

Independent Environmental Audit Iberdrola Australia: Bodangora Wind Farm

Dubbo Regional Council LGA, Wellington NSW

February 2022



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- ✓ Environmental impact assessment, auditing, and approvals
- ✓ High level preliminary environmental assessment (PEA)
- ✓ Review of environmental factors (REF)
- ✓ Peer review
- ✓ Community engagement
- ✓ Biobanking and biodiversity offsetting assessments
- ✓ Aboriginal heritage assessments and community walkovers
- ✓ Landscape design
- ✓ Independent Environmental Auditing

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Document controls

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1 Executive Summary

AREA Environmental & Heritage Consultants Pty Ltd (AREA) was engaged by Iberdrola Australia Limited (formally Infigen) to undertake an Independent Environmental Audit (IEA) for Bodangora Wind Farm Project, Project Approval MP 10_0157.

Bodangora Wind Farm (BWF) is located approximately 15 km east of Wellington in Central West New South Wales (NSW) in the Dubbo Regional Local Government Area (LGA). The 113.2 MW wind farm has been operating since 2018 and comprises 33 General Electric 3.43-130 wind turbines.

This audit was conducted to address Condition D11 of Schedule D of the Approval, covering the first three years of operation of the project. The audit considers all conditions of consent (CoCs) for Project Approval MP 10_0157 and is consistent with NSW Department of Planning, Industry and Environment (DPIE) Requirement 2 *Independent Audit Post Approval Requirements May 2020*.

This environmental audit was conducted by AREA, led by Managing Director Philip Cameron, Environmental Scientist Genevieve Peel, with technical advice from Dr Heidi Kolkert. AREA was approved and deemed as having the necessary skills and qualifications to undertake the audit by the NSW Department of Primary Industry and Environment (DPIE) on 28 September 2021.

The IEA methodology included:

- Discussions with BWF and its representatives to organise the audit, including the provision of documentation, the site visit and timing;
- Review of documentation provided by BWF and its representatives and preparation of compliance assessment checklists including a list of conditions of key regulatory approvals to be assessed for compliance;
- Consultation with DPIE regarding any concerns or areas for particular focus during the audit;
- Site inspection including site meeting with key site personnel and review of documentation and interviews with key site and auditing personnel in February 2022;
- Consultation with key agencies, the Projects CCC and / or other stakeholders as presented in this report;
- Review of additional documentation provided by CATCON, GE and TransGrid after the site inspection;
- Assessment of environmental management performance through review of the implementation of key environmental management strategies, plans and programs; noncompliance's documented in annual reporting; regulatory actions; incidents; and complaints;
- Submission of a draft audit report to BWF to provide an opportunity for additional information and / or correction of fact
- Finalisation of the report.

The previous construction IEA conducted by J2M Systems in July 2018 was also reviewed in the undertaking of this 2022 audit. The 2018 audit identified wide-ranging compliance against majority of the conditions of Project Approval. The records requested associated with this task were readily available, legible and complete. The 2018 audit identified four (4) non-compliances across seven (7) conditions of the project approval. A further six (6) Opportunities for Improvement were identified across seven conditions of the project approval. These matters have all been resolved or

are no longer relevant because the Project during the 2018 audit was in a construction phase (managed under a CEMP) and is now in an operation phase (managed under an OEMP).

Overall, the compliance performance of the BWF is strong. The BWF is committed to health, safety, environment, and rehabilitation. The Project has effective management, staff, multiple well organised policies, procedures, and systems in place to ensure compliance with all relevant conditions. The Project is considered to have achieved a high level of compliance with the Project Approval MP 10_0157 and the Environmental Protection Licence 20927.

The BWF project documentations and operations were found to be mostly adequate, had received the appropriate approval and had been satisfactorily actioned during operation of the BWF. The issues noted were few and minor in nature i.e., some documents need updating to current versions, dates inserted (since the project shifted from construction to operation) or are overdue for an annual review. This is detailed in the audit report.

A detailed 'Independent Audit Table' identifying audit findings, comments and recommendations is presented in Appendix A. Only one Non-compliance was identified against relevant approvals which involves consultation with Crown Lands & Water (CL&W) and DPI (Fisheries) post construction which has not occurred. Recommendations have been made in regard to how to meet this Condition F5.

Consultation with DPIE Biodiversity and Conservation Division (BCS) revealed the following concerns:

- concerns related to bird and bat mortality;
- have the clearing limits specified in C1 of the Project Approval been adhered to;
- have the offset requirements as set out in Condition C7 of the Project Approval been met; and
- have credit arrangements relating to offsets been completely retired.

This audit found BWF is compliant with all Bird and Bat Management Approval Conditions. BCS have recommended additional (ongoing) monitoring which are not required by Project Approval. As these are outside the scope of this audit the matter and commitment will need to be negotiated between BWF and BCS.

BCS's concerns about clearing limits and offsetting have also been addressed by this audit. Native vegetation clearing reported to have occurred during Project Construction is within the approved three hectare clearing limit. Offset obligations have been calculated and met through payment into the Biodiversity Conservation Trust (BCT). BCS will be informed of these findings.

2 Introduction

2.1 Background

AREA Environmental & Heritage Consultants Pty Ltd (AREA) were engaged by Bodangora Wind Farm (BWF) on behalf of Iberdrola Australia Limited (formally Infigen) to undertake an Independent Environmental Audit (IEA) for Bodangora Wind Farm Project, Project Approval MP 10_0157. The Project was originally approved on 30/08/2013 and has been modified four times since, with Mod 4 approved in December 2017. This audit was conducted to address Condition D11 of Schedule D of the Approval.

Bodangora Wind Farm (BWF) is located in the Dubbo Regional LGA approximately 15 km east of Wellington New South Wales in the area originally inhabited by the Wiradjuri people. The 113.2 MW wind farm has been operating since 2018 and comprises 33 General Electric 3.43-130 wind turbines.

BWF was developed, constructed and continues to be operated by Iberdrola Australia. A Power Purchase Agreement for electricity and Large Generation certificates (LGCs) for 60% of Bodangora Wind Farm's electricity generation is in place with Energy Australia until 31 December 2030.

The engineering, procurement and construction (EPC) of the project was undertaken by the civil engineering construction Principal Contractor company CATCON, partnered with GE Renewable Energy (GE). GE continues as the contractors for the Operation and Management (O&M) of the BWF, in conjunction with Iberdrola.

The development of the project began in 2009. It received planning approval in August 2013, construction began in July 2017 and the wind farm began grid commissioning in October 2018. The BWF achieved practical completion and commenced commercial operation under the power purchase off-take agreement on 8 March 2019.

2.2 Audit Team

This assessment was carried out by appropriately qualified and experienced ecologists (Table 2-1).

Table 2-1: Summary of AREA project team qualifications

Name	Position	CV Details	Role in this project
Phillip Cameron	Managing Director	<ul style="list-style-type: none">• BSc. Major in Biology. Macquarie University• Ass Dip App Sci. University of Queensland• Dip Landscape Design (In prep)• Cert III Captive Animal Management• Certified Environmental Practitioner (EIANZ) and practicing member• NSW OEH BioBanking and Bio-certification Assessor: accreditation number 0117• NSW DPIE Biodiversity Assessment Method Assessor: accreditation number BAAS17082• NSW OEH Scientific License: 101087• NSW DPI Ethics Approval 17/459 (3)• Practicing member of the NSW Ecological Consulting Association• President of the NSW Malleefowl Recovery Group	Lead auditor Report editing

Name	Position	CV Details	Role in this project
Dave Sturman	Environmental Consultant	<ul style="list-style-type: none"> B. Env. Sc. Charles Sturt University Cert III (Horticulture) WHS White Card and Blue Card Senior First Aid Chainsaw operator ticket Confined Space worker and atmospheric monitoring Risk assessment training AHPCPM201- Recognising grasses 	Design and Landscape Plan advice
Genevieve Peel	Environmental Consultant	<ul style="list-style-type: none"> Bachelor of Science, Environmental (Hons) UNSW Cert III Captive Animal Management Cert IV Veterinary Nursing 	Auditing Team Leader and Report writing
Addy Watson	Manager Biodiversity	<ul style="list-style-type: none"> Grad. Dip. Captive Vertebrate Management, Charles Sturt University Grad. Cert. Social Impact, University of NSW B. Env. Sc. University of New England. NSW DPIE Biodiversity Assessment Method Assessor: accreditation number BAAS19066 Diploma Project Management 	Advice
Dr Heidi Kolkert	Principal Ecologist	<ul style="list-style-type: none"> PhD (Science) University of New England BSc. (Hons) and Bachelor of Arts University of Tasmania NSW OEH BioBanking and Bio-certification Assessor TAFE NSW Practicing member of the NSW Ecological Consulting Association 	Bird and Bat Management Plan Review

2.3 Declarations

Declarations of Independence and the Independent Audit Report Declaration Form are included as Appendix E.

2.4 Audit Objectives

In accordance with Condition 8 of Schedule D of the approval, the objectives of this IEA were to:

- assess whether the project complies with the relevant requirements in the approval and any strategy, plan or program required under this approval; and
- recommend appropriate measure or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under the approval.

2.5 Audit scope

The audit considers all conditions of consent (CoCs) for Project Approval MP 10_0157 and is consistent with Planning, Industry and Environment (DPIE) Requirement 2 *Independent Audit Post Approval Requirements May 2020*, hereafter 'IAPARs 2020'.

2.6 Audit period

A previous construction IEA was conducted in July 2018 whilst the Project was still under construction and managed under a Construction Environmental Management Plan (CEMP).

This audit covers commissioning of the Project and the three-year post construction period 2019-2021 managed under an Operational Environmental Management Plan (OEMP).

3 Audit methodology

The processes for this IEA involved a review of documentation (plans, programs, statutory requirements), consultation with relevant parties as well as a site inspection and audit interviews with BWF site management team to determine the level of environmental performance and compliance with requirements.

3.1 Selection and endorsement of audit team

The environmental audit was conducted by AREA Environmental & Heritage Consultants (AREA), led by Managing Director Philip Cameron and Environmental Scientist Genevieve Peel. AREA was approved and deemed as having the necessary skills and qualifications to undertake the audit by the NSW Department of Primary Industry and Environment (DPIE) on 28 September 2021, see letter attached as Appendix D.

3.2 Independent Audit scope development

The processes for this IEA involved a review of documentation (plans, programs, statutory requirements) and consultation with relevant parties, as well as a site inspection and audit interviews with BWF site management team to determine the level of environmental performance and compliance with requirements.

AREA also consulted with the relevant government departments and other relevant stakeholders to obtain their input into the scope of the audit. Comments received during consultation are recorded in this report.

Specific environmental issues raised during consultation have been investigated. Steps undertaken and findings of the investigation are recorded in this report.

3.3 Compliance evaluation

This Independent Audit is based on verifiable (primary) evidence. Evidence has been collected using the following methods, as appropriate in the circumstances:

1. physical review / sighting of relevant records, documents, plans, strategies and reports;
2. face to face and phone / Teams interviews with relevant site personnel;
3. photographs (including aerial imagery);
4. GIS figures and associated shapefiles;
5. onsite inspections of relevant locations, activities and processes.

All relevant and publicly available Project documentation was downloaded for review. Discussions were held with the BWF Manager regarding the currency of these documents and the availability of site records to demonstrate compliance. During the planning phase, relevant Government agencies and other stakeholders were consulted to identify any specific issues or information they believe should be considered as part of the audit.

When evaluating post-approval documents (such as Environmental Management Plans and Sub-plans), the auditor has considered whether:

1. they have been developed in accordance with the conditions of consent and approvals applicable to the development and their content is adequate; and
2. they have been implemented in accordance with the conditions of consent for the development.

The adequacy of documents has been determined on the basis of whether:

1. there are any non-compliances resulting from the implementation of the document; and
2. whether there are any opportunities for improvement.

The evidence used to verify the compliance status descriptor (see Section 3.7) chosen with respect to each condition is documented in an Independent Audit Table, along with any relevant observations and notes, including any opportunities for improvement, as they see fit in relation to any compliance requirement or any other aspect of the development.

The Independent Audit Table for this IEA is provided at Appendix A.

3.4 Site inspection

A site inspection (by foot and vehicle) to review key site-based activities was undertaken on Tuesday 15 February by two AREA auditors to cover all development areas and environmental aspects within the scope of the audit.

3.5 Site interviews

The audit site interview took place on Tuesday 15 February on site with the BWF Site Manager, Michael Bullock, and two AREA auditors to discuss the objectives of the audit, the scope of the audit, the resources required and methodology to be applied. The site visit commenced with visitor safety induction, tour of existing information platforms (posters and computer-based systems) relevant to the audit, then a meeting to prove and clarify matters of compliance, review of records and site inspection.

The following GE Renewable Energy staff were also present and available for questioning at the time of inspection:

- Vikas Mahajan – GE Site Manager
- Timothy Finn – GE Site Lead Tech
- Reid Armstrong – GE Technician
- Lloyd Chikari - GE Technician.

A closing meeting was held via phone on Thursday 24 February to present preliminary audit findings, recommendations and any post-audit actions required.

3.6 Consultation

Part of the audit requires consultation with a range of stakeholders and AREA's consultation focussed on stakeholders relevant to Environmental Assessment or Conditions of Consent.

The NSW Department of Planning, Industry and Environment (DPIE) were contacted and separately the Biodiversity Conservation Division (BCS) were consulted, as well as the chairperson of the Community Consultative Committee (CCC) and Dubbo Regional Council.

Results of consultation have been included in the relevant parts of this audit.

