-type: none"> <li>• Sinoma blades are less than 75m (viewed ‘Goldwind Turbine Specification’);</li> <li>• Manning did not exceed 74 people during construction (the maximum was 60) (AM pers comms); and</li> <li>• Turbine maximum capacity of 3.5MW per turbine (viewed ‘Generating Systems Details’).</li> </ul> <p><b>Recommend considering whether the Development Layout in Appendix 2 of SSD 6039 should be updated to be consistent with the MOD2 Map supplied by TM dated 2/8/19.</b> The MOD2 Map differs from the Development Layout in the:</p> <ul style="list-style-type: none"> <li>• There are no access tracks from the northern access to T01 and T02,</li> <li>• The Offices, Parking and Storage facilities are no longer located at T05; and</li> <li>• There is laydown area now near T15.</li> </ul> <p><b>At next modification, recommend updating modification 2 date on consent to 9/1/20.</b></p>

Condition No.	Requirement / Condition	Status	Evidence
Sch 2, Cond 4	The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and (c) the implementation of any actions or measures contained in these documents.	Compliant	The Environment Protection Authority (EPA) and DPIE have visited the Project on a number of occasions (TM pers comms). There was no request from DPIE, however the EPA requested a letter regarding pollution feedback see Sch 3 Cond 16 for further detail.
Sch 2, Cond 5	The Applicant may construct, operate and replace or upgrade as necessary up to 31 wind turbines. Notes: • To avoid any doubt, the Applicant does not require additional approval to replace or upgrade wind turbines over time, as long as the replacement or upgrade is carried out in accordance with the conditions of this consent. • To identify the approved wind turbines, see the figures and corresponding GPS coordinates in Appendix 2.	Compliant	At the time of the IEA site inspection (23/9/20), there were: • 14 WTGs erected: WTGs 18, 19, 20, 21, 22, 23, 25, 16, 17, 11, 12, 1, 2 and 3. WTGs in the process of being erected were viewed during the site inspection (see <b>Plates 2 and 3</b> ). • Two WTGs tested: WTGs 22 and 23 but not yet commissioned; and • Two WTGs operating.
Schedule 2, condition 6	No wind turbines may be greater than 185 metres in height (measured from above ground level to the blade tip).	Compliant	Viewed Construction Certificate No. 502.10/2019 for installation of WTGs T1 through to T31 dated 21/3/20 which states that "confirmation to be provided via a Survey Report that the WTGS's are constructed in accordance with the requirements of the approval and approved documentation" under this condition. Viewed SSC Survey Report dated 7/7/20 which confirms T11, T12, T16 – 23 and T25 are less than 185m (approximately 179m).
Sch 2, Cond 7	The Applicant may micro-site the wind turbines and ancillary infrastructure without further approval provided: (a) no wind turbine is moved more than 100 metres from the relevant GPS coordinates shown in Appendix 2, except for turbine T29. (b) wind turbine T29 is moved at least 350 metres from the wedge-tailed eagle nest shown on the figure in Appendix 5, and if practicable, over 500m from this nest; (c) the closest turbine is moved no closer to residence H06, H07, H09, H11 or H12 shown in the figure in Appendix 2; (d) the revised location of a wind turbine is at least 50m from existing hollow-bearing trees; or where the proposed turbine location is already within 50m of existing hollow-bearing trees, the revised location of the turbine is not moved any closer to the existing hollow-	Not Triggered	Not triggered as MOD2 facilitated the final locations. a) As part of the detailed design process Newtricity has micro-sited some of the Wind Turbine Generators (WTGs) (Umwelt, October 2019). As stated in Section 2.5 of the Consistency Review "All micro-sited WTGs remain within 100 m of the locations proposed in the EIS and comply with the specified limits on micro-siting contained in Conditions 7(a) to (e)". The micro-sited locations of the WTGs are shown in relation to the original (consent approved) locations in Figure 2.3 of Umwelt (2019). The following infrastructure was also micro-sited in the Consistency Review:

Condition No.	Requirement / Condition	Status	Evidence
	<p>bearing trees; and                      (e) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this consent.</p>		<p>-Internal electrical reticulation network;                      -internal access tracks                      -temporary construction compound and batch plant.                      These changes are summarised below:</p> <ul style="list-style-type: none"> <li>• reduction in the width of the internal site tracks</li> <li>• adjustment to the layout of the crane pads at the wind turbine locations</li> <li>• allowance for disturbance due to cut and fill batters of tracks and crane hardstands</li> <li>• clarification of the disturbance area through the woodland area from T1 to T6.</li> </ul> <p>The Consistency Review found that “the micro-siting of the ancillary infrastructure would not result in any noncompliance with the conditions of the Development Consent.”</p> <p>No additional micro-siting has occurred since the Consistency Review (AR pers comms).</p> <p>b) There is no wedge-tailed eagle nest shown in Appendix 5 of the consolidated development consent for SSD 6039, however the nest is shown in Appendix 5 of the original consent. This should be clarified.</p> <p>T29 is not yet constructed but pad has been completed. T29 was micro-sited north and is located 430 m from the wedge-tailed eagle nest (Briefing Note to Tim Mead dated 22/01/20 titled ‘Wind Turbine Generator Micro-siting’) (Micro Siting Briefing).</p> <p>c) The Micro Siting Briefing states that “the requirements of this condition have been met by the proposed micro-sited WTG locations with the closest turbines not being micro-sited closer to residences H06, H07, H09, U11 or H12”.</p> <p>d) Viewed and compared the ‘Ecological Constraints’ map dated 10/3/20 to the Micro Siting Briefing. Proposed locations of turbines consistent. The following methodology was used in the Micro Siting Briefing to determine the final turbine locations:                      “An analysis using ArcGIS software was undertaken to compare the micro-sited WTG locations with mapped hollow bearing tree locations. Specifically, a 50 m buffer was created around the micro-sited WTGs to determine if</p>

Condition No.	Requirement / Condition	Status	Evidence
			any hollow bearing trees intersected with the buffer areas. The analysis identified that there was one turbine with a hollow bearing tree within 50 m. This was T21 which has not been micro-sited and will remain in its current approved location. As there are no hollow bearing trees within 50 m of the micro-sited WTGs and WTG T21 will not be moved any closer to the existing hollow bearing tree within 50 m of its location, this consent condition is met by the proposed microsited WTG locations". e) See response to part a)
Sch 2, Cond 8	The Applicant must not undertake the construction of turbines T01, T02 and T03 during September and October, unless otherwise agreed in writing with the owner of Residence H07.	Not Triggered	Construction of T1, T2 and T3 did not occur during September and October. T1 - Commencement of construction began on 23/7/20 and construction was completed on 3/8/20. T1 is located 2,400 m from H7. T2 - Commencement of construction began on 22/6/20 and construction was completed on 30/7/20. T2 is located 2,100 m from H7. T3 - Commencement of construction began on 20/6/20 and construction was completed on 23/7/20. T3 is located 2,600 m from H7.
Schedule 2, Condition 9	Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the 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. Note: If the construction of the development is to be staged, then the provision of these plans may be staged.	Compliant	Includes all turbines (31). a) Viewed - Letter 18 October 2019 to DPIE, O&M and ancillary infrastructure coordinates and map. - Letter 2 August 2019 to DPIE – preconstruction at main entrance and batch plant. - Letter 12 September 2019 to DPIE – Access roads, hardstands and drainages including plan and no coordinates. b) Letter 25 September 2019 to DPIE – foundations, including coordinates and map.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 2, condition 10	<p>Prior to the commencement of the construction, operation and/or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing of the date of commencement or cessation.</p> <p>If the construction, operation and/or decommissioning of the development is to be staged, then the Applicant 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 Consultative Committee about the proposed staging plans.</p>	Compliant	<p>No decommissioning, two operating and 14 constructed at date of site visit.</p> <p>a) Construction letter dated 2 August 2019 to DPIE confirming commencement on 5 August 2019. Biala has not entered operations phase but has notified DPIE of WTG Commissioning commencing (viewed email to DPIE dated 15/6/20).</p> <p>b) Viewed monthly newsletter (July 2019) which includes a summary of works to commence and the Project Timeline. "Biala used a number of methods to communicate commencement of construction activities to community including newsletter updates, website updates, text message updates, and notified Council to distribute on their social channels" (AM pers comms). Evidence of notification provided in example newsletter (July 2019).</p>
Schedule 2, condition 11	<p>The Applicant must ensure that:</p> <p>(a) the wind turbines are constructed in accordance with the relevant standards, including the structural design requirements of IEC61400-1 (or equivalent);</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 Applicant 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 development.</li> </ul>	Compliant	<p>a) Viewed "Type Certificate" for GW140/3570. 17 October 2019 refers to IEC61400-1.</p> <p>b) Viewed O&amp;M building construction certificate S02/12/2019 dated 2/12/19. Viewed O&amp;M Interim Occupation Certificate dated 25/11/20.</p>
Schedule 2, condition 12	<p>The Applicant must ensure that all demolition work on site is carried out in accordance with AS 2601-2001: The Demolition of Structures, or its latest version</p>	Not Triggered	<p>No demolition has been carried out on site.</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 2, condition 13	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.	Not Triggered	None required in IEA period.
Schedule 2, condition 14	The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Compliant	a) There have been some minor plant and equipment issues from GWA including (oil leak from 600T crane: Incident Report 001439, oil leak from Franna Crane: Incident Report 001440 and hydraulic leak on pad from container trailer: Incident Report 001444). Viewed the following documentation for the 600T crane, Franna, 130T and 300T mobile cranes as examples of evidence of maintenance: - Safework NSW Certificate of Plant Item Registration - Cranesafe Green Ticket - Registration; and - Service record. b) Viewed the Risk Assessment Matrix for the 600T crane, Franna, 130T and 300T mobile cranes which includes control methods to minimise hazards.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 2, condition 15	<p>With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.</p> <p>With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant conditions of this consent.</p> <p>Refer also to notes in consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• <i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.</i></li> <li>• <i>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 stages, and the trigger for updating the strategy, plan or program</i></li> </ul>	Compliant	Traffic Management Plan (TMP) was staged – see response to Sch 3 Cond 38. Letter dated 14 February 2020 from DPIE to TM approving two staged approach and approving TMP (7 November 2020) version.
Schedule 2, condition 16	<p>Prior to the commencement of construction, unless the Secretary agrees otherwise, the Applicant must enter into a Voluntary Planning Agreement (VPA) with the Council in accordance with:</p> <p>(a) Division 6 of Part 4 of the EP&amp;A Act; and</p> <p>(b) the terms of the applicable offer summarised in Appendix 3.</p>	Compliant	<p>Viewed VPA with Upper Lachlan Shire Council (ULSC) signed October 2018 (ULSC) and Dec 2018 (Newtricity) (Appended to the Development Consent).</p> <p>VPA payment details include '\$2,500 per wind turbine per annum as installed at the development over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions in this consent, and CPI adjusted over time commencing at the September 2010 quarter.' As per response to Sch 2 Cond 10, operation commenced on 5/8/19.</p> <p>No payments have been made under the VPA. As per the definition in the VPA, monetary contributions are not required until commencement of operations.</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 1	<p>For a period of 5 years from the commencement of construction, the owner of:</p> <p>(a) residence H03a; and                      (b) any non-associated residence within 4 kms of any wind turbine. may ask the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their residence (including its curtilage). Upon receiving such a written request from the owner of these residences, the Applicant must implement appropriate mitigation measures (such as landscaping and vegetation screening) in consultation with the owner. 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. All mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agree otherwise. If the Applicant 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 Secretary for resolution.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• <i>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.</i></li> <li>• <i>The identification of appropriate visual impact mitigation measures will be more effective following the construction of the wind turbines. While landowners may ask for the implementation of visual impact mitigation measures shortly after the commencement of construction, they should consider the merits of delaying this request until the wind turbines are visible from their residence.</i></li> </ul>	Not Triggered	<p>a) The commencement of construction was 5/8/19. Therefore, 5 years has commenced but not yet ended (i.e. 5/8/24). No request has been made in the audit period (AR pers comms).</p> <p>b) See response to condition 2.</p>
Schedule 3, condition 2	<p>Prior to the commencement of construction, the Applicant must notify the relevant owners of the residences referred to in condition 1 above, that they have the right to request the Applicant to implement visual impact mitigation measures at their residence (including its curtilage) at any time within 5 years of the commencement of construction.</p>	Compliant	<p>Viewed spreadsheet listing 67 non-associated dwellings within 3-4 km. A visual mitigation letter (template) was mailbox dropped (i.e. not personalised) (AM pers comms). Viewed visual mitigation letter dated 7/5/19 notifying landholders of their right to visual mitigation within 5 years of commencement of construction. The letter was delivered in July 2019 and construction commenced 5/8/19.</p>

Condition No.	Requirement / Condition	Status	Evidence
			Spreadsheet lists residents that the letter was sent to. "H79 requested screening. Landscape consultant was engaged and went to his house and concluded unlikely he will see any turbines, however best to confirm following erection of T1 and T2. H79 contacted many times following erection of these turbines to confirm they are not visible, but H79 have not returned any of our communications." (AM pers comms).
Schedule 3, condition 3	The Applicant must: (a) minimise the off-site visual impacts of the development; (b) ensure the wind turbines are - painted off white/grey, unless otherwise agreed by the Secretary; and - finished with a surface treatment that minimise the potential for glare and reflection; (c) ensure the visual appearance of all ancillary infrastructure (including paint colours), blends in as far as possible with the surrounding landscape; and (d) not mount any advertising signs or logos in wind turbines or ancillary infrastructure	Compliant	a) The 'Biala Wind Farm Environmental Impact Statement' (ERM, 2015) proposed the following visual impact mitigation measures: <ul style="list-style-type: none"> <li>Planting vegetation close to view locations;</li> <li>Minimise the extent of cut and fill in the construction of roads; and</li> <li>Re-vegetating disturbed soil areas.</li> </ul> b) See various plates in <b>Appendix D</b> which shows current visual impact with well-establishing vegetation around site. No visual complaints were received during the audit period (only one lighting complaint). Turbine paint was viewed and confirmed compliant during the site inspection (see <b>Plate 8</b> ). c) Ancillary infrastructure was viewed during the site inspection. No planting has been required. d) There were no advertising signs or logos mounted on infrastructure viewed during the site inspection.
Schedule 3, condition 4	The Applicant must: (a) minimise the off-site lighting impacts of the development; (b) ensure that any aviation hazard lighting complies with CASA's requirements; (c) minimise the visual impacts of any aviation lighting by implement measures such as; - partial shielding of lights; - operating the lights only at night or during times of reduced visibility; and turning the lights on and off simultaneously; (d) ensure that all external lighting associated with the development (apart from any aviation hazard lighting): - is installed as low intensity lighting (except where required for safety or emergency purposes); - does not shine above the horizontal; - uses best management	Compliant	a) Construction compound is the only area requiring lighting. The O&M facility will require lighting when constructed. Lighting of the construction compound does not occur at night. There have been no lighting complaints during the IEA period. b) Viewed letter from BJCE to Goldwind and Department of Defence (DOD) (dated 20/8/19) to meet CASA requirements. Eighteen turbines require aviation lighting (as per the EIS Aviation Impact Assessment). Site visit showed some lighting affixed to turbines on the ground ready to be installed ( <b>Plate 9</b> ).