3.7 Compliance status descriptions

As per the IAPARs 2020. The compliance status of each compliance requirement in the Audit Table must be determined using the relevant descriptors in Table 3-1 below, having regard to their meanings. No other terms may be used to describe the compliance status.

Table 3-1: Compliance status descriptions

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.

The terms partial compliance, partial non-compliance, not verified or administrative non-compliance or other similar terms are not used.

As part of the Audit evaluation the auditor may make observations, including identifying any opportunities for improvement in relation to any compliance requirement or any other aspect of the project. Any observations or notes are in addition to the compliance status descriptor assigned to each compliance requirement, limited to the descriptors listed in Table 3-1.

4 Audit findings

4.1 Approval and document list

The audit considers all conditions of consent (CoCs) for Project Approval MP 10_0157.

Relevant documentation obtained during the planning phase was reviewed (desktop) and a compliance checklist was established before the audit site inspection. The review also considered the adequacy of these documents, see Section 4.7.

The Construction Environmental Management Plan (CEMP) was replaced by the Operational Environmental Management Plan (OEMP) on 16 December 2018 which is administered by Iberdrola.

The following documents were reviewed and considered during this audit:

- Environmental Protection Licence (EPL) 20927
- Bird and Bat Adaptive Management Plan
- Design & Landscape Plan
- Decommissioning & Rehabilitation Plan
- Operational Environmental Management Plan
 - Operation Soil and Water Management Plan
 - Flora and Fauna Management Sub Plan
 - Heritage Management Sub Plan
 - Bushfire Risk Management Sub Plan
 - Noise Management Plan
 - Waste Management and Re-use Sub Plan
 - Fuel and Oil Management Sub-Plan
 - Greenhouse and Energy Management Strategy
 - Air Quality Management Strategy
 - Design and Landscape Sub Plan
- Pollution Incident Response Plan
- Bushfire Management Plan
- Compliance Tracking Program
- GE Environmental Management Plan
- GE Emergency Response Plan
- GE Simplified Work Plan
- Biodiversity Offset Package.

Additional specialist reports, correspondence and approval letters were requested and reviewed where relevant.

4.2 Compliance performance

Overall, the compliance performance of the BWF is strong. The BWF has an effective management structure and team who are committed to safety, environment, and rehabilitation. It has multiple well organised policies, procedures, and systems in place to ensure compliance with all relevant conditions. The Project is considered to have achieved a high level of compliance with the Project Approval MP 10_0157 and the Environmental Protection Licence 20927.

Only one Non-Compliance was identified, which is minor and administrative in nature, see Section 4.4.

4.3 Summary of agency notices, orders, penalty notices or prosecutions

No agency notices, orders, penalty notices or prosecutions have been issued during the audit period.

4.4 Audit Non-compliances

The following Non-Compliance (NC) was identified during the audit:

Condition of Consent	Requirement (exact wording)	Audit findings
F5	Disturbance to watercourses and / or associated riparian vegetation shall be rehabilitated to a standard equal to or better than the existing condition in consultation with the CL&W and DPI (Fisheries) within six months of the cessation of construction activities at the relevant area. Any revegetation measures undertaken shall be monitored and maintained consistent with the requirements of Condition F6.	<p>There is no evidence of consultation with the CL&W and DPI (Fisheries) within six months of the cessation of construction activities at the relevant areas.</p> <p>The proponent assumed this was covered by the requirements of Condition F6 which covers all access tracks which was assumed to include creek crossings on site.</p> <p>Due to the lack of direct consultation with the relevant parties, the Proponent has been found to be Non-Compliant for Condition F5.</p>

Recommendations to address this NC are included in Section 5.

4.5 EPL Non-compliance

Two non-compliances (NC) have been recorded against the BWF Environmental protection Licence (EPL) 20927.

One on 10/08/2018 has already been reported in the 2018 audit related to erosion and sediment control:

Inspections undertaken. Records of erosion and sediment controls inspections not available.

Improvement required to site specific ERSED plans. EPA to monitor future compliance with this condition

This has since been actioned and resolved.

Another NC on 02/04/2019 is recorded as follows:

Wind direction and speed are to be measured at a height of 10m. Actual measurements are being taken at 20m. This was due to the incorrect specification of the metmast instrumentation. Discussing with EPA if existing configuration can remain. EPA has written to licensee regarding non-compliance and relevant action.

This NC has also been resolved. No further NC's against the EPL have been recorded.

4.6 Previous audit recommendations

A previous construction IEA conducted by J2M Systems in July 2018 under the CEMP identified wide-ranging compliance for the majority of the conditions of Project Approval with records requested readily available, legible and complete.

The 2018 audit identified four (4) non-compliances across seven (7) conditions of the project approval. A further six (6) Opportunities for Improvement were identified across seven conditions of the project approval.

These findings, and how they relate to the 2022 IEA are outlined in Table 4-1 below (key provided at end of table for compliance status codes).

Table 4-1: 2018 IEA recommendations

Condition Number	Compliance Status	Recommendations	Relevance to current IEA
C1	OFI	<ol style="list-style-type: none"> 1. Infigen to clarify the version history and ensure the BOP available on the project website and implemented on site is the approved version of the plan. 2. Consideration to be given to revising the Construction Biodiversity Management Plan to reference the pre-clearing checklist and outlining the requirements for its use. 	<p>Approved BOP on website is dated 23/02/2018, whilst the approval letter refers to the Oct 2017 version. The BOP 23/02/2028 was updated as per Section 12 of this plan; <i>Amendment to BOP</i>.</p> <p>The CEMP (of which the Construction Biodiversity Management Plan was a sub-plan) has since been replaced by the OEMP and is not relevant to the operation of the Project.</p>
C11	OFI	Consideration to be given to conducting a risk assessment and considering the risks and opportunities for centralising the storage of substances and providing a	The 2022 audit determined the Proponent is currently compliant with this condition.

Condition Number	Compliance Status	Recommendations	Relevance to current IEA
		sheltered location in accordance with the NSW EPA Bunding and Spill Management Guidelines.	
C31	OFI	The register tracking waste removal off site could be improved by capturing the type, volume and disposal location. Record (receipt) of disposal at licenced facilities could also be maintained.	The 2022 audit determined the Proponent is currently compliant with this condition.
E2 & E21(e)	NC	Continue progressing corrective actions in response to the NSW DPE Penalty Notice.	The 2022 audit determined the Proponent is currently compliant with Condition E2. Condition E21(e) relates to the CEMP which has since been replaced by the OEMP.
E8	OFI	Consideration for Infigen to request calibration for the monitor used in blast monitoring (TM Serial Number 4037).	The 2022 audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.
E13 & E21(d)	NC	CATCON to re-assess existing and planned areas with exposed soils and determine corrective actions and future controls required to address compliance with the requirements for Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom, 2004) and Managing Urban Stormwater – Soils and Construction Volume 2C Unsealed Roads (DECC, 2008) on sites. Controls currently listed within the Sediment and Erosion Control Plan are to be re-visited and implemented, including provision of progressive sediment erosion control plans	The 2022 audit determined the Proponent is currently compliant with Condition E13. Condition E21(d) relates to the CEMP which has since been replaced by the OEMP.

Condition Number	Compliance Status	Recommendations	Relevance to current IEA
		specific to work areas and the implementation of controls listed in these plans.	
E16 & E21 (c)	NC	Works to address this non-compliance are complete. Sighted RMS sign off, dated 23/03/2018, of completed corrective action with requirement for 24-month warranty period.	The 2022 audit determined the Proponent is currently compliant with Condition E16. Condition E21(c) relates to the CEMP which has since been replaced by the OEMP.
E17	OFI	The approved AFMP (005 and 006) are to be included in the revised CEMP post approval by NSW DPE.	The 2022 audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.
E20	NC	Review requirements of the CEMP and ensure processes are established for the effective implementation of these requirements. Future consideration to be given to ensuring the CEMP is concise and adequately written to clearly describe what will be completed, when, by whom and what records will be maintained.	The 2022 audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.
F6	OFI	The Proponent is to be consider and act on this requirement to ensure compliance with the requirements to engage an independent and suitably qualified expert for monitoring of rehabilitation.	The 2022 determined the Proponent is currently compliant with this condition.

Definition of Compliance Status

NC	Non-compliant– Recommendation identified.
OFI	Opportunity for improvement – Recommendation identified.

4.7 EMP, Sub-plans and compliance documents adequacy

An assessment of the general adequacy and compliance against Project Approval conditions of key management plans was undertaken and is provided in Appendix A. It should be noted, however, that AREA did not undertake a detailed or technical assessment of these management plans.

Overall, the OEMP, sub-plans and compliance were found to be adequate, had been provided by appropriately qualified and experienced personnel, received the appropriate approval and had been satisfactorily actioned during operation of the BWF.

Some documents need updating to current versions, dates inserted (since the project shifted from management under a CEMP to an OEMP), or are overdue for an annual review:

- EPL license needs most recent version online
- Compliance Tracking Program needs updating regarding relevant dates and timing as the project has moved from CEMP to OEMP since the program was developed. Therefore, the reference to the CEMP should be replaced with OEMP
- Pollution Incident Response Management Plan overdue for annual review
- OEMP overdue for annual review
- Biodiversity Offset Package needs additional information demonstrating how offset obligations have been met through payment into the BCT.

Recommendations and opportunities for improvement are further discussed in Section 5.

4.8 Consultation outcomes

Consultation outcomes are as follows (see Appendix C). Any questions raised have been addressed during the audit and relevant findings will be reported back to consulted parties.

DPIE Biodiversity and Conservation Division (BCS)

David Geering, Senior Conservation Planning Officer expressed BCS primary concern is in relation to bird and bat strike during the operational phase of the project which are detailed below.

Bird and Bat Strike

When consulted, David Geering expressed the following:

BCS collaborated with Infigen and their consultants, Nature Advisory, during the 2021 LRFF mortality event (as detailed in the BBMAP Second Annual Report). The final Little Red Flying Fox Impact Report produced will serve as a solid basis in implementing timely mitigation measures should a similar event occur in the future.

BCS commented on the Bodangora Wind Farm 2021 Annual Report in October 2021. In that response we recommended that the carcass monitoring program be continued for an additional three years and that the use of carcass detection dogs be investigated to increase detection of small carcasses. BCS had several concerns regarding the planned cessation of the carcass monitoring program. Several unforeseen circumstances occurred in the first two years of operation of the windfarm that have resulted in both threatened and non-threatened species triggers. To some extent these were related to drought and/or drought-breaking conditions. BCS believes it would be prudent to continue the carcass monitoring program for an additional three years to gather data over a range of environmental conditions. The proposal to continue "incidental

reporting” of carcasses is likely to detect primarily large species. We are particularly concerned about the high likelihood that carcasses of smaller species, particularly microbats, not being detected at all.

Two years of carcass monitoring has yielded little meaningful data from a total of 68 microbat carcasses located. Detectability of bat carcasses across three detectability trials was 56%. It is well established that detection rates of small carcasses by humans is low. The annual report stated that “Approximately 1,307 bats were estimated to be lost over two years”. This calculation excluded LRFF. The estimate of 1,307 bats is the mean number calculated. Statistically, the 95% confidence level indicates that as many as 2,330 individuals may have been lost, noting that certain assumptions were made. Based on the available data, BCS regards the upper limit of potential mortality as undesirable. We recommended that the use of carcass detection dogs be investigated to increase detection of microbats and thus provide additional data for analysis and provide greater certainty around mortality rates at the wind farm.

The 2022 audit found BWF is compliant with all Approval Conditions relating to Bird and Bat Management. Ongoing monitoring requirements and commitments are not required by Project Approval and therefore are outside the scope of this audit. This commitment will need to be negotiated between BWF and BCS.

Other concerns expressed by Mr Geering were:

- have the clearing limits specified in C1 of the Project Approval been adhered to;
- have the offset requirements as set out in Condition C7 of the Project Approval been met; and
- have credit arrangements relating to offsets been completely retired.

Clearing Limits and Offset requirements

BCS’s other concerns about clearing limits and offsetting have also been addressed by this audit.

Native vegetation clearing reported to have occurred during Project Construction is within the approved 3 hectares clearing limit. Offset obligations have been calculated and met through payment into the Biodiversity Conservation Trust (BCT)

DPIE Compliance

As per the letter in Appendix D, Jennifer Rowe was contacted by phone (02 42471851) on 18 January 2022, and a message was left with a request for a call-back. No response was received.

Dubbo Regional Council

Dubbo Regional Council (DRC) was contacted by email on 27/02/2022 and 16/02/2022. No feedback was received.

Community Consultative Committee (CCC)

The independent chairman, Ian Rogers, was contacted via email on 25/1/2022. He responded as follows:

I, Ian Rogan, was appointed to the position of chair of the Community Consultative Committee (CCC) for the Bodangora Wind Farm project in 2015 and have continued in that role to the present. Over that period the wind farm has gone through the planning, construction and full operational phases. The CCC has met, on average 2 to 3 times per year and has been operationally supported by the local manager of Infigen Energy. At CCC meetings, representatives of Infigen Energy have

given updates relating to recent developments in planning, construction and operations of the wind farm. The CCC members (host landholders, neighbouring landholders, local government representatives, local business operators, representatives of environmental groups) have provided feedback and questions on behalf of the broader community to the wind farm operators. In recent years one of the key roles of the CCC has been to assess applications from community groups to the one or two phases/year of the Community Benefit Fund. The CCC has made recommendations to the relevant local government body administering the Community Benefit Fund, for allocation of those funds.

I am familiar with the Community Consultative Committee Guidelines for State Significant Projects (November 2016; updated January 2019) and believe that the Bodangora Wind Farm CCC has been operating within those guidelines.

4.9 Complaints

Since operation of BWF commenced only one official complaint to the EPA has been reported. Personal communication with BWF site manager outlined it as follows:

On 7th November 2019, we were notified by the EPA of a noise complaint allegedly caused by a turbine near (>2km) a non-participating land holder. The EPA made a visit to site and conversations were held between ourselves and the Complainant. The EPA were satisfied that we were within our limitations and did not proceed further. Efforts to establish a direct line of communication with the land holder stalled and no further correspondence with respect to noise have been received.

4.10 Incidents

No incidents have been recorded since the 2018 audit.

4.11 Environmental performance

Measurement of environmental performance in this audit has been assessed by:

- An assessment of compliance with the conditions of the Project Approval and EPL and the adequacy of strategies, plans or programs required under the Project Approval
- A review of the relevant environmental management plans still being implemented on site
- An assessment of regulatory action, environmental incidents and complaints as an indicator of environmental performance.

Overall environmental performance of the BWF is high. The BWF has an effective management structure and team, is committed to safety, environment and rehabilitation. It has multiple well organised policies, procedures and systems in place to ensure compliance with all relevant conditions

This is demonstrated by the Health, Safety and Environment Commitments outlined in the Iberdrola Health, Safety & Environment policy which is prominently displayed within the BWF O&M building:

At the core of our values is the health and safety of our people and the environment and communities in which we operate. This means we are in relentless pursuit of creating a future where our peoples, communities and environment thrive and are not harmed by our activities.

4.12 Actual verses predicted environment impacts

As per Appendix A, Condition C1, the original approval for the project allowed for a clearing limit of 1.32 hectares of native vegetation, however detailed investigation of the transmission line route and consultation with TransGrid identified that the project would result in additional clearing of native vegetation in order to minimise the bushfire risk associated with operation in the transmission line, requiring the clearing limit be increased from 1.32 hectares to three hectares.

The proponent consulted with the DPE and OEH and was granted approval to increase the native vegetation clearing limit, providing the additional area is appropriately offset (see Condition C7).

As per the letter from CATCON impacts to fauna habitat and vegetation has been minimised as far as possible – review of aerial imagery shows how trees have been avoided as far as possible by strategic placement of wind turbines and roads.

The clearing registers show 1.04 hectares of native vegetation clearance for the establishment of the wind farm and 1.3175 hectares for the electricity transmission line, totalling 2.3275 hectares of native vegetation. This total is less than the three hectares approved by the Secretary on 24/11/2017.

Revegetation monitoring concluded areas requiring rehabilitation overall had become ‘well-established, in good health and self-sustaining’ (see Condition F6) and all areas are now considered to have met the performance criteria and can therefore said to be compliant.

Review of documentation and site inspection indicated the environmental impact of the project has been within the predicated and approved limits.

4.13 Site inspection and interviews

Site inspection and interview revealed BWF is a well-organised and well-resourced. All requested information was readily available, legible, complete, stored in an easy to access cloud-based filing system in logical categories and willingly provided.

Findings of the site inspection and interviews are outlined against relevant Approval conditions in Appendix A.

4.14 Key strengths

As previously mentioned, BWF is obviously committed to safety, environment and rehabilitation. It has multiple well organised policies, procedures and systems in place to ensure compliance with all relevant conditions and is upholding its commitments to value the health and safety of the people and the environment and communities in which they operate. One of the key strengths was the effectiveness of the management structure and personnel.

4.15 Limitations

The findings of this Independent Environmental Audit are based upon visual observations of the BWF site and its vicinity, interviews with site personnel and interpretation of documentation provided to the auditor during the audit process.

As previously mentioned, an assessment of the general adequacy and compliance against Project Approval conditions of key management plans was undertaken, however, AREA did not undertake a detailed or technical assessment of these management plans.

Where this IEA indicates information has been provided to by third parties, AREA has made no independent verification of this information except as expressly stated (e.g., actual native vegetation clearing vs native vegetation clearing recorded on clearing registers). AREA assumes no liability for any inaccuracies in or omissions to that information.

Due to the sampling nature of this audit, some issues, non-compliances or improvements might not have been identified in the present report. This does not imply that these issues do not exist or comply. Employees, management and other stakeholders of the organisation need to be and are responsible for their own QMS by continuously identifying and taking necessary action to ensure continued compliance with the project requirements, and legislation.

Opinions presented herein apply to the site as it existed at the time of the audit and are derived from information provided to the AREA by BWF and GE representatives and government agencies. Any changes to this information or any additional information, which has not been brought to the attention of the auditor at the time of the audit, is not considered in this report.

5 Recommendations

5.1 Non-compliances

As per Section 4-4, BWF was found to be NC for Condition F5 as consultation with the CL&W and DPI (Fisheries) within six months of the cessation of construction activities at the relevant areas had not occurred.

Condition F5 NC Recommendation:

The proponent is recommended contact CL&W and DPI (Fisheries) regarding this Condition and provide a copy of the Niche Revegetation Monitoring Report, third site visit 2021.

Areas which may be of interest to CL&W and DPI where mapped hydrolines and Key Fish Habitat intersect BWF internal roads have been indicated on a map, see Photo Reference 13, Appendix B. Photos of these areas could be provided with consultation.

5.2 Opportunities for improvement

Other areas recommended for improvement are outlined in Table 5-1 below. Some items are repeated as they are relevant to multiple conditions.

Table 5-1: Areas recommended for improvement

Relevant Condition of Consent	Recommendation
Condition B7	The Decommissioning and Rehabilitation Plan (DRP) is scheduled to be updated in May 2022 and needs to include Modification 4.
Condition B9	EPL (01/02/2019) on BWF website needs to be updated to most recent version (4/11/2020)
Condition C6(b)	BBMAP Monthly Monitoring Report - December 2019, Report No. 15124 (14.0) needs corrections to be listed as the 7th monitoring report. Monthly monitoring report May 2021 not evidenced. The addition of this report would total 24 months (2 years) of monitoring.
Condition C7	The Biodiversity Offset Package needs additional information demonstrating how offset obligations have been met through payment into the BCT.
Condition D4	Some documents on the Project website need updating to current versions, dates inserted (since the project shifted from construction to operation), or are overdue for an annual review: <ul style="list-style-type: none"> • EPL license needs most recent version online • Compliance Tracking Program needs updating regarding relevant dates and timing as the project has moved from construction to operation since the program was developed. Also, the reference to the CEMP should be replaced with the OEMP. • Pollution Incident Response Management Plan overdue for annual review • OEMP overdue for annual review Biodiversity Offset Package needs additional information demonstrating how offset obligations have been met through payment into the BCT.

Relevant Condition of Consent	Recommendation
Condition D5	The Compliance Tracking Program Document needs updating in regard to relevant dates and timing updated as well as change the reference to the superseded CEMP to current OEMP.
Condition D9	As per the letter from the Secretary dated 31/8/2018, the 2018 IEA and IEA action plan should be uploaded to the company website.
Condition F5	<p>Non-Compliant The proponent is recommended contact CL&W and DPI (Fisheries) regarding this Condition and provide a copy of the Niche Revegetation Monitoring Report.</p> <p>Areas which may be of interest to CL&W and DPI where mapped hydrolines and Key Fish Habitat intersect BWF internal roads have been indicated on a map, see Photo Reference 13, Appendix B. Photos of these areas could be provided with consultation.</p>
Condition F10	Have the results (of noise monitoring within 3 months of commissioning) been provided to DPE within one calendar month of completion of the monitoring and assessment report? If this has been done the OEMP needs to be updated accordingly. If it has not been done the results need to be submitted to DPE.
Condition F19	<p>As per the OEMP Approval letter it is unclear if: <i>further works are required to determine specific sector management measures that will be used by Bodangora to ensure noise criteria are not exceeded.</i></p> <p>This needs to be clarified and the OEMP updated accordingly if required.</p> <p>The OEMP is overdue for annual review and needs to be updated as required.</p>

The involvement of three separate entities in the construction and operation of BWF; Iberdrola (Infigen), CATCON and GE; has meant there is some overlap in responsibilities, documentation and management plans etc.; some of which have not been updated since the Project commenced operation. Updating and streamlining of documentation will help with future audits.

6 Conclusion

Overall, the compliance performance of the BWF is strong. The BWF has an effective management structure and team, is committed to health, safety, environment, and rehabilitation. It has multiple well organised policies, procedures and systems in place to ensure compliance with all relevant conditions. The Project is considered to have achieved a high level of compliance with the Project Approval MP 10_0157 and Environmental Protection Licence 20927. Majority of BWF project documentation and operations were found to be adequate, had received the appropriate approval and had been satisfactorily actioned during commission and operation of the BWF. Some documents need updating to current versions, dates inserted (since the project shifted from construction to operation) or are overdue for an annual review.

A detailed 'Independent Audit Table' identifying audit findings, comments and recommendations is presented in Appendix A. Only one Non-compliance was identified against relevant approvals which involves notification to CL&W and DPI (Fisheries) post construction which has not occurred. Recommendations have been made regarding how to meet this Condition F5.

Updating and streamlining of documentation will help with future audits.

Appendix A – Independent Audit Table

Definition of Compliance Status (as per DPIE Independent Audit Post Approval Requirements)

C	Compliant
NC	Non-compliant
NT	Not triggered

A note about the different entities referred to in this IEA:

Bodangora Wind Farm (BWF) is a wholly owned subsidiary of Iberdrola. Iberdrola was formally known as Infigen. The engineering, procurement and construction (EPC) of the BWF project was undertaken by the civil engineering construction Principal Contractor company CATCON, partnered with GE Renewable Energy (GE). GE continues on as the contractors for the Operation and Management (O&M) of the BWF, in conjunction with Iberdrola.