Condition No.	Requirement / Condition	Status	Evidence
	practice for bat deterrence; and complies with AS4282 (INT) 1997 or its latest version		<p>Aviation lighting is a steady red light. Viewed "internal product data sheet" for purchased lighting and "LM100 Medium Intensity Light" specifications.</p> <p>Viewed email letter to DOD 20/09/19 stating that lights can be low intensity from dusk until 11pm.</p> <p>c) Floodlights have been angled at 45 degrees below horizontal. For site compound, lighting details as follows:</p> <ul style="list-style-type: none"> <li>• Lights to provide safe work areas and task lighting</li> <li>• LED Flood type</li> <li>• 5 K Colour Spectrum</li> <li>• 50 Watt</li> <li>• 45deg below horizontal</li> </ul> <p>Viewed letter from Bestec Engineering dated 8/10/20 confirming that the design of the Biala Wind Farm is in accordance with AS4282 Control of Obtrusive Effects of Outdoor Lighting.</p>
Schedule 3, condition 5	The Applicant must ensure that shadow flicker from operational wind turbines does not exceed 30 hours per year at any non-associated residence.	Not Triggered	<p>As discussed in Sch 2 Cond 5, there are two WTGs operating. During the 12-month period of operation, the shadow flicker criteria has not exceeded 30 hours per year at a non-associated residence.</p> <p>The shadow flicker assessment as part of the EIS determined that there were not predicted to be any non-associated residences that would exceed 30 hours of shadow flicker per year. Four associated dwellings were predicted to exceed the criteria and "mitigation measures would be implemented where feasible and applicable at the request of the landholder (EIS, 2015, p.xi).</p> <p>No complaints in relation to shadow flicker have been received.</p>
Schedule 3, condition 6	The Applicant must: (a) minimise the construction or decommissioning noise of the development, including any associated traffic noise; and (b) ensure that the noise generated by any construction or decommissioning activities is managed in accordance with the best practice requirements outlined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009) or its latest version	Compliant	<p>a) No decommissioning activities has occurred.</p> <p>A Construction Noise and Vibration Management Plan (NMP) dated Nov 2019 is provided in Annex C of the Environmental Management Strategy (EMS). Noise and Vibration mitigation measures are outlined in Section 4 of the NMP. Key mitigation measures from the NMP were discussed during the site inspection as follows:</p>

Condition No.	Requirement / Condition	Status	Evidence
			<ul style="list-style-type: none"> <li>• NMP Section 4.1 - Toolbox talks are conducted and include contractor’s deliveries and routes. Viewed “Driver Induction and Route Record” (Nov 19) which includes a checkbox for “route taken” and is forwarded to CPP. Viewed “Delivery Driver Induction” which includes Site Main Entry and information about the “Driver Induction and Route Record”.</li> <li>• NMP Section 4.3 - Inspections and maintenance of equipment (including mufflers) is undertaken (see response to Sch 3 Cond 14). Noise padding is used on generators to reduce noise impacts.</li> <li>• NMP Section 4.4 - No reversing alarms are required on site.</li> <li>• NMP Section 4.5 - Scheduling practise is achieved through amalgamation of loads and trip reduction.</li> <li>• NMP Section 4.6 – No blasting has been required during IEA period.</li> </ul> <p>As stated in the IEA Regulator Response from the EPA (dated 8/9/20) “Several noise complaints were received by the EPA in June 2020 in relation to works conducted outside of standard construction hours. Whilst one complaint was verified and appeared to relate to noise generated by the use of a generator to power several air-conditioning units throughout the night at the site compound, others have not been verified. Those complaints raised concern regarding the public consultation process, alleging that residents were provided with less than 24 hours’ notice of the intended works, were asked to sign a Neighbour Program Agreement which may negate their ability to lodge a complaint, and that noise and light generated from night works were detrimentally impacting sheep lambing. These complaints were referred to DPIE compliance for follow up as the issues were consent related and not regulated by EPA”.</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>The Consistency Report found that micro-siting changes “will not prevent ongoing compliance with this condition.”</p> <p>b) The <i>Interim Construction Noise Guideline</i> (DECC, 2009) is referenced in the NMP.</p>
Schedule 3, condition 7	<p>Unless the Secretary agrees otherwise, the Applicant must only undertake construction or decommissioning activities between:</p> <p>(a) 7am to 6pm Monday to Friday; (b) 8am to 1pm Saturdays; and (c) at no times on Sundays and NSW public holidays.</p> <p>The following construction or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:</p> <ul style="list-style-type: none"> <li>- activities that are inaudible at non-associated residence;</li> <li>- the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or emergency work to avoid the loss of life, property and/or material harm to the environment.</li> </ul>	<b>Not Compliant</b>	<p>No decommissioning activities have occurred. This condition therefore only applied to construction during the audit period.</p> <p>Construction can be undertaken without the approval of the Secretary if activities:</p> <ul style="list-style-type: none"> <li>• Were requested by Police or authorities for safety reasons or emergency work. This did not apply in the audit period; or</li> <li>• are inaudible at a non-associated residence. This potentially applies as described below.</li> </ul> <p>NDBPL states that the activities described below were carried out on the basis that they were likely to be inaudible at a non-associated residence and could accordingly be carried out outside the standard construction hours without the approval of the Secretary (TM pers comms).</p> <p><b>Out of Hours Work</b></p> <p>On 20/5/20, Newtricity notified DPIE by email on its intention to commence out of hours works (OOHW) in June 2020. The email specifically referenced condition 6 and 7 of the consent and provided an OOHW assessment for DPIE review.</p> <p>DPIE responded by email on 21/5/20 requesting further information regarding the “breakdown of proposed activities (audible and inaudible)”. Newtricity responded by email on 4/6/20 stating that “The desktop conservative OOHW assessment identified the activities to be unlikely (but possible) to be audible” and that “a site specific” Noise Impact Assessment by an acoustics specialist has been commissioned to further validate the expected noise emissions from the proposed OOHW. No response was received from DPIE.</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>Some out of hours work (OOHW) was undertaken between 5/8/19 and 2/4/20 including concrete pours and crane lifting. <b>No approval from DPIE was obtained prior to the works being undertaken.</b> However, the concrete pours were assessed to be likely to be inaudible at non-associated residences. No complaints were received during these works.</p> <p>On other occasions, complaints in relation to OOHW were received from non-associated receivers via DPIE to the Proponent. Viewed letter to DPIE 14/7/20 regarding complaint (see response to Sch 3 Cond 6). Letter included a commitment to cease further OOHW.</p> <p>Reviewed report for EPA and DPIE 'Incident Report Noise Complaint during Out of Hours Work Trial at Turbine 25 on 11/06/2020' (Goldwind). The report is specific to a trial at Turbine 25 between 18:00 and 21:15 on 11/06/2020 and provides details on construction, monitoring, investigation and mitigation – where complaints were received. Consultation was undertaken within 3 km prior to the works being conducted on 11/6/20.</p> <p>A second period of OOHW work carried out at Turbine 25 in the early hours of 17 June 2020, without complaints being received.</p> <ul style="list-style-type: none"> <li>• An unattended noise monitor was setup up at 1.7 km from Turbine 25 prior to the works being undertaken with results between 32.4- 48.9 dBA LAeq noise monitoring results recorded.</li> <li>• An AECOM representative undertook attended noise monitoring at selected locations (Location 2 and 3 being intermediate locations between the work and non-associated receivers) <b>however it is unclear which date the results apply to</b> (section 4). Section 4.2 describes monitoring results at 2 state “crane noise audible and rattle gun audible”, at 3 state “no work noise audible”. <b>Attended monitoring therefore confirmed that some work was audible at the monitoring location (2.25 km to nearest non associated private receiver). Although it is possible the activities were inaudible, no statement</b></li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<p><b>is provided by the monitoring specialist or modeller to confirm that:</b></p> <ol style="list-style-type: none"> <li><b>1. the project-noise was inaudible at the nearest receiver; or</b></li> <li><b>2. clearly stipulates the definition of "inaudible" as "inaudible" is not defined under legislation or a relevant Guideline.</b></li> </ol> <ul style="list-style-type: none"> <li>• Noise modelling conducted by EMM concluded that "The predicted noise levels at HN05 and HN06 are very low and satisfy the EPL 21280 requirements."</li> </ul> <p>In consultation with the DPIE, GWA is now in the process of preparing an Out of Hours (OOH) protocol for future works which will include attended noise monitoring (AW pers comms). An application has been submitted to DPIE (see below) and pending their response, GWA will update OOH protocol to account for DPIE comments.</p> <p>On 7/10/20 Newtricity (on behalf of Goldwind) applied for a 'Request for Extended Hours Work Approval' (EHWA) (Goldwind, September 2020) from DPIE. The application included a 'Construction Noise Assessment' (ERM, July 2020), <b>for the future construction of additional wind turbines at Biala Wind Farm outside of daytime construction hours.</b></p> <p>The ERM Noise Assessment includes a section on Audibility (Section 6.1) and concludes (in Section 7) that "With regard to the condition of approval that activities be inaudible outside of standard work hours, as background levels as low as 20dBA have been recorded in the area, in theory predicted noise levels above 10dBA could possibly be audible. However, noise levels this low fall outside the capabilities of hand held sound level meters used for environmental noise measurement and would be outside the threshold of audibility for the general population."</p> <p>Additionally, during the IEA period, there was some OOHW on Saturdays and Sundays in accordance with media release 2/4/20 from DPIE "extending hours for Covid-19" on between 2/4/20 and Aug 2020.</p> <p><b>Recommend that EHWA be updated to clearly stipulate what the proponent considers to be an audible level at</b></p>

Condition No.	Requirement / Condition	Status	Evidence											
			the closest private receiver(s) (e.g. background plus 5 dBA) or a representative location (if monitoring is not available due to access) for proposed activities. Recommend to ensure written approval from DPIE received prior to undertaking any potentially audible works during out of hour periods. Consider seeking a 4.55(1) modification to development consent which defines 'inaudible' relative to background levels (consistent with contemporary wind farm approvals) in the context of the condition.											
Schedule 3, condition 8	The Applicant may only carry out blasting on site between 9 am and 5 pm Monday to Friday and between 8 am and 1 pm on Saturday inclusive. No blasting is allowed on Sundays or public holidays.	Not Triggered	No blasting has occurred during the IEA period (AL pers comms).											
Schedule 3, condition 9	The Applicant must ensure that any blasting carried out on site does not exceed the criteria in Table 1. Table 1: Blasting criteria <table border="1" data-bbox="392 858 1075 1066"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Any non- associated residence</td> <td>120</td> <td>10</td> <td>0%</td> </tr> <tr> <td>115</td> <td>5</td> <td>5% of the total number of blasts or events over a period of 12 months</td> </tr> </tbody> </table>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Any non- associated residence	120	10	0%	115	5	5% of the total number of blasts or events over a period of 12 months	Not Triggered	No blasting has occurred during the IEA period (AL pers comms).
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Schedule 3, condition 10	<p>The Applicant must ensure that the noise generated by the operation of wind turbines does not exceed the relevant criteria in Table 2 at any non-associated residence.</p> <p>Table 2: Noise criteria dB(A)</p> <table border="1" data-bbox="383 475 1086 911"> <thead> <tr> <th rowspan="2">Residence</th> <th colspan="10">Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)</th> </tr> <tr> <th>3</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 or more</th> </tr> </thead> <tbody> <tr> <td>H03, H04</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>46</td> </tr> <tr> <td>H05</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>37</td> <td>38</td> <td>39</td> <td>41</td> <td>43</td> </tr> <tr> <td>H06</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>38</td> <td>40</td> <td>43</td> <td>46</td> </tr> <tr> <td>H07</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> <td>44</td> <td>46</td> <td>50</td> </tr> <tr> <td>H09</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> <td>42</td> <td>44</td> <td>45</td> <td>47</td> <td>48</td> </tr> <tr> <td>H11</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>46</td> </tr> <tr> <td>H12</td> <td>35</td> <td>35</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>45</td> <td>46</td> <td>48</td> </tr> <tr> <td>H13, H14</td> <td>35</td> <td>35</td> <td>36</td> <td>37</td> <td>38</td> <td>39</td> <td>39</td> <td>40</td> <td>40</td> <td>40</td> </tr> </tbody> </table> <table border="1" data-bbox="383 938 1086 1217"> <thead> <tr> <th rowspan="2">Residence</th> <th colspan="10">Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)</th> </tr> <tr> <th>3</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 or more</th> </tr> </thead> <tbody> <tr> <td>H15</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>36</td> <td>36</td> <td>37</td> <td>37</td> <td>38</td> <td>39</td> </tr> <tr> <td>H17</td> <td>36</td> <td>37</td> <td>38</td> <td>40</td> <td>41</td> <td>42</td> <td>44</td> <td>45</td> <td>47</td> <td>48</td> </tr> <tr> <td>DA18</td> <td>35</td> <td>35</td> <td>37</td> <td>39</td> <td>40</td> <td>42</td> <td>43</td> <td>45</td> <td>46</td> <td>48</td> </tr> <tr> <td>All other non-associated residences</td> <td colspan="10">The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)</td> </tr> </tbody> </table>	Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)										3	4	5	6	7	8	9	10	11	12 or more	H03, H04	35	35	36	37	38	39	40	42	43	46	H05	35	35	35	35	35	37	38	39	41	43	H06	35	35	35	35	35	36	38	40	43	46	H07	35	35	36	37	38	40	41	44	46	50	H09	36	37	38	40	41	42	44	45	47	48	H11	35	35	35	36	37	39	40	42	43	46	H12	35	35	37	39	40	42	43	45	46	48	H13, H14	35	35	36	37	38	39	39	40	40	40	Residence	Criteria (dB(A)) with Reference to Hub Height Wind Speed (m/s)										3	4	5	6	7	8	9	10	11	12 or more	H15	35	35	35	35	36	36	37	37	38	39	H17	36	37	38	40	41	42	44	45	47	48	DA18	35	35	37	39	40	42	43	45	46	48	All other non-associated residences	The higher of 35 dB(A) or the existing background noise level plus 5 dB(A)										Not Triggered	As per response to Sch 2 Cond 5, there are two WTGs operating. It is proposed that monitoring under this condition will commence when all turbines are operating.
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	<p><i>Note: To identify the residences referred to in Table 2, see the applicable figure in Appendix 2.</i></p> <p><i>Noise generated by the operation of the wind turbines is to be measured in accordance with the relevant requirements of the South Australian Environment Protection Authority's Wind Farms – Environmental Noise Guidelines 2009 (or its latest version), as modified by the provisions in Appendix 4. 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. However, these criteria do not apply if the Applicant has an agreement with the relevant owner/s of these residences to generate higher noise levels, and the Applicant has advised the Department in writing of the terms of this agreement.</i></p>		
Schedule 3, condition 11	<p>The Applicant must ensure that the noise generated by the operation of ancillary infrastructure does not exceed 35 dB(A) LAeq(15 minute) at any non-associated residence.</p> <p><i>Noise generated by the development is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (or its equivalent) as modified by the provisions in Appendix 4.</i></p>	Not Triggered	See response to Sch 3 Cond 10.
Schedule 3, condition 12	<p>Within 6 months of the commencement of operations, the Applicant must:</p> <p>(a) undertake noise monitoring to determine whether the development is complying with the relevant conditions of this consent; and</p> <p>(b) submit a copy of the monitoring results to the Department and the EPA.</p>	Not Triggered	Viewed letter dated 5/8/19 confirming that “commencement of operations” will be when “all WTGs are constructed, tested and commissioned in accordance with Transgrid and AMO requests. Commencement of operations is likely to be in early 2021.”
Schedule 3, condition 13	<p>The Applicant must undertake further noise monitoring of the development if required by the Secretary.</p>	Not Triggered	The Secretary has not requested further noise monitoring under this condition.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 14	The Applicant must: (a) minimise the off-site dust, fume and blast emissions of the development; and (b) minimise the surface disturbance of the site.	Compliant	a) Viewed 'Air Quality Management Procedures' (Nov, 2019) (AQMP). Section 3 considers dust, diesel fume and blast emissions and Section 4 outlines management procedures for each. There have been two complaints in relation to dust during the audit period: one internal complaint and one to the DPIE. TM (pers comms) confirmed that on the days of the complaints (1/2/20), there were water carts operating and a corrective action for gravel on the southern entrance was undertaken. Evidence including inspection reports, tool box talks, induction package were viewed during the site inspection. It was confirmed that light vehicles were operating on the days that the complaints were made. As stated in the IEA Regulator Response from the EPA (dated 8/9/20) "Construction of the Biala Wind farm commenced during a severe drought. The EPA (and DPIE Compliance) received several complaints in relation to dust leaving the premises and impacting neighbouring properties and causing a hazard and safety issue to road users on a nearby public road. The EPA understands that the licensee was sourcing water from dams onsite and a neighbouring property and using water carts for dust suppression but this was proving futile on hot days with strong winds. Measures implemented by the licensee to minimise dust generation included: importing gravel to cap the roads as soon as practicable, water carts for dust suppression, review and cease civil construction on some high risk windy days, and, limit onsite vehicle speeds. The licensee, in response to meeting with a complainant, further committed to having a water cart specifically assigned to wetting down the track between T02 and T03 during concrete pours of T02 and T03 which were the closest turbines to the complainant's property. The EPA also referred dust complaints onto DPIE Compliance and accepted the measures proposed and implemented but also suggested the licensee