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
SCHEDULE B – ADMINISTRATIVE CONDITIONS					
TERMS OF APPROVAL					
B1	The Proponent shall carry out the Project: (a) generally in accordance with the EA; and (b) in accordance with the conditions of this approval	All evidence collected to inform this IEA outlined in this table is relevant to the EA and Bodangora Wind Farm (BWF) Project Approval Conditions.	Generally, the Project has been carried out in accordance with the EA and Project Approval. Areas of Non-compliance have been highlighted for action.	C	-
B2	In the event of an inconsistency between the documents referred to in condition B1, the most recent document shall prevail to the extent of any inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Noted	-	NT	-
B3	The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: <ul style="list-style-type: none"> any strategies, plans, programs, reviews, audit correspondence that are submitted in accordance with the requirements of this approval; any report, reviews or audits commissioned by the Department regarding compliance with this approval; and the implementation of any actions or measures contained in these documents. 	Evidence was available during the audit to demonstrate that the Proponent complies with all requests from the Secretary.	Considered compliant	C	-
B4	Subject to confidentiality, the Proponent shall make all documents required under this Approval available for public inspection on request.	The auditor is unaware of any refused request.	Considered compliant	C	-
LIMITS OF APPROVAL					
B5	This Approval lapses 5 years after the date of this Approval unless the Proponent has confirmed to the satisfaction of the Secretary that orders have been placed for wind turbines, or demonstrated that work subject of this Approval has been completed on the Site before the date on which the Approval would otherwise lapse under this condition. Work, for the purpose of this condition includes at least one of the following: (a) internal track construction; (b) civil works associated with the construction of the foundations for the wind turbine footings; (c) control room construction; (d) electrical substation construction; (e) underground cabling; or (f) internal overhead transmission line construction.	Work on the project is now complete and the Project is now in operation.	Considered compliant	C	-
B6	The Project shall not exceed 33 wind turbines.	Evidence: <ul style="list-style-type: none"> Review of approval documents Satellite imagery Site inspection 	All recent documentation refers to 33 turbines. Confirmed by satellite imagery and site inspection. Considered compliant	C	-
B7	Prior to the commencement of construction, the Proponent shall provide written evidence to the satisfaction of the Secretary that the lease agreements with the site landowners have adequate provisions to require that the that	Evidence:	Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	decommissioning occurs in accordance with this Approval and is the responsibility of the Proponent.	<ul style="list-style-type: none"> BWF Decommissioning & Rehabilitation Plan 23 June 2017 which states: <i>'The Bodangora Wind Farm lease agreements have adequate provisions to require that decommissioning occurs in accordance with the Approval and is the responsibility of Bodangora Wind Farm Pty Ltd. In compliance with Project Approval B7, written evidence has been provided to the Department of Planning and Environment (DPE). Approval of this was received from the DPE on 14th December 2016.'</i> Director General's Environmental Assessment Report – Major Project Assessment: Bodangora Wind Farm, Page 52 which states: <i>'The Department is satisfied that these matters (in regard to decommissioning) have been adequately addressed.'</i> 	As discussed in the construction IEA conducted by J2M Systems in July 2018 this issue is considered by Infigen (Iberdrola) to have been managed prior to project funding and approval to proceed. Recommendation The Decommissioning and Rehabilitation Plan (DRP) is scheduled to be updated in May 2022 and needs to include Modification 4.		
B8	If any wind turbine is not used for the generation of electricity for a continuous period of 12 months, it shall be decommissioned by the Proponent, unless otherwise agreed by the Secretary. The Proponent shall keep independently verified annual records of the use of wind turbines for electricity generation. Copies of these records shall be provided to the Secretary upon request. The relevant wind turbine and any associated infrastructure is to be dismantled and removed from the site by the Proponent within 18 months from the date that the wind turbine was last used to generate electricity.	All 33 turbines are currently active – Iberdrola, and its maintenance partner GE, have multiple platforms and systems including 'Smartsheet' and 'Risk Wizard' which continuously monitor turbine function and output. All records are available for audit or verification if required such as for EPA, DPIE and AEMO.	Considered compliant All 33 turbines are currently commissioned and operational.	C	-
Statutory Requirements					
B9	The Proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the Project. No condition of this approval removes the obligation of the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the Project.	BWF was approved under (since repealed) Section 75J of the Environmental Planning & Assessment Act as a <i>Part 3A Major infrastructure and other projects</i> . Original Project Approval (MP 10_0157) has since been modified 4 times, current version is Modification 4, December 2017. Project Approval and Environmental Protection Licence (EPL) are the only licences, permits, and approvals required and obtained for the project. Evidence sighted: <ul style="list-style-type: none"> Environmental Protection Licence 20927(29-Jun-2017), due for review 29 Jun 2022. EPL available on website and sighted during the audit Project Approval available on website and sighted. 	Considered compliant Recommendation: EPL (01/02/2019) on BWF website needs to be updated to most recent version (4/11/2020)	C	-
B10	For the purpose of section 75S(2)(b) of the EP&A Act, the relevant provisions, as defined in section 75S(1A) of the EP&A Act, apply to this approval. <i>Note: This condition is relevant to construction and occupation certificates for the Project</i>	This Condition relates to erection and occupation of buildings. As discussed in the construction IEA conducted by J2M Systems construction certificates were provided on request. Occupation Certificate OC-18360 from Blackett Maguire and Goldsmith dated 31/01/2019 was sighted.	Considered compliant	C	-
STAGING					
B11	With the approval of the Secretary, the Proponent may submit any plan or program required by this approval on a progressive basis. To ensure the plans or programs under the conditions of this approval are updated on a regular basis, the Proponent may at any time submit revised plans or programs to the Secretary for approval. With the agreement of the Secretary, the Proponent may prepare any revised plan or program without undertaking consultation with all the parties referred to under the relevant condition of this approval. <i>Notes:</i> <ul style="list-style-type: none"> While any plan or program may be submitted on a progressive basis, the Proponent must ensure that all development being carried out on site is covered by suitable plans or programs at all times. If the submission of any plan or program is to be staged, then the relevant plan or program must clearly describe the specific stage to which the plan or program applies, the relationship of this stage to any future critical stages, and the trigger for updating the plan or program. 	The Project was not staged but has been modified four times since original approval. The Construction IEA conducted by J2M Systems in 2018 detailed updates to the CEMP which has since been replaced by the OEMP. Notes have been made throughout this current audit where plans or programs needs to be updated to be current and relevant.	Notes have been made throughout this current audit where plans or programs needs to be updated to be current and relevant.	NT	-
B12	Deleted	-	-	-	-
COMPLIANCE					
B13	Deleted	-	-	-	-
B14	Deleted	-	-	-	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
B15	In the event of a dispute between the Proponent and a public authority, in relation to an applicable requirement in this Approval or relevant matter relating to the Project, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.	The auditor was not aware of any such matter.	-	NT	-
PLANNING AGREEMENT					
B16	The Proponent shall implement the Planning Agreement entered into with Council, dated 12 March 2012 (or as updated), unless otherwise agreed by Council. The contributions shall be consistent with the general terms of agreement between Council and the Proponent, including: (a) development contributions towards a community benefit fund, road maintenance, and Project related Council Administration; and (b) agreed arrangements regarding the Traffic Study to be undertaken and the consequential road upgrade works, at the expense of the Proponent.	The Construction IEA conducted by J2M Systems in 2018 states this condition seems to be managed. The planning Agreement between Wellington Council (now Dubbo Regional Council) and BWF 01/03/2013 was accessed via Dubbo Regional Council Website. Correspondence with Peter James from Dubbo Regional Council on 21/5/2019 was viewed which stated: <i>I have reviewed the Post-Construction Dilapidation Road Report for the Bodangora Wind farm that you have provided and agree that all items required in the construction phase of the Voluntary Planning Agreement (between Catcon and Dubbo Regional Council) have been satisfactorily closed out.</i> Dubbo Regional Council was contacted on 27/01/2022 and 16/02/2022 for comment and to confirm that BWF has been meeting the obligations of the Planning Agreement and has making ongoing contributions to the Bodangora Community Fund. No response has been received to date.	No response was received from Dubbo Regional Council, but BWF Site Manager reports regular positive engagement with council staff over various matters and development contributions are made as per the VPA. Considered compliant	C	-
MICRO-SITING RESTRICTIONS					
B17	The Proponent may micro-site the wind turbines and ancillary infrastructure without further approval provided: (i) no wind turbine is moved more than 100 metres from the relevant GPS coordinates in Appendix 1; (ii) the revised location of the wind turbine is at least 30 metres from existing hollow-bearing trees; or where the approved turbine location is already within 30 metres of existing hollow-bearing trees, the revised location of the turbine is not moved any closer to existing hollow-bearing trees; (iii) no ancillary infrastructure (other than access tracks) is moved more than 100 metres from the location shown on the figure in Appendix 1; (iv) any access tracks remain within the access track corridor shown on the figure in Appendix 1; and (v) the revised location of the wind turbine and/or ancillary infrastructure would not result in any non-compliance with the conditions of this approval. <i>Note: Turbines 28 and 31, the section of access track between turbine 25 and 26 and the section of underground cabling between turbine 26 and 27 cannot be micro-sited further from the locations shown in Appendix 1.</i>	The Construction IEA conducted by J2M Systems in 2018 states this condition seems to be managed.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
FINAL LAYOUT PLANS					
B18	Prior to the commencement of construction, the Proponent must submit detailed plans of the final layout of the Project 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. <i>Note: If the construction of the Project is to be staged, then the provision of these plans may be staged.</i>	The Construction IEA conducted by J2M Systems in 2018 states this condition seems to be managed.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
NOTIFICATION TO DEPARTMENT					
B19	Prior to the commencement of the construction, operation and/or decommissioning of the Project or the cessation of operations, the Proponent must notify the Department in writing of the date of commencement or cessation. If the construction, operation and/or decommissioning of the Project is to be staged, then the Proponent must: (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 (b) inform the local community and the Community Consultation Committee (CCC) about the proposed staging plans.	This condition is relevant to commencement of operation for this 2022 audit. Letter dated 11 th March 2019 sighted from Bodangora Wind Farm to the Department notifying of practical completion and commencement of operation of the Project on 8 th March 2019. Meeting minutes from the Community Consultative Committee, available on the Iberdrola website document notification of commencement of operation from (then) Infigen to the community.	Considered Compliant	C	-
SCHEDULE C – ENVIRONMENTAL PERFORMANCE					
BIODIVERSITY					
Operating Conditions					

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
C1	The Proponent must: (a) ensure that no more than 1.32 hectares (ha) of native vegetation is cleared for the Project, unless the Secretary agrees otherwise; (b) minimise: · impacts on hollow-bearing trees; · impacts on threatened bird and bat populations; and · the clearing of native woodland vegetation and fauna habitat.	Letter from Tony Clark (BWF) to Phillipa Duncan (DPE) 06/11/2017 re: request to adjust native vegetation clearance limit Letter from Mike Young (DPE), as nominee of the Secretary dated 24/11/2017 re: Condition C1 and C7 stating: <i>The department has agreed to Infigen's request to the increase the clearing limit for the project (from 1.32 hectares to 3 hectares) and has approved the updated BOP</i> The BWF Biodiversity Offset Package (BOP) Version 2 dated 23/02/2018 as supplied on the BWF website Letter from Zachary Wood CATCON to Stuart Black confirming: <ul style="list-style-type: none"> 1.04 hectares (ha) of native vegetation has been cleared, as shown on enclosed Native Vegetation Clearing Register; and Impacts on hollow-bearing trees; threatened bird and bat populations; and the clearing of native woodland vegetation and fauna habitat has been minimised, in accordance with BODW1-GEN-PL-00003 - Bodangora Wind Farm Construction Environmental Management Plan (CEMP) and BODW1-GEN-PL-00005 – Bodangora Wind Farm Construction Biodiversity Management Plan (CBMP). Site inspection and aerial imagery Bodangora Wind Farm Clearing Register showing 1.04 hectares cleared by CATCON during construction of the project Transgrid clearing register for the electricity transmission line showing 1.3175 hectares of native vegetation cleared and map showing location of clearing sighted. Total clearing of native vegetation 1.04 + 1.3175 = 2.3575 hectares	Whilst the original approval for the project allowed for a clearing limit of 1.32 hectares, detailed investigation of the transmission line route and consultation with TransGrid identified that the project would result in additional clearing of native vegetation in order to minimise the bushfire risk associated with operation in the transmission line, requiring the clearing limit be increased from 1.32 hectares to 3 hectares. The proponent consulted with the DPE and OEH and was granted approval to increase the clearing limit, providing the additional area is appropriately offset (see Condition C7). As per the letter from CATCON impacts to fauna habitat and vegetation has been minimised as far as possible – review of aerial imagery shows how trees have been avoided as far as possible by strategic placement of wind turbines and roads. The clearing registers show 1.04 hectares of native vegetation clearance for the establishment of the wind farm and 1.3175 hectares for the electricity transmission line, totaling 2.3275 hectares of native vegetation. This total is less than the 3 hectares approved by the Secretary on 24/11/2017. Considered compliant	C	-
C2	Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (coarse woody debris) in rehabilitated areas or in derived native grassland (either in offset areas or areas adjoining impacted areas) and details included in the Construction Biodiversity Management Plan required by condition E21(f).	The Construction IEA conducted by J2M Systems in 2018 states this condition seems to be managed.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
C3	Deleted	-	-	-	-
C4	Deleted	-	-	-	-
C5	Deleted	-	-	-	-
Bird and Bat Monitoring and Management					
C6	Prior to the commencement of construction, the Proponent shall prepare and submit for the approval of the Secretary a Bird and Bat Adaptive Management Program, which takes into account bird / bat monitoring methods identified in the current editions of AusWEA Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia and Wind Farm and Birds: Interim Standards for Risk Assessment. The Program shall be prepared in consultation with OEH and implemented by a suitably qualified expert, approved by the Secretary. The Program shall incorporate Monitoring, and a Decision Matrix that clearly sets out how the Proponent will respond to the outcomes of monitoring. It shall:	The Bird and Bat Adaptive Management Program (BBMAP) dated June 2017, Report number 15124(3.6) is available on Infigen Website (https://www.infigenenergy.com/assets/Documents/Bodangora/1.-Bodangora-Wind-Farm-BBAMP-June-2017.pdf , accessed 2 Feb 2022) The BBMAP annual monitoring report for 2020 is available on Infigen Website (https://www.infigenenergy.com/assets/Bodangora-Wind-Farm-BBAMP-Annual-Report-2020.pdf , accessed 2 Feb 2022) The BBMAP annual monitoring report for 2021 is available on Infigen Website (https://www.infigenenergy.com/assets/BOD-BBAMP-Annual-Report-2021.pdf , accessed 2 Feb 2022). Bodangora Wind Farm Monthly monitoring reports for monthly survey events - reports from June 2019 (Report No. 15124 (8.0) to April 2021 (Report No. 15124 (2021.04). May 2021 monthly monitoring report not sited) Bodangora Wind Farm – Grey-Crowned Babbler Survey, Brett Lane & Associates Pty Ltd, January 2018. Report No. 15124 (4.2) Bodangora Wind Farm – Targeted Superb Parrot Survey Spring 2017 – Summer/Autumn 2019, Brett Lane & Associates Pty Ltd, May 2018. Report No. 15124 (6.0) BBMAP consultation with OEH (Biodiversity, Conservation & Science - BCS) sighted include: <ul style="list-style-type: none"> Infigen letter dated 19 January 2018, re: submission of pre-construction survey and spring survey. BL&A email to OEH dated 10 April 2017 and 11 April 2017, re: submission of Bodangora BBAMP related documents for review BL&A email to OEH dated 9 May, 2017, re: OEH Response - revised Bodangora Wind Farm BBAMP Confirmed OEH input into BBMAP annual monitoring report for 2021. Email to AREA dated 21 January 2022 	The BBAMP for Bodangora Wind Farm (BWF) was approved by the Secretary June 2017 (letter dated 07/06/2017). The report undertaken as per AusWEA Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia and Wind Farm and Birds: Interim Standards for Risk Assessment. The BBAMP is compliant with this condition. Consultation with OEH (now Biodiversity, Conservation & Science - BSC) has occurred throughout the implementation of the BBAMP. Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		<ul style="list-style-type: none"> Confirmed Approval of BBMAP from Department of Planning. Email to Infigen 7 June 2017 			
	(a) incorporate an ongoing role for the suitably qualified expert;	<p>Evidence sighted</p> <ul style="list-style-type: none"> Curriculum Vitae for Brendan O'Callaghan Curriculum Vitae for Brett Lane Nature Advisory website (formerly Brett Lane and Associates) https://natureadvisory.com.au/our-people accessed 2 February 2022 	<p>Brendan O'Callaghan, Senior Ecologist and Project Manager and Brett Lane, Principal Consultant at Brett Lane Associates were nominated in the approved plan and nominated to implement the plan. One of the nominated personnel was present during each monthly survey over the 24 month monitoring period at the BWF.</p> <p>Brett Lane Associates is a specialist ecological consultancy with a wealth of experience in preparing and implementing bird and bat impact monitoring programs for wind farms. Previous experience has been a 3 year monitoring program at Capital Wind Farm in NSW, 2 year monitoring program at Woodlawn Wind Farm in NSW and a 2 year program at Chalicum Hills Wind Farm in Victoria.</p> <p>Considered compliant</p>	C	-
	(b) set out monitoring requirements in order to assess the impact of the Project on bird and bat populations, including details on survey locations, parameters to be measured, frequency of surveys and analyses and reporting. The monitoring program shall be capable of detecting any changes to the population of birds and / or bats that can reasonably be attributed to the operation of the Project, that is, data may be required to be collected prior to the commencement of construction;	<p>Evidence sighted</p> <ul style="list-style-type: none"> BBAMP - Second Annual Report, Nature Advisory, September 2021. Report No. 15124 (20.1) Annual Report on the Implementation of the Bird and Bat Adaptive Management Plan, Nature Advisory, August 2020. Report No. 15124 (20.0) NOTE: Monthly Monitoring Report - December 2019, Report No. 15124 (14.0). Corrections to the dates in the December monitoring report need to be made and it be listed as the 7th monitoring report. Bodangora Wind Farm Mortality Estimate - Years 1 and 2 Prepared for Nature Advisory by Symbolix, 17 September 2021, Ver. 1.0 <p>Monthly monitoring report May 2021 not evidenced. The addition of this report would total 24 months (2 years) of monitoring.</p>	<p>The approved BBAMP states that the first two years of operation of the BMF will provide focused monitoring to inform of impacts and mortality estimates of birds and bats at the windfarm.</p> <p>As per the BBAMP (Section 3.1.1) 'an initial one year of monitoring is proposed for the Superb Parrot to include the following: Summer –Autumn Migration (1 February to 30 April).' The focused Superb Parrot Survey, Nature Advisory, May 2018. Report No. 15124(6.0) indicates that all survey requirements for the Superb Parrot were met, no behaviours that meet the definition of Superb Parrot 'risk' behaviour were recorded during the surveys at Bodangora Wind Farm. No mortalities of Superb Parrots were recorded during the two-year monitoring period. The risk posed to Superb Parrot from the BWF is assessed as low. The survey, results and findings of this report are satisfactory. No further recommendations.</p> <p>Pre and Post-construction surveys were undertaken for the Grey-crowned babbler (GCB). During monitoring no GCB were detected as mortalities during two years of carcass monitoring. There is no evidence of 'indirect' impact on this species by the operation of the BWF. The risk posed to GCB from the BWF is assessed as low. The survey, results and findings of this report are satisfactory. No further recommendations.</p> <p>Two years of carcass monitoring has yielded little meaningful data from a total of 68 insectivorous bat carcasses located - a significant number of mortalities may have gone unnoticed during these carcass detection surveys.</p> <p>The reporting period coincided with drought, regional fires, heavy summer rains and a regional rodent plague. It is unclear whether highly mobile raptor species found on site were responding to regional conditions or increased food supply or not. The report states that it is unknown whether they will continue to occupy and/or abandon the BWF area in future when conditions change.</p> <p>Considered compliant</p>	C	-
	(c) incorporate a decision making framework that sets out specific actions and when they may be required to be implemented to reduce any impacts on bird and bat populations that have been identified as a result of the monitoring;	BBAMP - Second Annual Report, Nature Advisory, September 2021. Report No. 15124(20.1)	<p>Biodiversity, Conservation & Science (BCS) collaborated with Infigen and their consultants, Nature Advisory, during the 2021 LRFF incident trigger mortality event. The final Little Red Flying Fox Impact Report that was produced can serve as a solid basis in implementing timely mitigation measures should a similar event occur in the future.</p> <p>Considered compliant</p>	C	-
	(d) identify 'at risk' bird and bat groups, seasons, and / or areas within the Project site which may attract high levels of mortality and include monthly mortality assessments and periodic local population census' and bird utilisation surveys;	<p>'At Risk' fauna identified in the BBMAP include the: Superb Parrot, Grey Crowned Babbler, Raptors and the White-Throated Needletail.</p> <p>Evidence sighted</p> <ul style="list-style-type: none"> BBAMP - Second Annual Report, Nature Advisory, September 2021. Report No. 15124(20.1) 	<p>Two impact triggers occurred during the 2-year monitoring period (Black Falcon and Nankeen Kestrel). An investigation into the mortality of a single Black Falcon, listed under the BC Act, was undertaken in April 2019 prior to the formal implementation of the BBAMP and findings were presented to BCS (BL&A 2019). The investigation concluded that the</p>	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		<ul style="list-style-type: none"> Annual Report on the Implementation of the Bird and Bat Adaptive Management Plan, Nature Advisory, August 2020. Report No. 15124(20.0) Monthly monitoring reports for monthly survey events report from June 2019 to April 2021 (except for May 2021 not sited) Bodangora Wind Farm – Grey-Crowned Babbler Survey, Brett Lane & Associates Pty Ltd, January 2018. Report No. 15124(4.2) Bodangora Wind Farm – Targeted Superb Parrot Survey Spring 2017 – Summer/Autumn 2019, Brett Lane & Associates Pty Ltd, May 2018. Report No. 15124(6.0) Bodangora Wind Farm – Spring Survey of the Superb Parrot Survey, Brett Lane & Associates Pty Ltd, January 2018. " 	<p>mortality was likely a one-off occurrence and the risk of re-occurrence was very low. The Black Falcon investigation report (BL&A 2019) was not sighted, however the results were included in the 2021 Annual BBMAP monitoring report.</p> <p>After a large number of fatalities of Nankeen Kestrel occurred during the autumn of 2021, an investigation was undertaken to establish impacts and likelihood of reoccurrence. The investigation (Nature Advisory 2021a) concluded that a high number of fatalities was directly attributed to increased breeding success following a regional mouse plague. Large numbers of juvenile birds were recorded. The Nankeen Kestrel investigation report (Nature Advisory 2021a) was not sighted, however the results were included in the 2021 Annual BBMAP monitoring report.</p> <p>During the implementation of the BBAMP, investigations were launched into three species of bats following collision with turbines including an incident trigger for the Little Red Flying-fox (LRFF). These species include the following: Grey-headed Flying-fox (GHFF), Yellow-bellied Sheathtail Bat and Little Red Flying-fox.</p> <p>Considered compliant</p>		
	(e) identify potential mitigation measures and implementation strategies in order to reduce impacts on birds and bats such as minimising the availability of raptor perches, swift carcass removal, pest control including rabbits, use of deterrents, and sector management including switching off turbines that are predicted to or have had an unacceptable impact on bird / bat mortality at certain times; and	BBAMP - Second Annual Report, Nature Advisory, September 2021. Report No. 15124(20.1)	<p>Recommendations in the BBAMP- Second Annual Report were made in regard to carrion removal and restrict lambing and feeding near turbines. However, no recommendation was made to extend the carcass search program. Further research into potential mitigation measures were recommended for the Wedge-tailed Eagle and Insectivorous Bats. Incidental monitoring is recommended for the Little Red Flying Fox colony. Future annual reporting was recommended.</p> <p>Considered compliant</p>	C	-
	(f) identify matters to be addressed in periodic reports in relation to the outcomes of monitoring, the application of the decision making framework, the mitigation measures identified, progress with the implementation of such measures, and their success.	<p>The Bird and Bat Adaptive Management Program (BBAMP) dated June 2017, Report number 15124(3.6) is available on Infigen Website (https://www.infigenenergy.com/assets/Documents/Bodangora/1.-Bodangora-Wind-Farm-BBAMP-June-2017.pdf, accessed 2 Feb 2022) states:</p> <p><i>The report referred to under part (f) shall be submitted on an annual basis for the first five years if operation and every two years thereafter (unless otherwise agreed by the Secretary) these recommendations should continue to be reported to the regulator in an annual report. The secretary may, at the request of the proponent at anytime vary the reporting requirements or period by notice on writing to the proponent.</i></p> <p>BBAMP - Second Annual Report, Nature Advisory, September 2021. Report No. 15124(20.1)</p> <p>Annual Report on the Implementation of the Bird and Bat Adaptive Management Plan, Nature Advisory, August 2020. Report No. 15124(20.0)</p>	<p>Monitoring outcomes and recommendations have to date been addressed in the monthly and annual monitoring reports. These recommendations should continue to be reported to the regulator in an annual report.</p> <p>The continued reporting to BSC will provide an opportunity to monitor impacts on 'at-risk' species and in particular the LRHH, GHFF and Wedge-tailed Eagle, and adaptive management can be applied in reviewing carrion removal or potential additional survey requirements.</p> <p>Considered compliant</p>	C	-
	<p>The Reports referred to under part (e) shall be submitted to the Secretary and OEH on an annual basis for the first five years of operation and every two years thereafter (unless otherwise agreed to by the Secretary), and shall be prepared within two months of the end of the reporting period. The Secretary may, at the request of the Proponent at anytime, vary the reporting requirement or period by notice in writing to the Proponent.</p> <p>The Proponent is required to implement feasible and reasonable mitigation measures as identified under part (d) where the need for further action is identified through the Bird and Bat Adaptive Management Program, or as otherwise agreed with the Secretary.</p>	<p>Confirmed BCS input to the BBAMP annual monitoring report for 2021 . Email to AREA dated 21 January 2022</p> <p>BBAMP - Second Annual Report, Nature Advisory, September 2021. Report No. 15124(20.1)</p> <p>Annual Report on the Implementation of the Bird and Bat Adaptive Management Plan, Nature Advisory, August 2020. Report No. 15124(20.0)</p>	<p>The initial two years of monitoring reports have been submitted to the Secretary and BCS as per the project approval conditions. All were prepared within two months of the reporting period. Where further action may be necessary under the BBAMP, such a 'trigger events', the LRFF document would serve as a base document should actionable events occur in the future.</p> <p>Considered compliant</p>	C	-
Biodiversity Offset Package					
C7	Following final design, and prior to commencement of construction in areas requiring native vegetation clearing, or as otherwise agreed to by the Secretary, the Proponent shall develop and submit a Biodiversity Offset Package for the approval of the Secretary. The Package shall detail how the ecological values lost as a result of the Project will be offset. The Biodiversity Offset Package shall be developed in consultation with the OEH and shall (unless otherwise agreed by the Secretary) include, but not necessarily be limited to:	<p>Evidence sited:</p> <ul style="list-style-type: none"> Biodiversity Offset Package 23/02/2018 available on BWF Website Letter from the Mike Young on behalf of the secretary on 24/11/2017 stating approving the increase in clearing limit and the BOP 	<p>The Biodiversity Offset Package (BOP) for the proposal was developed as per this condition and in consultation with the OEH to offset the impact of 3 hectares of native vegetation (as per Section B3). The BOP has been approved by the Secretary and is available on the proponent's website.</p> <p>The sequence for calculating and fulfilling the offsetting requirement occurs as follows:</p>	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	<p>(a) the identification of the extent and types of habitat that would be lost or degraded as a result of the final design of the Project;</p> <p>(b) the objectives and biodiversity outcomes to be achieved (including 'improve or maintain' biodiversity values), and the adequacy of the proposed offset considered;</p> <p>(c) the final suite of the biodiversity offset measures selected and secured, including but not necessarily limited to:</p> <p>i. an offset proposal which is supported by a suitable metric method (such as the Biobanking Assessment Methodology);</p> <p>ii. details of the relative condition and values of communities on the offset site in comparison to those to be impacted, including all areas of derived native grassland in moderate to good condition; and</p> <p>iii. proposed management actions and expected gains;</p> <p>(d) the monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including:</p> <p>i. the monitoring of the condition of species and ecological communities at offset locations;</p> <p>ii. the methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites; and</p> <p>iii. provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH;</p> <p>(e) timing and responsibilities for the implementation of the provisions of the Package;</p> <p>(f) evidence that the offset(s) has been acquired and / or is permanent and secure prior to the commencement of construction;</p> <p>(g) how securing the site addresses the residual impacts of the action on threatened species;</p> <p>(h) proposed long term funding for management actions as well as roles and responsibilities; and</p> <p>(i) key milestones, performance indicators, corrective actions and timeframes for the completion of all actions outlined in the Package.</p> <p>Land offsets shall be consistent with the Principles for the use of Biodiversity Offsets in NSW (OEH, 2011) and the Environmental Protection and Biodiversity Conservation Act 1999 – Environmental Offset Policy. Any land offset shall be enduring and be secured by a conservation mechanism which protects and manages the land in perpetuity. Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region.</p> <p>Where monitoring indicates that biodiversity outcomes are not being achieved, feasible and reasonable remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved.</p>	<ul style="list-style-type: none"> Letter from Infigen to the Biodiversity Conservation Trust (BCT) with the following attachments: <ol style="list-style-type: none"> Cover letter from Infigen to the BCT dated 09/10/2018 Application form for payment into the Biodiversity Conservation Fund by Infigen dated 08/10/2018 Statement of assessment of reasonable equivalence of biodiversity credits from OEH to BWF dated 3/08/2018 Biodiversity Offset Payment Calculator results dated 01/08/2018 Project boundary shape file Section 6.33 certificate Statement confirming payment into the BCF for an offset obligation dated 31/8/2018 which is used to demonstrate to the consent authority that this biodiversity credit obligation has been met. 	<p>1. Infigen developed the approved Biodiversity Offset Package (BOP) under the Biobanking Scheme which concluded the project needed 40 credits of PCT281 and 73 credits of PCT266 (PCT = plant community type)</p> <p>2. Initially Infigen was going to enter into a Biobanking agreement and establish an offset area within 'Glen Oak' to offset the credit requirement</p> <p>3. In 2017 the change in legislation meant the Biobanking Assessment Methodology (BBAM) was replaced by the Biodiversity Assessment Method (BAM)</p> <p>4. Infigen (Tim Maddever) then consulted with OEH and chose to pay into the Biodiversity Conservation Fund (BCF) under BAM rather than enter into the biobanking agreement</p> <p>5. OEH then calculated a 'reasonable equivalence' of biodiversity credits and decided that 40 credits of PCT281 and 56 credits of PCT266 was needed to be offset for the project</p> <p>6. Infigen paid the into the BCT for this offset obligation (\$254,451.42 on 31/8/2018)</p> <p>7. The offset obligation has been met; no further action is required.</p> <p>Considered Compliant.</p> <p>Recommendation:</p> <p>The Biodiversity Offset Package needs to be updated with additional information demonstrating how offset obligations have been met through payment into the BCT.</p>		
WATER QUALITY AND HYDROLOGY					
C8	Except as may be provided by an EPL, the Project shall be constructed and operated to comply with section 120 of the Protection of the Environment Operations Act 1997, which prohibits the pollution of waters.	As per the Construction IEA conducted by J2M Systems in 2018, no water pollution incidents were reported to or identified by the auditor.	Considered compliant	C	-
C9	Waterway crossings shall be designed and constructed in consultation with CL&W and DPI (Fisheries) and consistent with DPI (Fisheries) guidelines, Policy and Guidelines for Fish Friendly Waterway Crossings (2004) and Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004).	The Construction IEA conducted by J2M Systems in 2018 states this condition seems to be managed citing the following evidence: <i>Email from NSW DPI dated 14/11/2017 regarding Spicers Creek crossing. Email outlines approved under Condition C9 and E15, which required DPI consultation. Controlled activity license is not required as it is within the proposed construction areas. Gillinghall Road culverts not modified.</i> <i>The auditor did not assess each crossing, however the Spicers Creek crossing appears generally consistent with the requirements of DPI - Water.</i> See also Condition E13(b).	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
NOISE					
C10	Any overhead transmission line associated with the Project shall be designed, constructed and operated to minimise the generation of corona and aeolian noise as far as feasible and reasonable at nearest existing non-associated residences.	The Construction IEA conducted by J2M Systems in 2018 states this condition seemed to be managed during construction.	Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		There have been no official noise complaints recorded regarding generation of corona and aeolian noise from overhead transmission lines.			
HAZARDS AND RISK					
C11	Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with: (a) all relevant Australian Standards; (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and (c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997). In the event of an inconsistency between the requirements listed from (a) to (c) above, the most stringent requirement shall prevail to the extent of the inconsistency.	The Construction IEA conducted by J2M Systems in 2018 considered this an opportunity for improvement and recommended: <i>Consideration to be given to conducting a risk assessment and considering the risks and opportunities for centralising the storage of substances and providing a sheltered location for this in accordance with the NSW EPA Bunding and Spill Management Guidelines.</i> Site visit on 15/02/2022 incorporated viewing the chemical storage policies, procedures and facilities, SDS sheets, see Appendix B Photo Reference 1.	As per J2M Systems recommendation substances are centrally stored and sheltered. Policies and Procedures appear well constructed and executed. A spill kit was witnessed being used to contain a soap dispenser leak during site visit on 15/2/2022. BWF is evidently committed to health, safety and environment. Considered compliant	C	-
Aviation Obstacles and Hazards					
C12	Prior to the commencement of construction, the Proponent shall consult with: (a) aerodrome operators that have an aerodrome located within 30 kilometres of the boundaries of the site, to determine any impact on Obstacle Limitation Surfaces at such aerodromes; (b) AirServices Australia, to determine potential impacts on instrument approach procedures at aerodromes, navigational aids, communications and surveillance facilities; and (c) Aerial Agriculture Association Australia, to determine potential hazards to aerial application and related operations. Feasible and reasonable mitigation measures for each of the potential impacts and hazards identified, shall be determined in consultation with the respective groups identified in this condition, prior to the commencement of construction.	The Construction IEA conducted by J2M Systems in 2018 states this condition seemed to be managed during construction. <i>A register of correspondence and consultation with regard to aviation hazards and obstacles has been established and maintained by Infigen (sighted).</i> <i>Consulted (or advised) parties include:</i> · Bodangora Airport · AirServices Australia · Aerial Agricultural Association Australia · Civil Aviation Safety Authority · Royal Australia Air Force (RAAF) · Wellington Aero Club Inc.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
C13	Prior to the commencement of construction, the Proponent shall provide the following information to the Civil Aviation Safety Authority, Airservices Australia, Royal Australian Air Force - Aeronautical Information Services, the Aerial Agricultural Association of Australia, as well as all known users of privately owned local airfields: (a) coordinates in latitude and longitude of each wind turbine generator; (b) final height of each wind turbine generator in Australian Height Datum; and (c) ground level at the base of each wind turbine generator in Australian Height Datum.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
C14	Should increases to the costs of aerial agricultural spraying on any non-associated property surrounding the site be attributable to the operation of the Project, the Proponent shall fully fund to the affected landowner, the reasonable cost difference between pre-construction aerial agricultural spraying and the increased cost, as agreed between the relevant parties.	No increases to the costs of aerial spraying on surrounding properties have been reported.	Not triggered	NT	-
Radio Communication					
C15	Prior to the commencement of construction, the Proponent shall: (a) consult with the NSW Government Telecommunications Authority and other registered communications licensees (including emergency services) to ensure that risks to these services are minimised as far as feasible and reasonable. This may include the installation of additional radio sites or services to ensure coverage of radio communications are not degraded; (b) in the event that any disruptions to radio communication service links (installed before construction of the Project) arise as a result of the Project, the Proponent shall undertake appropriate remedial measures in consultation with the NSW Government Telecommunications Authority and relevant licensee to rectify any issue, including arranging the deployment of temporary measures in order to maintain effective coverage whilst more permanent measures are effected, within three months of the problem being identified, and at the expense of the Proponent; (c) consider remedial measures, including: i. modification to or relocation of the existing antennae; ii. installation and maintenance of additional radio sites or services;	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	iii. installation of a directional antennae; and / or iv. installation of an amplifier to boost the signal strength.				
Bushfire Risk					
C16	The Proponent shall ensure that all Project components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant RFS design guidelines (<i>Planning for Bushfire Protection 2006</i> and <i>Standards for Asset Protection</i>) and provide for necessary emergency management including appropriate fire-fighting equipment and water supplies on site to respond to a bush fire.	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition in regard to construction of the project.</p> <p>Evidence includes:</p> <ul style="list-style-type: none"> OEMP Bushfire Management Sub Plan Fire Management Plan for Bodangora Wind Farm, developed by Australian Bushfire Protection Planners Pty Ltd 28/04/2021 Site inspection 2022 where maintenance schedules and management systems including 'Smartsheet', 'Risk wizard' 'Jira' and 'Gensuite' which are set with reminders to carry out regular consultation, drills, inspections etc. and have capacity to report results, hazards, incidents etc. BWF Site manager regularly (usually September) consults with Nick Knowles from RFS and is a member of the local brigade Visitor Induction to BWF which covers what to do in case of bushfire <p>Bushfire prevention and management measures employed by BWF include:</p> <ul style="list-style-type: none"> Fire extinguishers in vehicles, throughout O&M building etc Electrical tools tagged and tested monthly Lightning protection measures adopted Diesel cars, regularly maintained Safe storage of Hazardous chemical and dangerous goods RFS website checked twice daily during fire season Infigen Operations Control Centre (24/7) monitors the daily Fire Danger Ratings for the area and any fires nearby site and notifies the Site Manager as per the Notification Protocol. Effective liaison with emergency services established Liaison, regular drills, and regular fire prevention inspections by the Rural Fire Service and implementation of any recommendations, occurring annually in Aug/Sept. Mobile water tank plus water storage tanks on site (see Photo Reference 2, Appendix B) Regular maintenance of vegetation growth around intrastate and facilities. BWF tractor and slasher sighted, weed spraying occurring regularly. 	<p>BWF is located in a dry rural area which is designated bush fire prone land. Bushfire Risk is something BWF takes very seriously as evidenced by their commitment to reducing the risk of bushfire and to enable appropriate response in the case of fire as evidenced by a multi layered bushfire management system.</p> <p>Considered compliant.</p>	C	-
C17	Throughout the operational life of the Project, the Proponent shall regularly consult with the local RFS about details of the Project, including the construction timetable and the final location of all infrastructure on the site. The Proponent shall comply with any reasonable request of the local RFS to reduce the risk of bushfire and to enable fast access in emergencies.	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition in regard to construction of the project.</p> <p>See evidence listed in Condition C16 above including regular consultation with local RFS..</p>	Considered compliant	C	-
VISUAL AMENITY					
Views					
C18	All non-associated receptor's whose dwelling may be subject to moderate to high visual impact, as defined in the EA, shall be consulted regarding impact minimisation measures. The outcomes of this consultation process shall be used to inform the Design and Landscape Plan, required under condition C26.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
C19	At the request of any owners of non-associated residential dwellings with views of a turbine(s) located within five kilometres of their dwellings, the Proponent shall provide and bear the full cost of reasonable landscaping treatments to visually screen these dwellings. Such a request may be made in writing by the owner of the dwelling within six months from the commencement of operation of the Project, and landscaping treatments agreed between the parties shall be implemented and completed within 12	<p>The approved Design and Landscaping Plan prepared by Moir Landscape Architecture 17/5/2018 (available of the BWF website) was reviewed in the 2022 audit (see also Condition 26).</p> <p>As per Section 3 of this Plan: Development & Design Measures for Visual Impact Mitigation:</p>	<p>Design and Landscaping Plan has been approved which includes for the option for the landowners to do it themselves at an agreed cost.</p> <p>BWF is dedicated to maintaining a positive and amicable relationship with landholders. Landholders were appropriately compensated.</p>	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	months of such an agreement. Should the parties not be able to reach agreement on the scope of landscaping treatments, then either party may refer the matter to the Secretary for resolution. The Secretary's decision on such a referral shall be final and binding on the parties.	<p><i>The landowner may negotiate to install the landscape themselves at an agreed cost. If the landholder chooses to install the landscape then BWFPL is released from all future obligations relating to maintenance and monitoring.</i></p> <p>The BWF site manager reports that letters were sent to all relevant owners of non-associated residential dwellings offering landscape treatments. Multiple landholders took up the offer. However due to the severe drought at the time (2016-2020) the idea was physical planting was abandoned due to the high risk of failure. Instead, an agreement was made with the landowners to be paid to undertake the landscape treatments themselves once climate conditions allowed. All relevant landowners have been compensated and the matter is considered closed.</p> <p>This is consistent with the approved Design and Landscaping Plan (refer item 4 in the table on page 9). The plan includes for the option for the landowners to do it themselves at an agreed cost. The landscape plan was approved, hence, no need for separate email or letter from DPE on this matter.</p> <p>As it was a commercial matter with each of the landowners no further details as to payments etc, were provided. The auditor assumes this has been occurred, BWF is dedicated to maintaining a positive and amicable relationship with landholders.</p>	Considered compliant		
C20	Landscaping works to reduce the visual impact of the Project shall generally comprise of indigenous and locally occurring species.	<p>The Design and Landscaping Plan prepared by Moir Landscape Architecture 17/5/2018 was reviewed in the 2022 audit. This Plan includes a schedule of suitable screen plant species which are native to the site.</p> <p>The list of pasture planting species for soil stabilization have four native species but also three introduced species. This list of species is only recommended for pasture planting in areas where existing vegetation has been cleared.</p> <p>Bodangora Windfarm Revegetation Monitoring Report – third site visit, Niche Environment and Heritage 18/03/2021 shows only areas which have previously been completely cleared being rehabilitated by direct seeding of exotic pasture grasses. This does not necessarily relate to Visual Amenity but it is however in accordance with the Design and Landscaping Plan</p>	Considered compliant	C	-
Turbine and Associated Infrastructure External Design					
C21	The Proponent shall maximise the use of building materials and treatments for associated infrastructure which visually complement the surrounding environment.	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.</p> <p>The Design and Landscaping Plan prepared by Moir Landscape Architecture 17/5/2018 was reviewed in the 2022 audit.</p>	<p>The Design and Landscaping Plan shows how this condition has been managed for example:</p> <ul style="list-style-type: none"> The substation is located out of view from residences and public roads Substation buildings and other buildings are single story and in keeping with the rural vernacular. External finish is Colorbond Surf Mist. Buildings are of height, bulk and scale consistent with typical farm buildings. Material and colour is low contrast to surrounding landscape. <p>Site inspection on 17/2/2022 confirmed infrastructure has been constructed as per Design and Landscaping Plan.</p> <p>Considered compliant</p>	C	-
C22	The turbines shall be painted off-white / grey. The blades shall be finished with a surface treatment that minimises any potential for glare or reflection. No advertising, signs or logos shall be mounted on the turbines, except where required for safety purposes.	Upon visual inspection the turbines appear painted in off-white/grey which is non-reflective. The auditor did not see advertising, signs or logos mounted on turbines.	Considered compliant	C	-
Shadow Flicker					
C23	Shadow flicker from the Project must not exceed 30 hours / annum at any residence not associated with the Project.	<p>The BWF site manager confirmed there is no shadow flicker occurring at non-associated residence exceeding the defined limit.</p> <p>No complaints have been received in regard to shadow flicker.</p>	Considered compliant	C	-
Substation					
C24	The substation and associated facility site shall be designed and constructed to minimise visual intrusion to the nearest sensitive receivers as far as feasible and reasonable including appropriate external finishes to minimise glare or reflection, landscape planting to screen views and external lighting requirements in accordance with Condition C25.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	<p>Considered compliant</p> <p>No official complaints have been received regarding the substation and associated facility site.</p>	C	-
Night Lighting					