Condition No.	Requirement / Condition	Status	Evidence
			<p>investigate other options for road sealing as the gravel seal was itself generating dust with vehicular movements.”</p> <p>b) The total disturbance predicted in the EIS was 42.37 ha (Section 2.5.1). Total disturbance was revised as part of the Consistency Review (MOD2) and updated to 58.07 ha. To date there has been 55.94 ha of disturbance for civil works (facilities and electrical infrastructure, turbine hardstands and access tracks) (source: ‘Disturbance Running Tally’ spreadsheet supplied from Biala). Some areas surrounding infrastructure has been rehabilitated / revegetated (see <b>Plates 11, 13, 14 and 28</b>). The O&amp;M Facility was relocated to an already disturbed batch plant location to reduce disturbance (TM pers comms). This relocation was confirmed during the site inspection. The Consistency Review concluded “Dust management for the Project will remain consistent with the approach specified in the EIS and the proposed changes will not prevent ongoing compliance with this condition. The reduced length of the road network should assist in minimising dust generation.”</p>
Schedule 3, condition 15	<p>The Applicant must ensure that it has sufficient water for all stages of the development; and if necessary, adjust the scale of the development to match its available water supply.</p> <p><i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i></p>	Compliant	<p>As stated in Section 14.3 of the EIS, preliminary discussion regarding water licences have been held with NSW Office of Water..... the options assessed demonstrate that water can be feasibly supplied by the use of existing dams... the method adopted has not yet been decided and a decision will be made following further discussions with relevant landholders and an assessment of economic and other factors”</p> <p>As further stated in Section 14.3 of the EIS, the estimated total water demand over the proposed 24 month construction period was 32.66ML.</p> <p>The following lists CATCON water sources for the Project (source: email from Project Manager dated 28/8/20):</p>

Condition No.	Requirement / Condition	Status	Evidence																										
			<table border="1" data-bbox="1339 379 1910 619"> <thead> <tr> <th colspan="2">Biala CBOP Water supply</th> </tr> <tr> <th>Water Source</th> <th>quantity (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td>Wilson's dam</td> <td>3840</td> </tr> <tr> <td>Asplet dam</td> <td>4344</td> </tr> <tr> <td>Goulburn and Gunning water supply</td> <td>990</td> </tr> <tr> <td>Reeves dam</td> <td>6046</td> </tr> <tr> <td><b>Total</b></td> <td><b>15220</b></td> </tr> </tbody> </table> <p data-bbox="1323 644 1939 724">The following table shows Consolidated Power Projects (CPP) and Goldwind (GWA) water sources for the Project (source: unknown):</p> <table border="1" data-bbox="1352 738 1917 847"> <thead> <tr> <th colspan="2">Biala EBOP Water Supply</th> </tr> <tr> <th>Water Source</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>Council's recycled water standpipe which is excess from the recycling plant.</td> <td>3000000 L</td> </tr> </tbody> </table> <table border="1" data-bbox="1352 874 1917 983"> <thead> <tr> <th colspan="2">Biala S&amp;I Water Supply</th> </tr> <tr> <th>Water Source</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>Goulburn Mulwaree Council standpipe on Chinaman's Lane</td> <td>150000 L</td> </tr> </tbody> </table>	Biala CBOP Water supply		Water Source	quantity (m <sup>3</sup> )	Wilson's dam	3840	Asplet dam	4344	Goulburn and Gunning water supply	990	Reeves dam	6046	<b>Total</b>	<b>15220</b>	Biala EBOP Water Supply		Water Source	Quantity	Council's recycled water standpipe which is excess from the recycling plant.	3000000 L	Biala S&I Water Supply		Water Source	Quantity	Goulburn Mulwaree Council standpipe on Chinaman's Lane	150000 L
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Water Source	Quantity																												
Goulburn Mulwaree Council standpipe on Chinaman's Lane	150000 L																												
Schedule 3, condition 16	Unless an EPL authorises otherwise, the Applicant must comply with Section 120 of the POEO Act.  <i>Note: Section 120 of the POEO Act makes it an offence to pollute any waters.</i>	Compliant	There are no water quality limits or locations outlined in the EPL and no Water Management Plan under the consent. A Soil and Water Quality Management Procedure is provided in Annex I of the Environmental Management Strategy. As stated in the IEA Regulator Response from the EPA (dated 8/9/20) "In early 2020, the EPA received two separate complaints of discharges of sediment laden water leaving the licensed premises and entering Wattle Creek. As a result of the investigations, the EPA issued an official caution to the licensee and its contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the <i>Protection of the Environment Operations Act 1997</i> . Throughout EPA's investigations into																										

Condition No.	Requirement / Condition	Status	Evidence
			<p>these complaints, the licensee and its contractor have been cooperative and willing to address non compliances identified to improve environmental performance in relation to their practices. Both the licensee and their contractor have made further submissions to the EPA detailing further corrective actions taken to resolve EPA concerns particularly in relation to management plans and procedures and improving future environmental performance.”</p> <p>EPA have since conducted a tool box talk and Newtricity now notify EPA when significant rain (as a diligence precaution measure) (TM pers comms).</p> <p>Since Jan 2020, there has been significant rain and further complaints to the EPA which have been investigated. EPA notified Newtricity that there were no breaches (TM pers comms).</p> <p>Works in this area are now finished (finally formed) with minor rehab being completed (CATCON seeded area) (TM pers comms). There is some scouring and maintenance occurring (TM pers comms).</p> <p>Soil erosion surrounding Wattle Creek was also reviewed during the site inspection, sediment fencing and drainage line grass was established and successful upslope from the Creek towards the turbine and pad (see <b>Plates 18 - 20</b>).</p> <p>An internal incident occurred on 30/7/20 where the tracking of a construction crane created disturbance during wet weather on an associated landholder's property within a drainage line. Although temporarily well managed with bales/sedimentation fences and other stabilisation is in place in consultation with the landowner, remediation had not yet occurred at the date of the site visit. <b>Recommend to ensure that 'crane tracking disturbance is remediated asap to satisfaction of landowner and sedimentation control retained to until area fully stabilised.</b> Following the site inspection, AR noted that “All landowners have requested seeding to be done only at the end of February early March. Most areas were rectified within a week of the tracking. Some areas have sunk and GWA is working with suitable contractors to manufacture</p>

Condition No.	Requirement / Condition	Status	Evidence
			topsoil. This will be discussed with landowners in late December or early January. Consultation with landowners has been undertaken as necessary."
Schedule 3, condition 17	The Applicant must: (a) ensure the wind turbines and ancillary infrastructure, particularly any access roads on steep slopes, are designed, constructed and maintained to minimise any soil erosion; (b) minimise any soil erosion associated with the construction and decommissioning of the development by implementing the relevant mitigation measures in Managing Urban Stormwater: Soils and Construction (Landcom, 2004), or its latest version; (c) ensure all waterway crossings are constructed in accordance with the relevant Water Guidelines for Controlled Activities on Waterfront Land (2012), or their latest version; (d) store and handle all dangerous or hazardous materials on site in accordance with AS1940-2004: The storage and handling of flammable and combustible liquids, or its latest version; (e) ensure the concrete batching plants and substation are suitably banded; and (f) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.	Compliant	a) Soil Management Procedures are outlined in Section 4 of the 'Soil and Water Quality Management Procedures' (Nov,2019). During construction, all CATCON contractors are to establish a set of erosion and sediment control plans on one or more drawings of the site and mark-up showing the proposed locations of initial control. Sediment Control Plan dated 25/8/20 shows sediment controls surrounding T30 and T31 including "sand bags installed and removal of ground revegetation controls". See response to part c) for discussion on site inspection. The site inspection identified adequate erosion and sediment controls other than those listed in part c of this condition. b) Section 4 Step 4 of the 'Soil and Water Quality Management Procedures' (Nov,2019) references this guideline and specifically states "Install sediment and erosion control devices according to the standards of Managing Urban Stormwater: Soils and Construction, Vol 1, March 2004." c) Water Guidelines are references in the 'Soil and Water Quality Management Procedures' (Nov,2019). T30/31 - The site inspection of T30/31 culvert showed erosion and sediment controls and water ponding (see Plate 14 and 15) with further works required to stabilise the area ( <b>Plate 16</b> ). Since the site inspection, permanent structures, rock protection and drainage has been installed at this location. Exposed areas/banks have been topsoiled and seeded and revegetation is ongoing. Banks have had hydromulch applied (see <b>Plate 29</b> ). Temporary erosion controls remain in place until area is stable. Ongoing inspections carried out. <b>Recommend that the off bank at culvert requires ongoing attention (as proposed) with further stabilisation works (Plate 16).</b>

Condition No.	Requirement / Condition	Status	Evidence
			<p>T2 - Viewed Weekly Environmental Inspection dated 8/8/20 at T2 downstream during heavy rainfall event. Erosion and sediment controls re-worked and filtering water flowing from watercourse.</p> <p>d) Viewed 'Engineering Certificate of Design and Construction – Stormwater and Drainage' dated 28/9/20 confirming that the design of the completed stormwater and drainage works at Biala are in accordance with the 'NSW Department of Primary Industries Office of Water – Guidelines for instream works on waterfront land (Controlled Activities on Water Front Land), dated July 2012.' Few dangerous goods are used onsite and relevantly kept in a small, locked storage area (see <b>Plate 26</b>) with the MSDS register available when requested. The site <b>visit revealed that although coolant was stored within shipping containers at the construction office component, which were acceptable, the doors were left open. Recommend that refresher training should be provided to all relevant personnel as to the requirements for relevant hazardous materials. Inspections conducted should confirm ongoing compliance (see Plate 24).</b></p> <p>e) The substation was not constructed under this consent. There are no concrete batching plants remaining on site.</p> <p>f) See response to Sch 3 Cond 35.</p>
Schedule 3, condition 18	<p>The Applicant must:</p> <p>(a) ensure that no more than <b>1.23</b> hectares of the Tablelands Snow Gum, Black Salee, Candlebark and Ribbon Gum Grassy Woodland EEC is cleared for the development, unless the Secretary agrees otherwise;</p> <p>(b) minimise: - the impacts of the development on hollow-bearing trees and termite mounds; - the impacts of the development on threatened bird and bat populations; and - the clearing of native vegetation and key habitat within the approved disturbance footprint.</p>	Compliant	<p>a) Viewed 'As-Built Biodiversity Impact / Disturbance' table dated 28/8/20 which states that 0.5442 of the Tablelands Snow Gum, Black Salee, Candlebark and Ribbon Gum Grassy Woodland EEC has been disturbed.</p> <p>b) Hollow-bearing trees: Table 5.3 ID5.3B of the 'Biodiversity Management Plan' (March 2020) (BMP) states that "any large trees &gt;50cm dbh; trees with hollows; or areas of native grassland or woodland will need to be recorded". Viewed 'Large Tree Clearance Register' dated 17/1/20 which registers tree location, tree type, tree size and any fauna that are found to be</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>resident in the tree. The tree clearance register was updated on a progressive basis, throughout the period of the civil works.</p> <p>The Consistency Review also concluded that the “micro-siting and minor changes to the ancillary infrastructure will not prevent ongoing compliance with the clearing limit for the EEC. The micro-siting and other proposed minor changes have been designed so that the area of native vegetation impact does not increase and to avoid hollow-bearing trees and termite mounds. The proposed changes will therefore not prevent ongoing compliance with this condition”.</p> <p>Termite Mounds: during IEA consultation, the Community Consultative Committee (CCC) requested an update on the termite mounds (see <b>Table 3</b> of this IEA for further detail).</p> <p>Termite mound management and pre-clearance surveys are discussed in Sch 3 Cond 20.</p>