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
C25	<p>With the exception of aviation hazard lighting implemented in accordance with the requirements of this condition, no external lighting other than low intensity security night lighting is permitted on site unless otherwise agreed or directed by the Secretary, or required by Civil Aviation Safety Authority.</p> <p>Prior to the commencement of construction, the Proponent shall consult with the Civil Aviation Safety Authority on the need for aviation hazard lighting in relation to the wind turbines. Any aviation hazard lighting shall be implemented in a manner that minimises visual intrusion to surrounding non-associated residences as far as feasible and reasonable.</p>	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	<p>The Design and Landscaping Plan shows how this condition has been managed:</p> <ul style="list-style-type: none"> No aviation lighting is required Only low intensity security lighting and personnel lighting is required at substation and buildings. <p>Site survey and meeting confirmed no external lighting other than occasional low intensity security night lighting.</p> <p>No official complaints have been received regarding the aviation hazard lighting or night lighting.</p>	C	-
Design and Landscape Plan					
C26	<p>A Design and Landscaping Plan shall be prepared to outline measures to ensure appropriate development and maintenance of landscaping on the site to achieve adequate landscape buffers and address the visual impacts arising from the Project, including turbines, site access roads and associated above ground infrastructure, as far as is feasible and reasonable.</p> <p>The Plan shall be prepared by a qualified landscape architect and where relevant meet any requirements of Council. The Plan shall include design treatments for the turbines and ancillary infrastructure, including, but not necessarily limited to:</p> <ol style="list-style-type: none"> the landscape screening measures at non-associated residences in close proximity to the Project site and along nearby roadsides to screen potential moderate to significant views of the Project, including an outline of additional measures available for requested landscaping treatments; landscape elements and built elements, including proposed treatments, finishes and materials of exposed surfaces (including colour specifications); lighting; a schedule of species to be used in landscaping; details of the timing and progressive implementation of landscape works; and procedures and methods to monitor and maintain landscaped areas. <p>The Plan shall be submitted for the approval of the Secretary prior to the commencement of permanent built works and / or landscaping, unless otherwise agreed by the Secretary. The Plan may be submitted in stages to suit the staged construction program of the Project.</p>	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition however the proponent was still awaiting approval of the plan at that time:</p> <p><i>Infigen awaiting NSW DPE approval of the revised (by NSW DPE and Dubbo Regional Council) Design and Landscape Plan, however it has been submitted as required by the requirements of this condition.</i></p> <p>The Design and Landscaping Plan prepared by Moir Landscape Architecture 17/5/2018 was reviewed in the 2022 audit which is available on the proponent's website. The landscaping plan outlines and meets all the relative conditions of consent.</p> <p>A letter from Steve O'Donoghue as nominee of the Secretary dated 06/09/2018 approving this plan was sighted.</p>	Considered compliant	C	-
UTILITIES AND SERVICES					
C27	<p>Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and / or support. Consultation with the relevant owner and / or provider of services that are likely to be affected by the Project shall be undertaken to make suitable arrangements for access to, diversion, protection, and / or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Proponent.</p>	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	No new utilities, services and other infrastructure have potentially been affected by operation.	NT	-
WASTE MANAGEMENT					
C28	<p>The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the <i>Protection of the Environment Operations Act 1997</i>, if such a licence is required in relation to that waste.</p>	Iberdrola site manager reported that no waste has been or is planned to be received on site.	No outside waste was identified during site inspection. Considered compliant	C	-
C29	<p>The Proponent shall maximise the reuse and / or recycling of waste materials generated on site by the Project, to minimise the need for treatment or disposal of those materials outside the site.</p>	<p>The Construction IEA conducted by J2M Systems in 2018 considered the proponent compliant with this condition during construction.</p> <p>Minimal waste materials are generated during operation. Evidence of reuse and recycling of waste materials was sighted during site visit on 15/02/2022 (See photo Reference 3 Appendix B).</p> <p>Waste minimisation strategies are outlined in both the BWF Operational Environmental Management Plan (02/11/2018) and the GE Environmental Management Plan (Jan 2022).</p>	Considered compliant	C	-
C30	<p>The Proponent shall ensure that no green waste associated with the Project is burnt on site during the life of the Project.</p>	Iberdrola site manager reported no burning of green waste is allowed on site.	Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
C31	The Proponent shall ensure that all liquid and / or non-liquid waste generated on the site is assessed and classified in accordance with Waste Classification Guidelines (DECC, 2008), or any future guideline that may supersede that document, and where removed from the site is only directed to a waste management facility lawfully permitted to accept the materials.	The Construction IEA conducted by J2M Systems in 2018 stated there was opportunity for improvement regarding this condition. <i>'The register tracking waste removal off site could be improved by capturing the type, volume and disposal location. Record (receipt) of disposal at licensed facilities could also be maintained.'</i> Site visit on 15/2/2022 confirmed the waste register has subsequently been updated as per recommendation.	Considered compliant	C	-
PROPERTY IMPACTS					
Crown Land					
C32	Prior to the commencement of construction of the Project, the Proponent shall consult with and comply with the requirements of the CL&W in relation to any Crown land affected by the Project to enable the lawful use of that land by the Project.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
C33	Prior to the commencement of construction of the Project, the Proponent shall, with the agreement of Council, assume full maintenance responsibility for any Crown road reserves associated with the Project which are identified as requiring dedication to Council during the life of the Project. The Proponent shall retain full maintenance responsibility for any such road(s) for the duration of their dedication to Council during the life of the Project.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
Trigonometric Reserves					
C34	Disturbance to Trigonometric Reserves shall be avoided during the life of the Project, unless otherwise approved by the Surveyor General and the relevant licence under the <i>Crown Lands Act 1989</i> is obtained by the Proponent.	No Trigonometric Reserves have been impacted.	Considered compliant	C	-
Mineral Resources					
C35	Prior to the commencement of relevant construction works, the Proponent shall consult with the Division of Resources & Geoscience and holders of mineral, mining and exploration titles or tenements, with respect to measures to be applied during construction and operation of the Project so as to minimise the potential for any sterilisation of resources on the tenement.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
SCHEDULE D – COMMUNITY INFORMATION, REPORTING AND AUDITING					
COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT					
Community Consultative Committee					
D1	From the commencement of construction, the Proponent must operate a CCC for the Project to the satisfaction of the Secretary, in accordance with the Community Consultative Committee Guidelines for State Significant Projects (2016) or its latest version.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition. Consultation with the CCC independent Chairperson, Ian Rogers, who stated: <i>I am familiar with the Community Consultative Committee Guidelines for State Significant Projects (November 2016; updated January 2019), and believe that the Bodangora Wind Farm CCC has been operating within those guidelines.</i>	A CCC for the project is currently still active. Considered compliant	C	-
Complaints and Enquiries Procedure					
D2	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Proponent shall ensure that the following are available for community enquiries and complaints for the life of the Project (including construction and operation) or as otherwise agreed by the Secretary: (a) a 24 hour telephone number(s) on which complaints and enquiries about the Project may be registered; (b) a postal address to which written complaints and enquires may be sent; (c) an email address to which electronic complaints and enquiries may be transmitted; and (d) a complaints management and mediation system for complaints unable to be resolved. The telephone number, the postal address and the email address shall be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information shall also be provided on the website (or dedicated pages) required by this Approval.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	The Iberdrola website currently outlines the contact details for feedback or complaints as well as the company's Complaints Handling Policy and Whistleblower Policy. Considered compliant	C	-
D3	Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Proponent shall prepare and implement a Complaints Management System consistent with AS 4269: <i>Complaints Handling</i> and maintain the System for the life of the Project.	As per the 2018 audit, JIRA is still currently system used to track incidents, complaints etc. JIRA captures details such as date, time, person details, nature of incident etc. The system was witnessed in action during site visit on 15/02/2022 and contains for example:	The proponent welcomes feedback and acts on all complaints swiftly and seriously. Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	Information on all complaints received, including the means by which they were addressed and whether resolution was reached, with or without mediation, shall be maintained in a complaints register and included in the construction compliance reports required by this Approval. The information contained within the System shall be made available to the Secretary on request.	<ul style="list-style-type: none"> reports of farmers stock out carcasses found person ringing complaint hotline to see if it works road repairs required. <p>Complaints recorded on JIRA during previous audit in 2018 could still be reviewed and were all resolved.</p> <p>Since operation only one official complaint to the EPA has been reported. Personal communication with BWF site manager outlined it as follows:</p> <p><i>On 7th November 2019, we were notified by the EPA of a noise complaint allegedly caused by a turbine near (>2km) a non-participating land holder. The EPA made a visit to site and conversations were held between the ourselves and the Complainant. The EPA were satisfied that we were within our limitations and did not proceed further. Efforts with the land holder stalled and have had no further correspondence with respect to noise with the land holder.</i></p>			
Provision of Electronic Information					
D4	<p>Prior to the commencement of construction, or as otherwise agreed by the Secretary, the Proponent shall establish and maintain a new website, or dedicated pages within an existing website, for the provision of electronic information associated with the Project, for the life of the Project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on the website or dedicated pages including, but not necessarily limited to:</p> <p>(a) information on the current implementation status of the Project;</p> <p>(b) a copy of the documents referred to under condition B1 of this Approval, and any documentation supporting modifications to this Approval that may be granted;</p> <p>(c) a copy of this Approval and any future modification to this Approval;</p> <p>(d) a copy of each relevant environmental approval / consent, licence or permit required and obtained in relation to the Project;</p> <p>(e) a copy of each current strategy, plan, program or other document required under this Approval;</p> <p>(f) the outcomes of compliance tracking in accordance with condition D5 of this Approval; and</p> <p>(g) details of contact point(s) to which community complaints and enquiries may be directed, including a telephone number, a postal address and an email address.</p>	<p>The website is active and can be readily accessed:</p> <p>https://www.infigenenergy.com/our-assets/owned-renewable-energy-assets/bodangora/</p>	<p>Considered compliant</p> <p>Recommendation:</p> <p>Some documents need updating to current versions, dates inserted (since the project shifted from construction to operation), or are overdue for an annual review:</p> <ul style="list-style-type: none"> EPL license needs most recent version online Compliance Tracking Program needs updating regarding relevant dates and timing as the project has moved from construction to operation since the program was developed. Also, the reference to the CEMP should be replaced with the OEMP. Pollution Incident Response Management Plan overdue for annual review OEMP overdue for annual review Biodiversity Offset Package needs additional information demonstrating how offset obligations have been met through payment into the BCT. 	C	-
COMPLIANCE MONITORING AND TRACKING					
Compliance Tracking Program					
D5	<p>The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this Approval. The Program shall be submitted to the Secretary for approval prior to the commencement of construction and operate for the life of the Project. The Program shall include, but not necessarily be limited to:</p> <p>(a) provisions for the notification of the Secretary prior to the commencement of construction and prior to the commencement of operation of the Project (including prior to each stage, where works are being staged);</p> <p>(b) provisions for periodic review of the compliance status of the Project against the requirements of this Approval;</p> <p>(c) provisions for periodic reporting of compliance status to the Secretary, including a Pre-Construction Compliance Report, during construction reporting, and a Pre-Operation Compliance Report;</p> <p>(d) a program for independent environmental auditing in accordance with <i>ISO 19011:2003 - Guidelines for Quality and / or Environmental Management Systems Auditing</i>;</p> <p>(e) mechanisms for recording environmental incidents during construction, and actions taken in response to those incidents;</p> <p>(f) provisions for reporting environmental incidents to the Secretary and relevant public authorities (including Council) during construction and for the life of the Project;</p> <p>(g) procedures for rectifying any non-compliance identified during environmental auditing, and review of compliance or incident management; and</p> <p>(h) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this Approval relevant to their respective activities.</p>	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition and sighted the submission and approval letters for the Program.</p> <p>The Bodangora Wind Farm compliance tracking program available on the website. This document was reviewed in this 2022 audit.</p> <p>This program has been approved.</p>	<p>Considered compliant</p> <p>Recommendation:</p> <p>This document needs updating in regard to relevant dates and timing updated as well as change the reference to the superseded CEMP to current OEMP.</p>	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
Incident Notification					
D6	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Proponent becomes aware of the incident. The notification must identify the project (including the project application number and the name of the project if it has one), and set out the location and nature of the incident.	The Construction IEA conducted by J2M Systems in 2018 reported two incidents Infigen notified the Department of: <ul style="list-style-type: none"> Infigen email to NSW DPE 12/12/2017 regarding cultural heritage incident under Project Approval Condition E2. Infigen email to NSW DPE 04/05/2018 regarding minor fuel spillage on public road from a fuel tanker. No incidents have been reported since the 2018 audit.	No incidents have been reported since the 2018 audit.	NT	-
Non-Compliance Notification					
D7	The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Proponent becomes aware of any non-compliance. The notification must identify the project and the application number for it, set out the condition of approval that the project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.	No non-compliances have been reported since the 2018 audit.	No non-compliances have been reported since the 2018 audit.	NT	-
INDEPENDENT ENVIRONMENTAL AUDIT					
D8	Within 1 year of the commencement of construction, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent must commission and pay the full cost of an Independent Environmental Audit of the project. These audits must: <p>(a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <p>(b) be carried out in consultation with the relevant agencies;</p> <p>(c) assess whether the project complies with the relevant requirements in this approval and any strategy, plan or program required under this approval; and</p> <p>(d) recommend appropriate measures or actions to improve the environmental performance of the project, and any strategy, plan or program required under this approval.</p>	The Construction IEA conducted by J2M Systems in 2018 met this condition.	Considered compliant	C	-
D9	Within 3 months of commencing an 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 2018 audit was submitted to the Secretary. A letter from Katrina O'Reilly as nominee of the Secretary dated 31/8/2018 re: BWF IEA 2018 was sighted. This letter stated <i>The department has reviewed the IEA and considers it to generally satisfy the requirement of Condition D8 of the approval in relation to the IEA.</i>	Considered compliant Recommendation: As per the letter from the Secretary dated 31/8/2018, the 2018 IEA and IEA action plan should be uploaded to the company website.	C	-
D10	The recommendations must be implemented to the satisfaction of the Secretary.	The 2018 audit was submitted to the Secretary, see previous Condition D10. A letter sighted sent on behalf of the Secretary on 31/08/2018 stated: <i>It is requested that photos of erosion and sediment controls implemented as required around the turbine pads, the substation, roads and rehabilitation area post the site inspection are provided to the Department by 14 September 2018.</i> The Bodangora Wind Farm IEA Action Plan dated 14 Aug 2018 was sighted which outlined planned response to NC's and OFI's. Correspondence was sighted from Chris Schultz, Senior Compliance Officer in September 2019 stating: <i>Thank you for sending through the report demonstrating erosion and sediment control works that have been undertaken.</i>	Considered compliant	C	-
D11	Within 3 years of the commencement of the operation of the project, or within 3 months of the submission of an: <p>(a) incident report under condition D6;</p> <p>(b) audit under condition D8; or</p> <p>(c) any modification to the conditions of this approval,</p> the Proponent shall review, and if necessary revise, the strategies, plans and programs required under this approval to the satisfaction of the Secretary.	This 2022 audit meets this condition.	Considered compliant	C	-
SCHEDULE E – CONSTRUCTION ENVIRONMENTAL MANAGEMENT					