Condition No.	Requirement / Condition	Status	Evidence																
Schedule 3, condition 19	<p>Within 2 years of the commencement of construction, the Applicant must retire biodiversity credits of a number and class specified in Table 3 below, to the satisfaction of BCD, unless the Secretary agrees otherwise.</p> <p>The retirement of the credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme, and can be achieved by:</p> <p>(a) acquiring or retiring 'biodiversity credits' within the meaning of the BC Act;</p> <p>(b) making payments into an offset fund that has been established by the NSW Government; or</p> <p>(c) providing suitable supplementary measures.</p> <p>Table 3: Ecosystem credit requirements</p> <table border="1" data-bbox="400 738 1075 959"> <thead> <tr> <th>Biometric Vegetation Type</th> <th>Biometric Condition</th> <th>Impact Area (ha)</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td rowspan="3">PCT ID 351: Brittle Gum – Board-leaved Peppermint – Red Stringy open forest in the north-western part (Yass to Orange) of South Eastern Highlands Bioregion</td> <td>Moderate_Good_Moderate</td> <td>0.86</td> <td rowspan="3">48</td> </tr> <tr> <td>Moderate_Good_Sparse</td> <td>0.29</td> </tr> <tr> <td>Moderate_Good_Derived Native Grassland</td> <td>1.31</td> </tr> <tr> <td>PCT ID 1097: Ribbon Gum – Narrow-leaved Peppermint grassy open forest on basalt plateaux, Sydney Basin Bioregion and South Eastern Highlands Bioregion</td> <td>Moderate_Good_Moderate</td> <td>1.23</td> <td>47</td> </tr> </tbody> </table>	Biometric Vegetation Type	Biometric Condition	Impact Area (ha)	Credits Required	PCT ID 351: Brittle Gum – Board-leaved Peppermint – Red Stringy open forest in the north-western part (Yass to Orange) of South Eastern Highlands Bioregion	Moderate_Good_Moderate	0.86	48	Moderate_Good_Sparse	0.29	Moderate_Good_Derived Native Grassland	1.31	PCT ID 1097: Ribbon Gum – Narrow-leaved Peppermint grassy open forest on basalt plateaux, Sydney Basin Bioregion and South Eastern Highlands Bioregion	Moderate_Good_Moderate	1.23	47	Not Triggered	<p>As per response to Sch 2 Cond 10, construction commenced 5/8/10, therefore biodiversity credits must be retired by 5/8/21 which is outside of the IEA period. Biala are “currently working with Umwelt to investigate the options for Newtricity to offset biodiversity credits for Biala Wind Farm. The proposal includes the options of the credit market, payment to the Biodiversity Conservation Fund, or the possibility of establishing a stewardship site.”</p> <p>The Consistency Review concluded that “A review of the available detailed design data has indicated that Newtricity is expected to be able to maintain the extent of clearing of native vegetation to remain consistent with the impact areas stated in this condition and therefore the credit requirements have not changed. The currently available detailed design for the Project impacts on smaller areas of native vegetation than outlined in this condition. Therefore, it is expected that there is sufficient capacity for any further impacts that may be determined as necessary as an outcome of this process. Accordingly, the proposed Project changes will not prevent ongoing compliance with this condition.”</p>
Biometric Vegetation Type	Biometric Condition	Impact Area (ha)	Credits Required																
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	<p>Note: Following repeal of the TSC Act on 25 August 2017, credits created under that Act are taken to be “biodiversity credits” under the BC Act by virtue of clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</p>																		

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 20	<p>Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with BCD; and</p> <p>(b) include:</p> <ul style="list-style-type: none"> <li>• updated baseline mapping of the vegetation communities and key fauna habitat on site;</li> <li>• a description of the measures that would be implemented for: <ul style="list-style-type: none"> <li>- minimising the amount of native vegetation clearing within the approved development footprint;</li> <li>- minimising the loss of key fauna habitat, including tree hollows and termite mounds;</li> <li>- minimising the impacts on fauna on site, including undertaking pre-clearance surveys;</li> <li>- rehabilitating and revegetating temporary disturbance areas;</li> <li>- protecting native vegetation and key fauna habitat outside the approved disturbance area;</li> <li>- maximising the salvage of resources within the approved disturbance area including vegetative and soil resources – for beneficial reuse (including fauna habitat enhancement) during the rehabilitation and revegetation of the site;</li> <li>- collecting and propagating seed (where relevant);</li> <li>- controlling weeds and feral pests;</li> <li>- controlling erosion; and</li> <li>- bushfire management;</li> </ul> </li> <li>• a detailed program to monitor and report on the effectiveness of these measures.</li> </ul> <p>Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.</p>	Compliant	<p>Viewed Biodiversity Management Plan (BMP) dated March 2020. Viewed approval letter from DPIE dated 8/11/18 for previous version of BMP dated 7/11/18. Viewed approval letter from DPIE dated 11/5/20 for March 2020 version.</p> <p>a) Viewed BCD consultation letter dated 16/3/18 listing required updates to BMP. Viewed Section 1.6.2 of the BMP which states that a meeting was held with BCD on 17/1/17. BCD comments on the draft BMP are also provided in this section. This section also refers to Annex B and states that "a copy of all correspondence has been provided in Annex B", <b>however the correspondence is not in Annex B. Recommend BCD consultation is included as an appendix of the BMP at next update.</b></p> <p>b) Confirmed the BMP includes:</p> <ul style="list-style-type: none"> <li>• Section 3, Figure 1.1, Figure 3.1 and 3.2, Table 5.a and Annex B <ul style="list-style-type: none"> <li>- Table 5.2</li> <li>- Table 5.3.</li> <li>- Table 5.4</li> <li>- Table 5.5</li> <li>- Table 5.6</li> <li>- Table 5.3. Resource salvage is undertaken by the landowner.</li> <li>- Table 5.5. Collecting and propagating seed has not occurred.</li> <li>- Table 5.7. The landholder manages weeds and feral pest.</li> <li>- Table 5.8 and 5.9</li> <li>- Table 5.9</li> </ul> </li> <li>• Section 6</li> </ul> <p>Key management and mitigation measures outlined in the BMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Table 5.1 Ecological Constraints Mapping: The Ecological Constraints Map provided in Annex B of the BMP includes key flora communities and fauna habitat listed in ID5.1A of the BMP. As per ID5.1B, The Consistency Review concluded that the final layout "would not result in an increase in the impact of the</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<p>Project on native vegetation or important habitat features, with appropriate habitat avoidance feature avoidance controls remaining in place (in line with existing commitments and the conditions of the Development Consent).”</p> <ul style="list-style-type: none"> <li>Table 5.3 Measures to minimise the loss of key fauna habitat: Pre- clearance surveys are required to be undertaken prior to construction activities (BMP, Table 5.3). Viewed four examples of pre-clearance reports for construction activities within a biodiversity management zone which describe vegetation and habitat features, large trees and Tablelands Snow Gum / grassy woodland. Figures within the reports show that the development footprint is demarcated with pegs and flagging. The recommendations in the Sept 2019 pre-clearance survey for “Road T26, T27, T28 and T29” confirm compliance with BMP ID 5.3E as there were several large trees that were required to be cleared and the recommendations were for “an ecologist to supervise and document the tree clearing”. The recommendation to “salvage the fallen logs for future re-use during rehabilitation” in the Sept 2019 pre-clearance survey for “Road 20 and Road 21 to T19” confirms compliance with BMP ID 5.F. Salvaged fallen logs were viewed during the site inspection (<b>Plate 12</b>). Stockpiling of material has been conducted in accordance with the landowner. During IEA Agency Consultation, the CCC raised an issue regarding timber being placed at the entrance to the Reeves property harbouring feral animals (see Section 3.3). Timber has been placed at this location to create habitat for native fauna (AR pers comms). This location was chosen as it is near an adjacent area of similar habitat (BMP management measure of 5.3F). It is unknown whether this timber will harbour feral animals (AR pers comms). As per the BMP, works will avoid any impact to clusters of rock and termite mounds. Where unavoidable, works will minimise impacts to these features by not</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<p>placing excavating soils on top of the feature or placing spoil upslope of the feature. Viewed letter dated 9/1/20 approving the relocation of a termite mound in accordance with the procedure outlined in ID5.3D of the BMP.</p> <ul style="list-style-type: none"> <li>• Table 5.4 Measures to minimise on-site impacts on fauna: Viewed CATCON Site Induction which includes hazards relating to wildlife including speed limits, work hours, correct waste disposal and signage in accordance with BMP ID 5.4G.'</li> <li>• Table 5.5 Measures to rehabilitate and revegetate temporary disturbance areas: in accordance with BMP ID 5.5E, "inspections will continue with same environmental consultant, R.Sharp until all areas have been adequately rehabilitated and reached the benchmark goal." Viewed the 'Biala Wind Farm Rehabilitation Report' dated 8/1/20 prepared in accordance with BMP ID5.5D.</li> <li>• Table 5.7 Measures to control weeds and feral pests: Viewed CATCON Site Induction which includes site rules to control the spread of weeds. Viewed landowner boundary fence with a sign reading "no access unless authorised by CATCON and signed vehicle hygiene inspection is completed" (see <b>Plate 22</b>).</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 21	<p>21. Prior to the commissioning of any wind turbines, the Applicant must prepare a Bird and Bat Adaptive Management Plan for the development in consultation with BCD, and to the satisfaction of the Secretary. This plan must include:</p> <p>(a) at least 12 months' worth of current (or updated) baseline data on threatened and 'at risk' bird and bat species and populations in the locality that could 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 operation of the development, including:</p> <ul style="list-style-type: none"> <li>• minimising the availability of raptor perches;</li> <li>• prompt carcass removal;</li> <li>• controlling pests; and</li> <li>• using best practice methods for bat deterrence, including managing potential lighting impacts;</li> </ul> <p>(c) trigger levels for further investigation of the potential impacts of the project on particular bird or bat species or populations;</p> <p>(d) an adaptive management program that would be implemented if the development is having an adverse impact on a particular threatened or 'at risk' bird or bat species or population, including the implementation of measures to:</p> <ul style="list-style-type: none"> <li>• reduce the mortality of these species or populations (such as restricting operation of certain turbines during certain periods); or</li> <li>• enhance and propagate these species or population in the locality; and</li> </ul> <p>(e) 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 Applicant must implement the Bird and Bat Adaptive Management Plan.</p>	Compliant	<p>As per response to Sch 2 Cond 4, at the time of the IEA site inspection, two turbines were operating but not yet commissioned.</p> <p>Viewed Bird and Bat Adaptive Management Program (BBAMP) dated May 2019. Viewed DPIE approval letter dated 11/5/20.</p> <p>a) Section 2.1.1 and Section 3 b) Section 5 c) Section 6.1.1 and 6.2.1 d) Section 6 e) Section 3,4 and 6.4</p> <p>Biala was beginning to implement the BBAMP at the time of the site inspection.</p> <p>Viewed BCD letter 19/2/20 commenting on draft BBAMP.</p>
Schedule 3, condition 22	<p>The Applicant must:</p> <p>(a) ensure the development does not cause any direct or indirect impact on the Aboriginal heritage sites identified in the table in Appendix 6, unless the Secretary agrees otherwise; and</p> <p>(b) minimise any impacts on BWF PAD1, and carry out detailed test excavations and salvage of potential archaeological deposits at this site if impacts cannot be avoided.</p> <p><i>Note: The locations of the Aboriginal heritage items referred to in this condition are shown on the figure in Appendix 6.</i></p>	Compliant	<p>The Consistency Review concluded that "The proposed changes will not prevent ongoing compliance with this condition."</p> <p>Site visit viewed fencing and signage of heritage sites in the vicinity of construction (<b>Plate 21</b>).</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 23	<p>23. Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary;</p> <p>(b) be prepared in consultation with BCD and Aboriginal stakeholders;</p> <p>(c) include updated baseline mapping of the heritage items within and adjoining the development disturbance area;</p> <p>(d) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>• protecting Aboriginal heritage sites outside the development disturbance area;</li> <li>• minimising and managing the impacts of the development on heritage items within the disturbance footprint, including: <ul style="list-style-type: none"> <li>- test excavations and salvage (if required) of potential Archaeological deposits that will be impacted by the development (including heritage item BWF PAD 1);</li> <li>- salvage of heritage items BWF 8 and BWF 18; and</li> <li>- a strategy for the long term management of any Aboriginal heritage items or material collected during the test excavation or salvage works</li> </ul> </li> <li>• a contingency plan and reporting procedure if: <ul style="list-style-type: none"> <li>- Aboriginal heritage items outside the approved disturbance area are damaged;</li> <li>- previously unidentified Aboriginal heritage sites are found; or</li> <li>- Aboriginal skeletal material is discovered;</li> </ul> </li> <li>• ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;</li> <li>• ongoing consultation with Aboriginal stakeholders during the implementation of the plan; and</li> </ul> <p>(e) a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.</p> <p>Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.</p>	Compliant	<p>Viewed Aboriginal Cultural Heritage Management Plan (ACHMP) dated March 2020 (attached salvage works). Viewed approval letter from DPIE dated 30/10/18</p> <p>a) Viewed DPIE 'Approval of Experts' letter dated 30/11/17.</p> <p>b) Section 3 contains the following information</p> <ul style="list-style-type: none"> <li>- BCD comments on the draft ACHMP;</li> <li>- Consultation with Aboriginal Stakeholders including names of Aboriginal stakeholders, a workshop held in Dec 2017 and draft ACHMP provided May 2018.</li> </ul> <p>Viewed Appendix B of the ACHMP which provides a comprehensive list of consultation including a list of agencies contacted (OEH and Aboriginal Stakeholders), agency responses, newspaper advertisement dates and dates notifications were sent to RAPs.</p> <p>c) Section 4.2</p> <p>d) Table 7.1</p> <ul style="list-style-type: none"> <li>- Section 6 and 7</li> <li>- Section 7.2</li> <li>- Section 7.1</li> <li>- Section 3.4</li> </ul> <p>e) Section 8</p> <p>Key management and mitigation measures outlined in the ACHMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Viewed CATCON Site Induction which includes legislative obligations, summary of significant sites (including site types), significance of the landscape, unexpected finds / human remains protocol and site access requirements. There have been no unexpected finds or incident relating to Aboriginal heritage management.</li> <li>• T30 and 31 relocated to avoid impact to heritage sites.</li> <li>• Process for salvages included in ACHMP appendices. There have been no issues regarding salvage.</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<ul style="list-style-type: none"> <li>• AECOM regularly inspects extant sites / exclusion zone fencing and signage. Viewed 'Monthly Site Environmental Inspection Nov 2019' confirming heritage fencing in place. .</li> <li>• The site inspection identified a number of Heritage Exclusion Zones with signs giving instructions to "not disturb or touch". Any enquiries could be made to the construction manager (see <b>Plate 21</b>).</li> </ul> <p>Following the site visit, the following key commitments from the ACHMP were confirmed via ERM Letter dated 2/12/20:</p> <ul style="list-style-type: none"> <li>• AHIMS site cards that were identified during the 2018 survey had not been submitted to AHIMS. In response, ERM submitted these sites to AHIMS on 18/11/20 and sites were registered;</li> <li>• AHIMS had not received the correct notification of impact to sites. In response, Aboriginal Site Impact Recording Forms were submitted to correct the inaccuracies;</li> <li>• Artefacts from the Biala Wind Farm Salvage and Test Excavations are being kept at the ERM office in Canberra. These objects will remain at this location until reburial can be organised, at which time they will be relocated to the Project. In consultation with the Registered Aboriginal Parties (RAPs), the decision was made to hold off on reburial of objects until all construction at Biala had been completed. ERM provided a letter to the RAPs on 1/12/20 indicating that reburial will be occurring within the next three months, and providing details of proposed reburial locations for RAP review. Once the location and date of burial have been confirmed, and objects have been deposited, ERM will report the locations to AHIMS and provide confirmation of reburial to Heritage NSW.</li> </ul> <p><b>Recommend to update Table 7.1 of the ACHMP when next revised to remove Aboriginal sites that have been salvaged (may retain in an Appendix).</b></p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 24	<p>The Applicant must ensure that:</p> <p>(a) all over-dimensional vehicle access to and from the site is via the Hume Highway southern interchange through Goulburn, north along Crookwell-Goulburn Road and then bypassing Crookwell township via Grange Road, Cullen Street, Kialla Road, and Range Road connecting to Grabben Gullen Road;</p> <p>(b) all heavy vehicle access to and from the site is via the Hume Highway to Gunning then north along Grabben Gullen Road; and</p> <p>(c) development related heavy vehicles must not travel on Hume Street and Yass Street in Gunning (south of Collector Road).</p> <p><i>Notes: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network. The identified over-dimensional and heavy vehicle access routes are shown in the figure in Appendix 8.</i></p>	Compliant	<p>a) In vehicle tracking and Traffic Management Plan (TMP). Viewed travel permits from Roads and Maritime Service (RMS) and Council for blades, generator, nacelle and tower components. Viewed email to haulage contractor which included project direction and requirements (local road use, site access, speed limits and school bus times). There were five community complaints made during the audit period relating to trucks using incorrect delivery routes. These complaints related to the development consent for the transmission line, and were deemed not applicable to this consent (TM pers comms). Notifications were provided to the DPIE out of courtesy and were not considered by Newtricity as a reportable incident (TM pers comms).</p> <p>b) TMP includes heavy vehicle access via the Hume Highway to Cunning then north along Grabben Gully Road. No travel permits distributed. No complaints relating to travel on Hume Street and Yass Street in Gunning were received (AR pers comms). Viewed 1.3 'Directions and Requests' from transport route and email Luke Witt (CPP) emailing contractors to issue to drivers. <b>Response to confirm received was not available, recommend kept in future.</b></p>
Schedule 3, condition 25	<p>Prior to any over-dimensional vehicles accessing the site, the Applicant must carry out the road upgrades in the schedule of works in Appendix 7 to the satisfaction of Council.</p>	Compliant	<p>Appendix 7 shows two routes:</p> <ul style="list-style-type: none"> <li>- Over-dimensional vehicle use of Kiara Road (for turbine delivery vehicles, 300 movements predicted). Upgrades for culverts</li> <li>- Heavy vehicle use of Range Road: 7.3km pavement, stabilization, culverts and no bridges.</li> </ul> <p>There were six intersection upgrades completed (Goldwind completed five and BJCE completed one). Viewed letter from UHSC dated 28/1/20 which included a list of considerations for the road upgrades. The upgrade request from Council took time to negotiate which delayed delivery (TM pers comms). K. O'Reilly from DPIE assisted and a practical completion of sign off from council was achieved (TM pers comms). Viewed "Practical Completion Letter" from ULSC dated</p>