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
DUST GENERATION					
E1	The Project shall be constructed in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust and tracking of material onto public roads. All Project related activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all feasible and reasonable dust mitigation measures, including cessation of relevant works as appropriate such that emissions of visible dust cease.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
HERITAGE					
E2	In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. In particular: (a) clearly identify and avoid the stone procurement artefact area (SU18/L1), and the Kaiser Mine, and include methods for restricting access to these sites as part of the Construction Heritage Management Plan required by condition E21(e); and (b) where impacts as assessed in the EA are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction Heritage Management Plan required by condition E21(e).	The Construction IEA conducted by J2M Systems in 2018 reported this as a non-compliance due to accidental impact to the stone procurement artefact area (heritage site SU18/L1). Corrective actions were taken in response to the NSW DPE Penalty notice. Site visit on 15/02/2022 confirmed this area is now adequately fenced and signed (Photo 4, Appendix B). Kaiser Mine remains avoided.	Considered compliant	C	-
E3	Clearly identify the level of construction vehicles required to use the Sandy Hollow to Maryvale Railway line, and the ability of the existing road to accommodate heavy vehicles. Should widening or other enhancements be required to safely accommodate heavy vehicles, a Statement of Heritage Impact is required in accordance with relevant Heritage Council guidelines, in consultation with the Heritage Branch of the OEH, and to the satisfaction of the Secretary.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition during construction. Currently the Operation Environmental Management Plan states: <i>Sections of the Sandy Hollow to Maryvale Railway are currently utilised as a farm road within the project area. The roadway was temporarily utilised for wind farm access during construction and may be used by light vehicles only during operation of the project.</i> The visitor induction undertaken during site visit in 15/02/2022 includes a section informing visitors about heritage sites and how to avoid them. Currently BWF staff do not use the Sandy Hollow to Maryvale Railway line as a road.	Considered compliant	C	-
NOISE AND VIBRATION					
Construction or Decommissioning Hours					
E4	The Proponent shall only undertake construction or decommissioning activities between: (a) 7:00am to 6:00pm Mondays to Fridays; (b) 8:00am to 1:00pm Saturdays; and (c) at no time on Sundays or NSW public holidays. The following construction activities may be undertaken outside these hours: • activities that are inaudible at any non-associated residence; • activities approved under an out-of-hours (OOHW) work protocol (see condition E21(b)(vi)); • 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 lives, property and/or prevent environmental harm.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
E5	Deleted	-	-	-	-
E6	Deleted	-	-	-	-
Construction Noise and Vibration					
E7	The Proponent shall only carry out blasting on site between 9am and 5pm Monday to Friday and 9am to 1pm Saturday. No blasting is allowed on Sundays or NSW public holidays.	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
E8	The Proponent shall ensure that any blasting carried out during construction of the project does not exceed the criteria in Table 1. Table 1 – Blasting criteria	The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-