Condition No.	Requirement / Condition	Status	Evidence
			24/7/18 for works on Kialla Road. Viewed "Conditions of Consent" letter from ULSC dated 2/7/20 for works on Range Road.
Schedule 3, condition 26	<p>Road Maintenance</p> <p>26. The Applicant must:</p> <p>(a) prepare a dilapidation survey of:</p> <ul style="list-style-type: none"> <li>• the designated heavy vehicle route:                             <ul style="list-style-type: none"> <li>- prior to the commencement of any construction or decommissioning works other than pre-construction minor works; and</li> <li>- within 1 month of the completion of any construction or decommissioning works other than pre-construction minor works;</li> </ul> </li> <li>• the designated over-dimensional vehicle route:                             <ul style="list-style-type: none"> <li>- prior to the use of the route by any over-dimensional vehicles for the construction or decommissioning of the development; and</li> <li>- within 1 month of the completion of the use of the route by over-dimensional vehicles for the construction or decommissioning of the development;</li> </ul> </li> </ul> <p>(b) rehabilitate and/or make good any development-related damage:</p> <ul style="list-style-type: none"> <li>• identified during the carrying out of the relevant construction and/or decommissioning works if it could endanger road safety, as soon as possible after the damage is identified but within 7 days at the latest; and</li> <li>• identified during any dilapidation survey carried out following the completion of the relevant construction and/or decommissioning works within 2 months of the completion of the survey, unless the relevant roads authority agrees otherwise, to the satisfaction of the relevant roads authority.</li> </ul> <p>If the construction and/or decommissioning of the development is to be staged, the obligations in this condition apply to each stage of construction and/or decommissioning.</p> <p>If there is a dispute about the scope of any remedial works or the implementation of these works, then either party may refer the matter to the Secretary for resolution.</p>	Compliant	<p>a) Post dilapidation survey completed and was due in 1-2 weeks following the IEA site inspection. The survey would propose required works with local council only.</p> <p>b) Prior to the dilapidation survey, there was some damage that required urgent repair. These repairs were completed.</p>
Schedule 3, condition 27	The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use.	Compliant	Biala has a Crown Lands licence for all crossing points and have confirmed via site survey that infrastructure does not overhang any areas (AM pers comms). <b>The site survey results were not viewed during the IEA.</b>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 28	<p>28. Prior to the commencement of construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and Council, and to the satisfaction of the Secretary. This plan must:</p> <p>(a) detail the measures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• minimise the traffic safety impacts of the development and disruptions to local road users during the construction and decommissioning of the development, including: <ul style="list-style-type: none"> <li>- temporary traffic controls, including detours and signage;</li> <li>- notifying the local community about development-related traffic impacts;</li> <li>- avoiding potential conflicts between development-related traffic and the stock movements of the owner of Residence H07 by implementing measures such as: <ul style="list-style-type: none"> <li>o consulting with the landowner to confirm likely stock movement frequency, timing and duration;</li> <li>o notification protocols for stock movements, including a dedicated phone number; and</li> <li>o temporary traffic controls on Grabben Gullen Road such as traffic flags or signals;</li> </ul> </li> <li>- avoiding potential conflict between development-related traffic and school buses in consultation with school bus operators by implementing measures such as avoiding traffic movements during school bus service times or providing an escort for school buses;</li> <li>- ensuring development-related traffic does not track dirt onto the public road network;</li> <li>- ensuring loaded vehicles entering or leaving the site have their loads covered or contained;</li> <li>- there is sufficient parking on site for all development-related traffic;</li> <li>- responding to any emergency repair requirements or maintenance during construction and/or decommissioning; and</li> <li>- a traffic management system for managing over-dimensional vehicles; <ul style="list-style-type: none"> <li>• comply with the traffic conditions in this consent;</li> </ul> </li> </ul> </li> </ul> <p>(b) include a drivers code of conduct that addresses:</p> <ul style="list-style-type: none"> <li>• travelling speeds;</li> <li>• procedures to ensure that drivers adhere to the designated heavy and over-dimensional vehicle routes; and</li> <li>• procedures to ensure that drivers implement safe driving practices;</li> </ul>	Compliant	<p>Viewed the following Traffic Management Plans (TMP):</p> <ul style="list-style-type: none"> <li>• Stage 1 TMP dated 17/10/18 for the Balance of Plant (BoP) works consisting of civil and electrical cabling, substation and operations/ maintenance buildings.</li> <li>• Stage 2 TMP dated 11/2/20 for the WTG supply and installation.</li> </ul> <p>Viewed staged submission approval letter from DPIE dated 12/7/18.</p> <p>Stage 1 TMP. Viewed Stage 1 TMP approval letter dated 11/7/19. Section 6 outlines consultation with TfNSW (formally RMS) and Council. Letter dated 19/07/20 from RMS commenting on plan. Construction commenced 12/8/19.</p> <p>a)</p> <ul style="list-style-type: none"> <li>• Section 4.9 and 7, Table 4.4 <ul style="list-style-type: none"> <li>- Notify Community - Section 6.3 and Table 4.4</li> <li>- Avoid conflicts (H07) – Section 2.8, Table 4.4 and App D</li> <li>- Avoid conflicts with school buses – Section 2.6, 5.1.2, 5.1.3 and 6.3, Table 4.4</li> <li>- Track dirt – Section 3.2.4</li> <li>- Loaded vehicles – Section 5.1.3 and Table 4.4</li> <li>- Parking – Section 3.6 and Table 4.4</li> <li>- Emergency response – Section 4.8.2</li> <li>- OSOM management Appendix A</li> </ul> </li> </ul> <p>b) Section 5 and Table 4.4</p> <p>c) Section 7</p> <p>Key management and mitigation measures outlined in the Stage 1 TMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Permits / Consents / Licences – Viewed s138 dated 22/7/19 for Grabben Gully Road. No RMS roads have been impacted. Viewed email dated 25/7 stating that a Works Authorisation Deed not required.</li> <li>• Haulage – see response to Sch 3 Cond 24.</li> <li>• Access point requirements – The entrance to Grabben Gully Road was viewed during the site inspection and incorporates 20 m of sealed roads. A tyre cleaning grid</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
	<p>(c) include a detailed program to monitor and report on the effectiveness of these measures and the code of conduct. Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.</p>		<p>has not been installed. Temporary truck signage was sighted during the site inspection.</p> <ul style="list-style-type: none"> <li>• Road condition and dilapidation – see response to Sch 3 Cond 26.</li> <li>• Consultation – see response to Sch 4 Cond 3. Team used radio to communicate regularly. Some complaints on escorts and drivers. Some public overtaking unsafely. No changes to practices made.</li> <li>• Traffic Control Plans – are used to avoid potential conflicts between development-related traffic and the stock movements of Residence H07.</li> <li>• Safety of road users and construction site – signs not obscured (see <b>Plate 22</b>). Traffic controllers are subcontracted.</li> <li>• Driver's Code of Conduct - attached to the TMP. The TMP is offered to haulage contractor prior to commencing travel.</li> <li>• Stock movements – has not occurred during the IEA period.</li> <li>• School bus routes – see response to Sch 3 Cond 24. Few vehicles onsite currently for maintenance only. Communicated to community through consultation materials.</li> </ul> <p>Key management and mitigation measures outlined in the Stage 2 TMP were reviewed during the site inspection as follows:</p> <ul style="list-style-type: none"> <li>• Permits / Consents / Licences – BJSE obtained approvals from Upper Lachlan Shire Council prior to works commencing.</li> <li>• Haulage – see response to Sch 3 Cond 24.</li> <li>• Road condition and dilapidation – see response to Sch 3 Cond 26.</li> </ul> <p>A Traffic Guidance Scheme (TGS) was required for Stage 2 of Biala and provided to stakeholders. Viewed spreadsheet titled '19766 OPF Consulting Biala 14510' showing list of stakeholders who received the TGS. Viewed four examples of emails sent to stakeholders.</p>

Condition No.	Requirement / Condition	Status	Evidence
			<p>Following the IEA site inspection, it was recommended that the TMP be updated to remove the requirement to prepare a Works Authorisation Deed with Transport for NSW (formally the RMS).</p> <p>Viewed email from RMS dated 25/7/19 stating that a Works Authorisation Deed was not required for Stage 1 works at Biala. This email was provided to DPIE on 26/7/19 requesting DPIE to confirm whether acceptable and no further was required. DPIE confirmed by email on 26/7/19 that no further action was required.</p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 29	Prior to the construction of any wind turbine or wind monitoring mast, the Applicant must provide the following information to CASA, Airservices Australia, and the RAAF (together the authorities): (a) coordinates in latitude and longitude of each wind turbine and mast; (b) final height of each wind turbine and mast in Australian Height Datum; (c) ground level at the base of each wind turbine and mast in Australian Height Datum; (d) confirmation of compliance with any OLS (Obstacle Limitation Surface); and (e) details of any proposed aviation hazard lighting	Compliant	Turbine erection commenced on 26/3/20. ASA and CASA were first notified on 2/7/18 to ASA and CASA for wind monitoring towers. Viewed email dated 25/3/20 to Aviation Safety Authority (ASA) and DoD which contains information within this condition. Viewed email dated 31/5/20 providing CASA an erection update. Viewed email from CASA dated 2/6/20 confirming "advice is sufficient". No response from the RAAF. Viewed email from ASA dated 17/12/20 confirming final notification and notice of completion of works. ASA also confirmed that "no more information is required for the Project unless there are any changes (e.g addition / removal of turbines)"
Schedule 3, condition 30	Within 30 days of the practical completion of the construction of any wind turbine or mast, the Applicant must: (a) provide confirmation to the authorities that the information that was previously provided remains accurate; or (b) update the information previously provided	Compliant	Viewed email ASA and DOD dated 3/9/20 updating "remarks" column. Email sent monthly to ASA and DOD with updates.
Schedule 3, condition 31	Prior to the construction of any wind turbines, the Applicant must: (a) re-route the fixed point-to-point microwave link crossing the middle of the site to the satisfaction of RFS; and (b) implement measures to minimise the risk of television broadcasting interference due to the development at residences H03, H05, H06 and H07	Compliant	a) As per response to Sch 3 Cond 29, the first turbine was built on 26/3/20. Viewed email from NSW RFS dated 13/7/18 stating that "NSW RFS confirms that Schedule 3 Condition 31 Part A has been completed to the satisfaction of the Service. b) Viewed emails to H03, H05 and H07 dated 9/4/20 offering to install a VAST box to minimise the risk of tv interference. "H03 and H07 subsequently requested VAST box installations and which were completed" (AM pers comms).
Schedule 3, condition 32	If the development results in the disruption to any radiocommunications services (including point-to-point microwave links) in the area, then the Applicant must make good any disruption to these services ASAP following the disruption but no later than 1 month following the disruption of the service unless the relevant services provider or user or Secretary agrees otherwise. If there is a dispute about the mitigation measures to be implemented or the implementation of these mitigation measures, then either party may refer the matter to the Secretary for resolution.	Not Triggered	This has not occurred during the IEA period.

Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 33	The Applicant must: (a) ensure that the development: - provides for asset protection in accordance with the RFS's <i>Planning for Bushfire Protection 2006</i> (or equivalent); - is suitably equipped to respond to any fires on site; (b) develop procedures to manage potential fires on site, in consultation with the RFS; and (c) assist the RFS and emergency services as much as possible if there is a fire in the vicinity of the site.	Compliant	a) Viewed the 'Bushfire Protection and Fire Risk Evaluation' dated 2/9/20, which references the RFS's <i>Planning for Bushfire Protection 2006</i> . b) Bushfire Management Plan dated 5/3/20 was viewed during the site inspection and includes procedures to manage potential fires on site. c) There have been no requests from the RFS or emergency services for assistance during the IEA period.
Schedule 3, condition 34	The Applicant must: (a) prepare a Safety Management System for the development in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'</i> prior to commissioning any wind turbines on site; and (b) implement, and if necessary update, the system over the remaining life of the development.	Compliant	a) As discussed in Sch 2 Cond 8, two turbines are commissioned. The Goldwind and CATCON safety plans have been combined. Viewed CATCON Work Health and Safety (WHS) Management Plan dated 27/4/20 (issued for construction 24/10/19), CATCON Project Management Plan dated 30/3/20 (issued for construction 24/9/19) and Goldwind WHS Plan dated 4/3/20. None of these documents directly reference the <i>Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'</i> b) The safety plan was updated for consideration of COVID-19.
Schedule 3, condition 35	The Applicant must: (a) minimise the waste generated by the development; (b) classify all waste generated on site in accordance with the EPA's <i>Waste Classification Guidelines 2014</i> (or its latest version); (c) store and handle all waste generated on site in accordance with its classification (d) not receive or dispose of any waste on site; and (e) ensure all waste is disposed of at appropriately licensed waste facilities.	Compliant	a) Viewed the 'Waste Management and Classification Procedures' dated Oct 2019 for construction and operation. At the time of the IEA site inspection, the procedure did not outline methods to minimise generated waste. Following the site inspection, the procedure was updated to include minimisation of waste both in construction and operation. b) Waste is classified in Section 4 of the 'Waste Management and Classification Procedures'. The EPA's <i>Waste Classification Guidelines 2014</i> is referenced in Section 2.2. c) Waste management was discussed during the site inspection. There are three waste streams onsite managed by Goldwind – containers, steel and tarps. Steel frames are recycled. Waste consolidation areas are located at the Construction Compound, Batch Plant and Laydown area (see <b>Plate 23</b> ). Fuel and coolant is contained within a trailered lock up container with a

Condition No.	Requirement / Condition	Status	Evidence
			<p>13,000L capacity (located on pad 18) (see <b>Plate 24</b>) and a small mobile tank. There have been five minor spills on the fuel pads. The site was in a tidy condition during the site inspection, however minor, contamination of some recycling waste bins was observed. Following the IEA site inspection, refresher training and clear labelling of bins when at new O&amp;M Facility and Construction compound (dependant on timing) was recommended. Since the IEA site inspection, the Daily Prestart Form has been updated to include instructions for correct use of waste.</p> <p><b>Recommended that residual waste materials and discarded blade support frames identified during the site inspection (see Plate 25 and Plate 27) should be removed during final clean-up.</b> Steel including blade support frames are being managed by NDBPL (AR pers comms). These steel components have been turned into scrap metal and sent to recycling. Profits have been donated to landowners.</p> <p>d) There is no waste received or disposed on site.                      e) Waste is disposed of at the Goulburn waste facility.</p>

Condition No.	Requirement / Condition	Status	Evidence																		
Schedule 3, condition 36	<p>Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 4.</p> <p>Table 4: Rehabilitation Objectives</p> <table border="1" data-bbox="387 536 1093 959"> <thead> <tr> <th data-bbox="387 536 602 576">Feature</th> <th data-bbox="602 536 1093 576">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 576 602 660">Development site (as a whole)</td> <td data-bbox="602 576 1093 660"> <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 data-bbox="387 660 602 692">Revegetation</td> <td data-bbox="602 660 1093 692"> <ul style="list-style-type: none"> <li>• Restore native vegetation generally as identified in the EIS</li> </ul> </td> </tr> <tr> <td data-bbox="387 692 602 764">Above ground wind turbine infrastructure (excluding wind turbine pads)</td> <td data-bbox="602 692 1093 764"> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless the Secretary agrees otherwise</li> </ul> </td> </tr> <tr> <td data-bbox="387 764 602 796">Wind turbine pads</td> <td data-bbox="602 764 1093 796"> <ul style="list-style-type: none"> <li>• To be covered with soil and/or rock and revegetated</li> </ul> </td> </tr> <tr> <td data-bbox="387 796 602 852">Above ground ancillary infrastructure</td> <td data-bbox="602 796 1093 852"> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary</li> </ul> </td> </tr> <tr> <td data-bbox="387 852 602 900">Internal access roads</td> <td data-bbox="602 852 1093 900"> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless an agreed alternative use is identified to the satisfaction of the Secretary</li> </ul> </td> </tr> <tr> <td data-bbox="387 900 602 932">Land use</td> <td data-bbox="602 900 1093 932"> <ul style="list-style-type: none"> <li>• Restore or maintain land capability as described in the EIS</li> </ul> </td> </tr> <tr> <td data-bbox="387 932 602 959">Community</td> <td data-bbox="602 932 1093 959"> <ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	Development 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 EIS</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 Secretary 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 Secretary</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 Secretary</li> </ul>	Land use	<ul style="list-style-type: none"> <li>• Restore or maintain land capability as described in the EIS</li> </ul>	Community	<ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul>	Not Triggered	<p>Operation has not commenced and cessation of operations did not occur during the IEA period. As discussed during the site inspection, the following rehabilitation has occurred: access tracks to T2 tracks (see <b>Plate 13</b>).</p> <p>The CCC noted during IEA Agency Consultation (Section 3.3) that “rocks brought to the surface during earthworks and not re-buried or picked up including on cable lines”. This issue is most likely related to the development of the underground transmission line under DA122/2017 (AR pers comms).</p> <p>Viewed ‘CPP Landowner Post Works Consultation’ form for trenching and installation of 33kV underground cable which shows no stones or rocks left on site and is signed by the landholder.</p> <p>Disturbed areas have been topsoiled and seeded and there is no indication that areas do not match previous conditions regarding rock (AR pers comms). There have also been no other complaints regarding this matter (AR pers comms).</p> <p>On a different matter, the CCC noted during IEA Agency Consultation that “shallow subsoil intentionally mixed with deeper subsoil used for fill, then covered with a small amount of topsoil significantly reducing the pasture productivity of these areas”. There is no requirement to manage subsoil in multiple layers (AR pers comms). Landowners will not accept imported topsoil as there is a potential weed issue. As a result, Newtricity is working with the landowners to engage a contractor to manufacture topsoil onsite to ensure it is suitable for pasture productivity for areas which require filling. This includes the option for mixing in compost with existing subsoil. Quotes have been received and will be shared with landowners to ensure suitability and timing for final rehabilitation (AR pers comms).</p>
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Condition No.	Requirement / Condition	Status	Evidence
Schedule 3, condition 37	<p>The Applicant 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>	Compliant	<p>CATCON is responsible for rehabilitation. The Consistency Review stated that “Following the completion of construction of the ancillary infrastructure, areas not required for ongoing operational use will be rehabilitated. The proposed changes will not prevent ongoing compliance with this condition.”</p> <p>Viewed the ‘Biala Wind Farm Rehabilitation Report’ dated 8/1/20 which outlines benchmarking and monitoring locations. The site inspection revealed good quality roads with significant scour protection and remediation evident. Remediation of steeper slopes to prevent erosion was evidence during the site survey, see <b>Plate 14</b>.</p> <p>Viewed ‘Catcon Punch List’ which summarises required rectification works, material required and whether the task has been completed.</p> <p>A topsoil stockpile is located on private land and is shown in <b>Plate 6. Recommend installation of signage and sediment fencing until the landowner removes the stockpile for use (as proposed).</b></p> <p>A temporary soil stockpile is also located near the O&amp;M Facility (shown in <b>Plate 7</b>). As discussed during the site inspection, the intention is to use the soil for rehabilitation of the construction compound pad prior to December. <b>Recommend stockpile is shaped and seeded if stockpile left open for more than 4-6 months to ensure stability and reduce sediment and erosion control.</b></p> <p>Following the site inspection, it was confirmed that this stockpile would be used for rehabilitation prior to six months of being left open. Some of this topsoil stockpile has already been used by Catcon and Goldwind for rehabilitation works. Remaining topsoil will be used in the rehabilitation of the site compound area which is expected to occur by March 2021 (AR pers comms).</p> <p>In regards to the “Borrow pit” adjacent to a laydown area, “to flatten the laydown area, approximately 14,000 tonnes of material was extracted and crushed on-site, which is well below that described in the EIS. The wind farm EPL allows annual capacity of up to 500,000 tonnes. This material was retained and used in various locations on the project as civil</p>

Condition No.	Requirement / Condition	Status	Evidence
			works were constructed using cut to fill methods. The laydown area was reshaped and topsoiled as shown in <b>Plate 28</b> . Rehabilitation was completed like other areas of temporary disturbance on the project in accordance with the BMP" (AM pers comms). The Borrow Pit is discussed and shown in various figures in the Consistency Review <b>Recommend the area is monitored to ensure rehabilitation successful in this area.</b>
Schedule 3, condition 38	Any individual wind turbines which cease operating for more than 12 consecutive months must be dismantled within 18 months after that 12 month period, unless the Secretary agrees otherwise.	Not Triggered	This did not occur during the IEA period.
Schedule 4, condition 1	<p>Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <ul style="list-style-type: none"> <li>(a) provide the strategic framework for environmental management of the development;</li> <li>(b) identify the statutory approvals that apply to the development;</li> <li>(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</li> <li>(d) describe the procedures that would be implemented to:                             <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise;</li> <li>• respond to any non-compliance;</li> <li>• respond to emergencies; and</li> </ul> </li> <li>(e) include:                             <ul style="list-style-type: none"> <li>• copies of any strategies, plans and programs approved under the conditions of this consent; and</li> <li>• a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all the monitoring and reporting obligations under the conditions of this consent.</li> </ul> </li> </ul> <p>Following the Secretary's approval, the Applicant shall implement the Environmental Management Strategy.</p>	Compliant	<p>Construction commenced 5/8/19.                      Viewed the 'Environmental Management Strategy' dated Oct 2018 (EMS).                      Viewed approval letter from DPIE dated 30/10/18.</p> <ul style="list-style-type: none"> <li>a) Section 2, 3, 4, 5, 6 and 7</li> <li>b) Section 2</li> <li>c) Section 3</li> <li>d) Section 4 and 6</li> <li>e) Section 5, 6 and 7</li> </ul> <p>Viewed the complaints register for the IEA period, each complaint is addressed under the relevant condition.                      Overall, the IEA identified good systems in place and collaboration between partners (i.e. BJCE, CPP, Goldwind and Catcon).                      Collaboration included consistent awareness of issues and preparation during the site visit. Environmental inspections are undertaken and acted on with 'Punch Lists' to closeout.  <b>Recommend that EMS be updated for operations should personnel and responsibilities require updating.</b></p>

Condition No.	Requirement / Condition	Status	Evidence
Schedule 4, condition 2	<p>Within 3 months of the submission of:</p> <p>(a) an incident report under condition 4 below;</p> <p>(b) an audit report under condition 7 below; or</p> <p>(c) any modification to the conditions of this consent (unless the conditions require otherwise), the Applicant must review and, if necessary, revise the strategies, plans, and programs required under this consent 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.</p> <p>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 development.</p>	Compliant	<p>a) There have been no reportable incidents, reported under condition 4 below (TM pers comms)</p> <p>b) There has been no audit report under condition 7 below</p> <p>c) This consent has been modified on two occasion. The ACHMP was updated for modification two.</p> <p><b>Recommend that a register be kept which records that this condition was considered for each strategy/plan/program after each incident, audit and modification for future audits.</b></p>
Schedule 4, condition 3	<p>The Applicant must:</p> <p>(a) operate a Community Consultative Committee for the development prior to the commencement of construction; and</p> <p>(b) operate this Committee following establishment, to the satisfaction of the Secretary, and in accordance with the Community Consultative Committee Guidelines for State Significant Projects (2016), or its latest version.</p>	Compliant	<p>a) The first meeting of the CCC was conducted 21/7/15 and four meetings are held each year (generally). Viewed minutes on the Biala Wind Farm website (28/1/20). Key discussion with the CCC include road upgrades, access, biosecurity measures, bushfire and Community Enhancement Fund. The CCC were consulted in preparation for this IEA and their response is shown <b>Section 3</b>.</p> <p>b) No evidence that the CCC is operated to the satisfaction of the Secretary.</p>
Schedule 4, condition 4	<p><b>The Department must be notified in writing immediately via the Major Project Portal after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.</b></p>	Not Triggered	<p>There have been no reportable incidents within the IEA period (TM pers comms).</p>
Schedule 4, condition 5	<p><b>The Department must be notified in writing via the Major Project Portal within 7 days after the Applicant becomes aware of any non-compliance. The notification must identify the development and the application number for it, set out the condition of consent that the development 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.</b></p>	Not Triggered	<p>There have not been any notifications to DPIE for a non-compliance during the IEA period.</p> <ul style="list-style-type: none"> <li>The EPA issued an official caution to the licensee and its contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the <i>Protection of the Environment Operations Act 1997</i>. This is discussed in Sch 3 Cond 16.</li> </ul>

Condition No.	Requirement / Condition	Status	Evidence
			<ul style="list-style-type: none"> <li>Out of Hours construction is discussed in Sch 3 Cond 7.</li> <li>Vehicle access is discussed in Sch 3 Cond 24 and 25.</li> </ul>
Schedule 4, condition 6	<p>Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:</p> <p>(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);</p> <p>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(c) be carried out in consultation with the relevant agencies;</p> <p>(d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.</p> <p>Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.</p> <p>The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	Compliant	<p>As per response to Sch 2 Cond 10, construction commenced 5/8/19. The IEA Audit Team was appointed 24/7/20 and the site inspection occurred 23-24/9/20.</p> <p>a) See Section 3 of Main Report.</p> <p>b) D Munro holds Exemplar Certification (see <b>Appendix B.</b> of this IEA). The IEA Team appointment endorsed by letter from DPIE dated 24/7/20.</p> <p>c) Consultation is outlined in <b>Section 3</b> and <b>Appendix E</b> of this IEA.</p> <p>d) This IEA.</p> <p>e) Outcomes and recommendations are provided in Section 5 of the Main Report.</p>
Schedule 4, condition 7	Deleted	N/A	
Schedule 4, condition 8	Deleted	N/A	

Condition No.	Requirement / Condition	Status	Evidence
Schedule 4, condition 9	9. The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the development: <ul style="list-style-type: none"> <li>• the EIS;</li> <li>• the final layout plans for the development;</li> <li>• current statutory approvals for the development;</li> <li>• approved strategies, plans or programs required under the conditions of this consent;</li> <li>• the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;</li> <li>• a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;</li> <li>• a complaints register, which is to be updated on a monthly basis;</li> <li>• minutes of CCC meetings;</li> <li>• the annual Statement of Compliance with the EPL</li> <li>• any independent environmental audit, and the Applicant's response to the recommendations in any audit; and</li> <li>• any other matter required by the Secretary; and</li> </ul> (b) keep this information up to date, to the satisfaction of the Secretary.	Compliant	a) Viewed Biala Wind Farm website ( <a href="https://bialawindfarm.com/">https://bialawindfarm.com/</a> ) and the following information listed under this condition was not available: <ul style="list-style-type: none"> <li>• Final layout plans for the Development;</li> <li>• Monitoring results - the only monitoring results required under this consent is noise and blast. There was no blasting or noise monitoring undertaken during the IEA period, therefore, results not available. All other reporting is either internal, or in accordance with incident reporting.</li> <li>• The 2020 annual Statement of Compliance will be the first to be completed and was submitted 21/9/20.</li> </ul> b) The publicly available information listed under part a) that is available on the website is up to date

***APPENDIX D***  
***Site Inspection Plates***



**Plate 1  
O&M Compound under construction**



**Plate 2  
Turbine 31 being erected with adjacent laydown area**



**Plate 3**  
**Crane erecting turbine blade**



**Plate 4**  
**Site access road**



**Plate 5  
Construction compound**



**Plate 6  
Subsoil stockpiles located on private land near Turbine 2**



**Plate 7**  
**Temporary stockpile requiring seeding if left opened for four months**



**Plate 8**  
**Example of visual treatments for wind turbines**



**Plate 9**  
**Aviation Lighting**



**Plate 10**  
**Revegetation area located Turbine 13**



**Plate 11**  
**Rehabilitation of batter downslope of laydown area**



**Plate 12**  
**Salvaged fallen logs**



**Plate 13**  
**Successful rehabilitation underneath overhead reticulation**



**Plate 14**  
**Rehabilitated water way crossing near T30/31**



**Plate 15**  
**Water ponding at culvert near T30/31**



**Plate 16**  
**Off bank at culvert near T30/T31 requires stabilisation**



**Plate 17**  
**Drainage at O&M Compound requiring stabilisation**



**Plate 18**  
**Compliance of Wattle Creek and lack of erosion**



**Plate 19**  
**Compliance of Wattle Creek and lack of erosion**



**Plate 20**  
**Wattle Creek sediment fencing and drainage line grass establishing since erosion**



**Plate 21**  
**Heritage Exclusion Zone example**



**Plate 22**  
**Landowner boundary identified, weed control**



**Plate 23**  
**Segregated Waste Bins**



**Plate 24**  
**Storage of coolant in containers (however door open)**



**Plate 25**  
**Residual waste materials (small volumes of pallets to be removed)**



**Plate 26**  
**Hazardous goods storage, very little on site**



**Plate 27**  
**Blade support frames on site**



**Plate 28**  
**“Borrow Pit” rehabilitation**



**Plate 29**

**“Hydro Mulching” of off bank at culvert near T30/T31 following IEA site inspection**

***APPENDIX E***  
***Regulatory Correspondence***

Mr Tim Mead  
Biala Wind Farm  
Suite 3, Level 21, 1 York Street  
SYDNEY NSW 2000

24/07/2020

Dear Mr Mead

**Biala Wind Farm (SSD 6039)  
Independent Environmental Audit – Endorsement of Experts**

I refer to your request (SSI 6039) for the Secretary's approval of suitably qualified, experienced and independent team of experts to prepare the Independent Environmental Audit for the Biala Wind Farm.

In accordance with condition 6(b), Schedule 4 of SSI 6039 (the 'Consent') and the *Independent Audit Post Approval Requirements*, the Secretary has agreed to the following audit team:

- Ms Dianne Munro, *Principal Environmental Scientist*; and
- Ms Theresa Folpp, *Environmental Scientist*.

Please ensure this correspondence is appended to the Independent Audit Report.

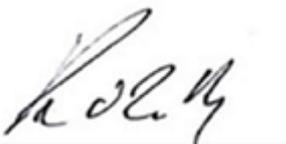
The Independent Audit must be prepared, undertaken and finalised in accordance with the *Independent Audit Post Approval Requirements*. Failure to meet these requirements will require revision and resubmission.

The Department reserves the right to request an alternate auditor or audit team for future audits.

Notwithstanding the agreement for the above listed audit team for this Project, each respective project approval or consent requires a request for the agreement to the auditor or audit team be submitted to the Department, for consideration of the Secretary. Each request is reviewed and depending on the complexity of future projects, the suitability of a proposed auditor or audit team will be considered.

If you wish to discuss the matter further, please contact May Patterson on 02 8275 1190.

Yours sincerely



Katrina O'Reilly  
Team Leader - Compliance  
Compliance

As nominee of the Planning Secretary

## Theresa Folpp

---

**From:** Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>  
**Sent:** Monday, September 7, 2020 11:38 AM  
**To:** Theresa Folpp  
**Cc:** Dianne Munro; May Patterson  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Theresa,

Could you please look into the aviation lights/night lighting associated with the project as well.

Regards  
Katrina

---

**From:** Theresa Folpp [mailto:TFolpp@hansenbailey.com.au]  
**Sent:** Friday, 4 September 2020 11:22 AM  
**To:** Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>  
**Cc:** Dianne Munro <dmunro@hansenbailey.com.au>  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Great, thanks Katrina.

Regards,  
Theresa

---

**From:** Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>  
**Sent:** Friday, September 4, 2020 11:22 AM  
**To:** Theresa Folpp <[TFolpp@hansenbailey.com.au](mailto:TFolpp@hansenbailey.com.au)>  
**Cc:** Dianne Munro <[DMunro@hansenbailey.com.au](mailto:DMunro@hansenbailey.com.au)>  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Thankyou Theresa for your email.

Specific areas the Department would like focus on include:

- Noise compliance
- Erosion and sediment controls/measures
- Dust management
- Truck movements and record keeping (use of approved routes)
- Compliance with roads upgrades to satisfaction of road authority
- Compliance with operating hours
- Complaints register/management of complaints and communication with community
- Compliance with obtaining other approvals such as CC's

Regards  
Katrina  
**Katrina O'Reilly**  
**Team Leader Compliance**

Compliance | Department of Planning, Industry and Environment  
T 02 6229 7909 | M 0429 400261 | E [katrina.oreilly@planning.nsw.gov.au](mailto:katrina.oreilly@planning.nsw.gov.au)  
PO Box 5475 | Level 1 11 Farrer Place Queanbeyan NSW 2620  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



The Department of Planning, Industry 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.

---

**From:** Theresa Folpp [<mailto:TFolpp@hansenbailey.com.au>]  
**Sent:** Wednesday, 2 September 2020 9:43 AM  
**To:** Katrina O'Reilly <[Katrina.OReilly@planning.nsw.gov.au](mailto:Katrina.OReilly@planning.nsw.gov.au)>  
**Cc:** Dianne Munro <[dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)>  
**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Katrina,

Hansen Bailey has been approved by the Department of Planning, Industry & Environment to conduct the 2020 Independent Environmental Audit (IEA) for Biala Wind Farm in accordance with Schedule 4, Condition 6 of Development Consent SSD 6039.

This condition requires that:

*"Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:*

- (a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);*
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- (c) be carried out in consultation with the relevant agencies;*
- (d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and*
- (e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.*

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

*The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary."*

In accordance with Condition (6c) as part of consultation with relevant agencies, could you please provide comment on any specific environmental issues you require particular focus on as part of the IEA process.

If you could respond by **7 September**, it would be appreciated. Please do not hesitate to call Dianne Munro - Principal Auditor as required on:

Email: [dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)  
Phone: 02 6575 2000

Regards,  
Theresa

## Theresa Folpp

---

**From:** Janine Goodwin <Janine.Goodwin@epa.nsw.gov.au>  
**Sent:** Tuesday, September 8, 2020 7:51 AM  
**To:** Theresa Folpp  
**Cc:** EPA RSD Queanbeyan Mailbox; Sharon Peters  
**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Dear Theresa,

Thank you for your email correspondence to the Environment Protection Authority (EPA) on 2 September 2020 seeking feedback on the environmental performance of the Biala Wind Farm Project ('the project') for the purpose of an independent environmental audit. I understand the audit is a requirement of the development approval for Biala Wind Farm and that consultation with the EPA is required as part of the IEA Guidelines. Please accept this email as evidence of consultation with the EPA.

The EPA regulates activities associated with the construction and operation of the project in accordance with the conditions of Environment Protection Licence No. 21280 issued to the Newtricity Developments Biala Pty Ltd. The EPA has its own audit process, regulatory mechanisms and inspection programs to monitor compliance with the licence. The construction phase of the project is nearing completion, however, the main areas of interest given the nature of wind farm projects include:

- Sediment and erosion control and associated potential for water pollution, specifically associated with watercourse crossings, road construction and construction of turbine bases;
- Dust, generally associated with truck movements on unsealed roads;
- Noise, during construction particularly around out of hours works eg. concrete batching/pouring is often undertaken early or late in the workday to avoid the hottest part of the day, and erection of turbines requires optimum weather conditions which may lead to these works occurring at night and this can lead to noise and light related issues with nearby receptors.

The EPA has received a number of complaints during the construction of this project in relation to dust, water pollution and noise. The following provides a summary:

### Dust

Construction of the Biala Wind farm commenced during a severe drought. The EPA (and DPIE Compliance) received several complaints in relation to dust leaving the premises and impacting neighbouring properties and causing a hazard and safety issue to road users on a nearby public road. The EPA understands that the licensee was sourcing water from dams onsite and a neighbouring property and using water carts for dust suppression but this was proving futile on hot days with strong winds. Measures implemented by the licensee to minimise dust generation included: importing gravel to cap the roads as soon as practicable, water carts for dust suppression, review and cease civil construction on some high risk windy days, and, limit onsite vehicle speeds. The licensee, in response to meeting with a complainant, further committed to having a water cart specifically assigned to wetting down the track between T02 and T03 during concrete pours of T02 and T03 which were the closest turbines to the complainants property. The EPA also referred dust complaints onto DPIE Compliance and accepted the measures proposed and implemented but also suggested the licensee investigate other options for road sealing as the gravel seal was itself generating dust with vehicular movements.

### Water Pollution

In early 2020, the EPA received two separate complaints of discharges of sediment laden water leaving the licensed premises and entering Wattle Creek. As a result of the investigations, the EPA issued an official caution to the licensee and its principal contractor in relation to two separate discharge events at the Biala Wind Farm site on 20 January and 9 February 2020 in breach of section 120 of the *Protection of the Environment Operations Act 1997*. Throughout EPA's investigations into these complaints, the licensee and its contractor have been cooperative and willing to address non compliances identified to improve environmental performance in relation to their practices. Both the licensee and their contractor have made further submissions to the EPA detailing further corrective actions

taken to resolve EPA concerns particularly in relation to management plans and procedures and improving future environmental performance.

## Noise

Several noise complaints were received by the EPA in June 2020 in relation to works conducted outside of standard construction hours. Whilst one complaint was verified and appeared to relate to noise generated by the use of a generator to power several air-conditioning units throughout the night at the site compound, others have not been verified. Those complaints raised concern regarding the public consultation process, alleging that residents were provided with less than 24 hours notice of the intended works, were asked to sign a Neighbour Program Agreement which may negate their ability to lodge a complaint, and that noise and light generated from night works were detrimentally impacting sheep lambing. These complaints were referred to DPIE compliance for follow up as the issues were consent related and not regulated by EPA.

If you have any questions or wish to discuss this matter further, please contact the EPA by email at [queanbeyan@epa.nsw.gov.au](mailto:queanbeyan@epa.nsw.gov.au)

Kind regards  
Janine

**Janine Goodwin**

**Unit Head Regional Operations**

**Regulatory Operations – Regional South**

NSW Environment Protection Authority

+61 2 6229 7002 +61 0409 719 764

[janine.goodwin@epa.nsw.gov.au](mailto:janine.goodwin@epa.nsw.gov.au) [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) [@EPA NSW](#)

**Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555**



Please send all official electronic correspondence to [queanbeyan@epa.nsw.gov.au](mailto:queanbeyan@epa.nsw.gov.au)

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**From:** Theresa Folpp <[TFolpp@hansenbailey.com.au](mailto:TFolpp@hansenbailey.com.au)>

**Sent:** Wednesday, 2 September 2020 9:44 AM

**To:** Sharon Peters <[Sharon.Peters@epa.nsw.gov.au](mailto:Sharon.Peters@epa.nsw.gov.au)>

**Cc:** Dianne Munro <[dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)>

**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Sharon,

Hansen Bailey has been approved by the Department of Planning, Industry & Environment to conduct the 2020 Independent Environmental Audit (IEA) for Biala Wind Farm in accordance with Schedule 4, Condition 6 of Development Consent SSD 6039.

This condition requires that:

*“Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. The audits must:*

*(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);*

*(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*

- (c) be carried out in consultation with the relevant agencies;
- (d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
- (e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

*The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary."*

In accordance with Condition (6c) as part of consultation with relevant agencies, could you please provide comment on any specific environmental issues you require particular focus on as part of the IEA process.

If you could respond by **7 September**, it would be appreciated. Please do not hesitate to call Dianne Munro - Principal Auditor as required on:

Email: [dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)

Phone: 02 6575 2000

Regards,  
Theresa

**Theresa Folpp**  
*Environmental Scientist*

**HANSEN BAILEY**

Tel: (02) 6575 2000

Email : [folpp@hansenbailey.com.au](mailto:folpp@hansenbailey.com.au)

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## Theresa Folpp

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**From:** Hayley Sarvanandan <Hayley.Sarvanandan@transport.nsw.gov.au>  
**Sent:** Tuesday, September 8, 2020 8:53 AM  
**To:** Theresa Folpp  
**Cc:** Development Southern  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation  
**Attachments:** SSD6039 Biala Wind Farm consent.pdf

Hi Theresa

I refer to your email below.

TfNSW is satisfied with the transport related conditions (Condition 24-28) detailed in Schedule 3 of the Development Consent.

Thanks  
Hayley

Hayley Sarvanandan  
Development Assessment Officer  
Land Use Southern  
Regional and Outer Metro, Southern  
**Transport for NSW**

T 02 4221 2548 | F 02 4221 2777  
Level 4 90 Crown Street Wollongong NSW 2500



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**From:** Theresa Folpp [<mailto:TFolpp@hansenbailey.com.au>]  
**Sent:** Wednesday, 2 September 2020 9:47 AM  
**To:** Rebecca Reedman <[Rebecca.Reedman@transport.nsw.gov.au](mailto:Rebecca.Reedman@transport.nsw.gov.au)>  
**Cc:** Dianne Munro <[DMunro@hansenbailey.com.au](mailto:DMunro@hansenbailey.com.au)>  
**Subject:** Biala Wind Farm - Independent Environmental Audit Consultation

Good morning Rebecca,

Hansen Bailey has been approved by the Department of Planning, Industry & Environment to conduct the 2020 Independent Environmental Audit (IEA) for Biala Wind Farm in accordance with Schedule 4, Condition 6 of Development Consent SSD 6039.

This condition requires that:

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- (b) *be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- (c) *be carried out in consultation with the relevant agencies;*
- (d) *assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and*
- (e) *recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.*

*Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.*

*The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary."*

In accordance with Condition (6c) as part of consultation with relevant agencies, could you please provide comment on any specific environmental issues you require particular focus on as part of the IEA process.

If you could respond by **7 September**, it would be appreciated. Please do not hesitate to call Dianne Munro - Principal Auditor as required on:

Email: [dmunro@hansenbailey.com.au](mailto:dmunro@hansenbailey.com.au)

Phone: 02 6575 2000

Regards,  
Theresa

**Theresa Folpp**  
*Environmental Scientist*

HANSEN BAILEY

Tel: (02) 6575 2000

Email : [folpp@hansenbailey.com.au](mailto:folpp@hansenbailey.com.au)

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## Theresa Folpp

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**From:** nic <nic.carmody@bigpond.com>  
**Sent:** Monday, September 7, 2020 4:06 PM  
**To:** Theresa Folpp  
**Cc:** Dianne Munro  
**Subject:** RE: Biala Wind Farm - Independent Environmental Audit Consultation

Good afternoon Theresa & Dianne,

I have contacted the members of the Community Consultative Committee(CCC) regarding the Biala Wind Farm Independent Environmental Audit.. Their responses are listed below:

1. In the approval process, mention was made of termite mounds, specifically in relation to them being the nesting place for the Lace Monitors (goanna like animals essential in the local ecosystem and suffering a decline in population).  
I'm interested to see what the outcome of that was.

I know the local Landcare group approached the wind farm but was unsuccessful, with a project the aim of which was to educate landowners and build habitat for Lace Monitors.

The person approached noted that there would be a community grant pool available [as per all wind farms]. But this does not allow for ANY investment on privately owned land. So would prevent the planned habitat protection and creation. ie; impossible to do given the guidelines of the 'fund'. They were unwilling to fund this project outside those "fund parameters".

So what was done for the lace monitors? Were efforts made to identify and protect these vital termite mounds? Are the termite mounds that were there at the commencement of construction still there?

Were other efforts made. For example; fox\* baiting - Biala has had 6+ baiting events this year - did the developer participate in all of these? [\*Foxes dig the eggs of the monitor out of the termite mounds]. Was planting of habitat considered/undertaken or local [within Biala] offsets funded to aid the Lace Monitors given the almost certain displacement due to the wind farm construction?

The [unfunded] Landcare project also focused on the Little Eagle. This was also [especially] mentioned in the approval documentation for the Biala Wind Farm. What was done to protect large potential nesting trees for the Little Eagle? These trees take hundreds of years to reach an appropriate size. Trees were undoubtedly removed in the construction process. Were nesting trees identified and not removed? Were more trees planted here or nearby in some sort of offset arrangement? [Again, this was an offer from the Landcare group rejected by the developer so keen to understand what they have done to remediate any such habitat/potential-habitat destruction, given they rejected the opportunity to fund such a local based offset?]. If off set planting was undertaken in Biala [or immediately adjacent to Biala], can we get some details of the rate of planting? Obviously you don't replace a 30 tonne gum tree with a single 30 cm high tubestock. What rate of tree replacement was undertaken? 50 tubestock for each tree removed or 100? 150? Were these specifically species preferred by Little Eagles?

2. What damage sediment entering Wattle creek from Run off from T1 and T2 has caused?  
Also, there is a lot of timber piled up on the entrance into Reeves, Will this timber harbour feral animals in the future?  
And what fauna and Flora has been destroyed with the over clearing of this habitat?  
I believe there were far more trees removed then was needed.

3. Some resident concerns are as follows: - sediment runoff from exposed subsoil into farm dams & Wattle Creek, particularly from the compound/hard surface areas;
- unproductive subsoil left on the surface in construction areas including cable routes;
  - crane pads at tower sites built from deep subsoil & left as such;
  - damage off construction areas whilst 'walking' the crane between tower sites;
  - rocks brought to the surface during earthworks & not re-buried or picked up including on cable lines;
  - shallow subsoil intentionally mixed with deeper subsoil used for fill, then covered with a small amount of topsoil significantly reducing the pasture productivity of these areas.

On behalf of the Biala CCC, thank you for the opportunity in providing input to the audit. If a representative of Hansen Bailey would like to attend/address a CCC meeting, please contact me to arrange a suitable mutual time.

Kind Regards,

**Nic Carmody** OAM  
SOLUTIONS  
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Ref	Recommendation	NDBPL Response 5 February 2021	Timeline
<b>NON-COMPLIANCE RECOMMENDATIONS</b>			
Sch 3 Cond 7	<ul style="list-style-type: none"> <li>Update the 'Extended Hours Work Approval' (Goldwind, 2020) to clearly stipulate what the proponent considers to be an audible level at the closest private receiver(s) or representative location (if monitoring is not available due to access)</li> <li>Ensure written approval from DPIE received prior to undertaking any audible works for out of hour works.</li> <li>Consider seeking a modification to development consent which defines 'inaudible' relative to background levels (consistent with contemporary wind farm approvals) in the context of the condition.</li> </ul>	<p>For the reasons set out in NDBPL's letter to DPIE and the EPA dated 14 July 2020, NDBPL does not consider that there has been any non-compliance with condition 7 of schedule 3 of the development consent.</p> <p>However, NDBPL notes that it is difficult for the auditor to assign an appropriate 'Compliance status descriptor' under the Independent Audit Post Approval guidelines (June 2018) where there are alleged non-compliances, without sufficient verifiable evidence to confirm the works were 'inaudible' at non-associated residences. NDBPL note that in this instance; an inaudible level is not defined in SSD 6039, and representative monitoring locations were not available due to restrictions in accessing private property at the complainants receptor location. Some activities were carried out on the basis that they were considered to be inaudible at non-associated residences, however in consultation with DPIE and EPA we agreed to cease the planned out of hour works after complaints were received and it was not possible to verify whether works were audible or inaudible at the complainants residence.</p> <p>NDBPL takes its compliance obligations very seriously and is committed to continuing to comply with all conditions of its development consent. Accordingly, the recommendations of the auditor will be fully implemented by NDBPL.</p>	N/A
<b>CONTINUAL IMPROVEMENT RECOMMENDATIONS</b>			
Sch 2 Cond 3	<ul style="list-style-type: none"> <li>Consider if the Development Layout in Appendix 2 of SSD 6039 should be updated to be consistent with the MOD2 Map supplied by TM dated 2/8/19.</li> <li>Update Modification 2 date on consent to 9/1/20.</li> </ul>	<p>NDBPL updated the Development Layout as requested by DPIE during the MOD 2 determination process. NDBPL will update the plan further if DPIE confirm that the items not shown on the plan are items the DPIE think should be shown on the plan.</p> <p>NDBPL will update this if DPIE agree that it should occur.</p>	TBC TBC
Sch 3 Cond 16	<ul style="list-style-type: none"> <li>Ensure that 'crane tracking disturbance resulting on 30/07/20 is remediated asap to satisfaction of landowner and sedimentation control retained to until area fully stabilised.</li> </ul>	To achieve the best remediation results, this area has been left to dry out. This was recommended by the landowners agronomist. In the meantime, a fence has been installed around the area in order that stock do not enter. Final reinstatement of topsoil and reseeding will occur between February and April 2021. This timing will maximise regrowth during the Autumn. Sediment control remains in place and will continue to be maintained until the remediation work is undertaken and vegetation growth is adequate	Remediation works will occur by April 2021.
Sch 3 Cond 17c)	<ul style="list-style-type: none"> <li>The T30/31 culvert off bank requires ongoing work and stabilisation (<b>Plate 16</b>). Since the site inspection, Newtricity has undertaken additional works in this area as detailed in <b>Appendix C</b></li> </ul>	Newtricity confirms significant works were undertaken since the auditor's inspection. Temporary erosion controls will remain in place until area is stable. Ongoing inspections are being carried out.	By December 2021
Sch 3 Cond 17d)	<ul style="list-style-type: none"> <li>Provide refresher training to relevant personnel as to the requirement for bunding for potentially hazardous materials and inspections conducted to confirm compliance.</li> </ul>	NDBPL confirms the refresher training was conducted by Goldwind on 1st February 2021.	Completed 1 February 2021
Sch 3 Cond 20	<ul style="list-style-type: none"> <li>Recommend BCD consultation is included as an appendix of the BMP at the next update.</li> </ul>	The revised BMP was approved by DPIE in May 2020. Section 1.6 of the BMP includes a table record of consultation with BCD. However, NDBPL will include the consultation record with BCD as an appendix, if the DPIE agrees that it would be beneficial.	TBC

Sch 3 Cond 23	<ul style="list-style-type: none"> <li>Update Table 7.1 of the ACHMP when next revised to remove Aboriginal sites that have been salvaged (may retain detail in an Appendix) so practically relevant for operations phase.</li> </ul>	The ACHMP includes a comprehensive figure (Figure D.2) which explains which sites have been salvaged. This plan is referred to in operational documentation and addresses the concern raised by the auditor. Nevertheless, NDPBL is willing to revise Table 7.1 if the DPIE agrees that it would be beneficial.	N/A
Sch 3 Cond 35c)	<ul style="list-style-type: none"> <li>Refresher training for handling of wastes and clear labelling of bins when at Construction and/or O&amp;M Compounds. Since the site inspection, the Daily Prestart Form has been updated to include instructions for correct use of waste.</li> <li>Residual waste materials and discarded blade support frames identified during the site inspection (see <b>Plate 25</b> and <b>Plate 27</b>) should be removed during final clean-up.</li> </ul>	NDBPL confirms the refresher training was conducted by Goldwind on 1st February 2021.	Completed 1 February 2021
		NDBPL confirms that the materials mentioned will be removed at the end of construction and will be disposed of appropriately.	By April 2021
Sch 3 Cond 37	<ul style="list-style-type: none"> <li>Installation of signage and sediment fencing around topsoil stockpile located on private property (<b>Plate 6</b>) until the landowner removes the stockpile.</li> <li>Shape and seed the stockpile located near the O&amp;M Compound (<b>Plate 7</b>) if left open for more than four to six months to ensure stability and reduce sediment and erosion control.</li> <li>Monitor 'Borrow Pit' rehabilitation area to ensure rehabilitation successful.</li> </ul>	<p>NDBPBL confirms that the signage and sediment fence has been installed and is being maintained.</p> <p>The stockpile has been used for rehabilitation, so has not been left open without being accessed for greater than 4 months. The remaining topsoil will be used in the rehabilitation of the site compound area which is expected to occur by the end of March 2021.</p> <p>The location referenced by the auditor was a laydown area used during construction of the project, and in accordance with SSD 6039 and the Final Layout Plan. This location was not a 'Borrow Pit'.</p> <p>Rehabilitation will be monitored until successful rehabilitation in accordance with the BMP. Further revegetation measures will be implemented if required.</p>	<p>Installed 4 February 2021</p> <p>By March 2021</p> <p>By December 2021</p>
Sch 4 Cond 1	<ul style="list-style-type: none"> <li>Update Environmental Management Strategy (EMS) for operations, should personnel and responsibilities change.</li> </ul>	The EMS already accounts for the Operational Phase, however, NDPBL agrees that attention needs to be given to changes in personnel and responsibilities, should such changes occur. NDPBL will review the EMS within 3 months from commencement of operation, and commits to making any further changes required.	By December 2021
Sch 4 Cond 2	<ul style="list-style-type: none"> <li>Keep a register which records that this condition was considered for each strategy/plan/program after each incident, audit and modification to demonstrate compliance for future audits.</li> </ul>	NDBPL maintains a register and it can be provided to the DPIE upon request.	Ongoing