Condition of Consent	Requirement (exact wording)				Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance				
	Residence on privately-owned land	120	10	0%				
		115	5	5% of total number of blasts over a 12 month period				
E9	Deleted				-	-	-	-
E10	Deleted				-	-	-	-
PROPERTY IMPACTS								
E11	Access to private property shall be maintained during construction unless otherwise agreed with the affected property owner in advance. Access that is physically affected by the Project shall be reinstated by the Proponent to at least an equivalent standard, in consultation with the affected property owner.				The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
E12	Any damage caused to property as a result of the Project shall be rectified or the property owner compensated, within a reasonable timeframe, with the costs borne by the Proponent.				The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
SOIL, WATER QUALITY AND HYDROLOGY								
E13	The Proponent must: (a) ensure the wind turbine pads, ancillary infrastructure, access roads and any other land disturbances have appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with <i>Managing Urban Stormwater - Soils and Construction Volume 1</i> (Landcom, 2004) and <i>Managing Urban Stormwater – Soils and Construction Volume 2C Unsealed Roads</i> (DECC, 2008), or their latest versions, to minimise erosion and control sediment generation;				<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was non-compliant with this condition. There recommendation was:</p> <p>RECOMENDATION: CATCON to re-assess existing and planned areas with exposed soils and determine corrective actions and future controls required to address compliance with the requirements for Managing Urban Stormwater - Soils and Construction Volume 1 (Landcom, 2004) and Managing Urban Stormwater – Soils and Construction Volume 2C Unsealed Roads (DECC, 2008) on sites. Controls currently listed within the Sediment and Erosion Control Plan are to be re-visited and implemented, including provision of progressive sediment erosion control plans specific to work areas and the implementation of controls listed in these plans.</p> <p>The following evidence was viewed:</p> <ul style="list-style-type: none"> Bodangora Windfarm Revegetation Monitoring Report – third site visit, Niche Environment and Heritage 18/03/2021 Bodangora Wind Farm End of Warranty Inspections - DNV GL Energy 18/03/2021 OEMP – subsection Operation Soil and Water Management Sub Plan aerial imagery site visit. <p>The Niche revegetation monitoring concluded that areas requiring rehabilitation overall had become 'well-established, in good health and self-sustaining' (see Condition F6) and stated:</p> <p><i>Due to significant rains prior to the follow up assessment and on-going management actions by CATCON, all areas are now considered to have met the performance criteria and can therefore said to be compliant.</i></p> <p>The end of warranty inspection by DNV GL addresses agreed defects which will be covered by a 2-year defects liability period under the EPC contract with the BWF construction company CATCON.</p> <p>The following items will be required under warranty by CATCON (repair was scheduled to occur end of 2021 but due to COVID restrictions has been moved to March 2022):</p> <ul style="list-style-type: none"> Access Tracks, Drainage and Hardstands: 21 items O&M building: 7 items. <p>Site inspection on 15/02/2022 investigated the site and some of the areas which are waiting to be repaired under warranty (Photo reference 5, Appendix B).</p> <p>Erosion and sediment controls have evidently been employed across the site as per recommendations such as:</p> <ul style="list-style-type: none"> Rock placement (riprap) Drain construction 	<p>The previous audit was undertaken during construction of the project and during a period of an intense drought for the whole of the central west NSW. The project has since moved into the operational phase and the drought has ended with the area experiencing high rainfall recently and, consequentially, high levels of groundcover growth.</p> <p>The combination of cessation of construction, adequate rainfall and appropriate drainage and erosion and sediment controls have satisfactorily minimised erosion and sediment generation across the project area.</p> <p>There are still some minor eroded areas to be rehabilitated but the proponent has demonstrated that they are committed to full rehabilitation and these areas will be actioned in the near future.</p> <p>Considered compliant.</p>	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		<ul style="list-style-type: none"> • Geofabric • Culverts • Contouring • Direct seeding • Sediment controls (eg hay) <p>The OEMP also outlines mitigation strategies and monitoring and reporting requirements in relation to soil and water management.</p> <p>Although there are areas where current mitigation has failed, they are relatively small in number and severity, especially when considering the climatic condition going from an extreme drought to high rainfall the project area has experienced recently. These areas are scheduled to be repaired under warranty in the near future, and BWF has demonstrated they have attempted to minimise the impact in the meantime (Photo reference 6, Appendix B).</p>			
	<p>(b) ensure all waterway crossings are constructed in accordance with the:</p> <ul style="list-style-type: none"> • <i>Water Guidelines for Controlled Activities on Waterfront Land</i> (2012), or its latest version; and • <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (2004), or its latest version; 	<p>As per Condition C9 the Construction IEA conducted by J2M Systems in 2018 stated:</p> <p><i>Email from NSW DPI dated 14/11/2017 regarding Spicers Creek crossing. Email outlines approved under Condition C9 and E15 (deleted), which required DPI consultation. Controlled activity license is not required as it is within the proposed construction areas. Gillinghall Road culverts not modified.</i></p> <p>The 2018 auditor did not assess each crossing, however the Spicers Creek crossing appears generally consistent with the requirements of DPI - Water.</p> <p>Due to the elevated nature of a wind farms and access roads following ridgelines where possible there are not many waterway crossings impacted by the operation of the project:</p> <p>Gillinghall Road (a public road used by BWF staff) crosses multiple waterways in the vicinity of BWF. This road is maintained by Dubbo Regional Council - council were grading a waterway crossing at Gillinghall road at the time of inspection.</p> <p>The 2nd Strahler waterway crossing between wind turbines 18 and 19 was viewed during site inspection on 15/2/2022. This waterway appeared to be adequately constructed and managed by pipe culverts with rock fill and there no areas of erosion or sedimentation, see Photo reference 7, Appendix B.</p> <p>The proponent is committed to effective management, rehabilitation and maintenance, See also Condition E13(a) and F6.</p>	Considered compliant.	C	-
	<p>(c) store and handle all dangerous or hazardous materials on site in accordance with <i>AS1940-2004: The storage and handling of flammable and combustible liquids</i>, or its latest version;</p> <p>(d) ensure the concrete batching plants and substation are suitably bunded; and</p> <p>(e) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.</p>	<p>As per Condition C11 site visit on 15/02/2022 incorporated viewing the chemical storage policies, procedures and facilities, SDS sheets, as well viewing the substation. see Appendix B Photo Reference 1.</p>	<p>Hazardous and dangerous substances are centrally stored and sheltered and suitable bunded. Policies and Procedures appear well constructed and executed.</p> <p>A spill kit was witnessed being used to contain a soap dispenser leak during site visit on 15/2/2022.</p> <p>BWF is evidently committed to health, safety and environment.</p> <p>Considered compliant</p>	C	-
E14	Deleted	-	-	-	-
E15	Deleted	-	-	-	-
TRAFFIC AND TRANSPORT					
E16	<p>Unless otherwise agreed by the Secretary, the Proponent shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:</p> <p>(a) prior to the commencement of construction, review the proposed route and existing access provisions to the Wind Farm site to determine whether the route and existing provisions allow for safe access of construction and operational vehicles associated with the Project (including appropriate site distances, [specifically at the intersection of Goolma Road and Gillinghall Road], appropriate setback of gate[s] at property entry and exit location[s] to ensure safety for other road users and provisions for over-mass or over-</p>	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was non-compliant with this condition in regard to:</p> <p><i>On 9 February 2018, the Department issued an Official Caution to Civil and Allied Technical Construction Pty Ltd (Catcon) for failing to upgrade the intersection of Gillinghall and Goolma Roads prior to the commencement of construction</i></p> <p>However works to address this non-compliance were complete by the end of the audit. Sighted RMS sign off, dated 23/03/2018, of completed corrective action with requirement for 24 month warranty period.</p>	Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	<p>dimensional transport and safety with other road users). Where improvements or changes to the proposed route are required, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of construction and at the full expense of the Proponent; and (b) assess all roads proposed to be used for over-mass and / or over-dimensional transport (including intersections, bridges, culverts and other road features) prior to the commencement of construction to determine whether the existing road condition can accommodate the proposed over-mass and / or over-dimensional haulage. Where improvements are required, the Proponent shall implement these in consultation with the relevant road authority, prior to the commencement of construction and at the full expense of the Proponent.</p> <p>Upon determining the haulage route(s) for construction vehicles associated with the Project, and prior to construction, undertake a Road Dilapidation Report. The Report shall assess the current condition of the road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the Project. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage.</p> <p>Within three months of completion of construction, a subsequent Report shall be prepared to assess any damage that may have resulted from the construction of the Project (including mechanisms to restore any damage) and submitted to relevant road authority for review.</p> <p>Measures undertaken to restore or reinstate roads affected by the Project shall be undertaken in accordance with the reasonable requirements of the relevant road authority (including timing requirements), and at the full expense of the Proponent.</p>	<p>The Off-Site post-Construction Dilapidation Report prepared by CATCON for BWF dated 31/01/2019 was viewed. Correspondence with Peter James from Dubbo Regional Council on 21/5/2019 was also viewed which stated:</p> <p><i>I have reviewed the Post-Construction Dilapidation Road Report for the Bodangora Wind farm that you have provided and agree that all items required in the construction phase of the Voluntary Planning Agreement (between Catcon and Dubbo Regional Council) have been satisfactorily closed out.</i></p> <p>The intersection of Gillinghall and Goolma was viewed during site visit 15/02/2022, see Photo Reference 8, Appendix B. The intersection appears safe and well signposted and maintained.</p>			
ANCILLARY FACILITIES					
E17	<p>Unless otherwise approved by the Secretary, the location of Ancillary Facilities shall:</p> <ul style="list-style-type: none"> (a) be located more than 50 metres from a waterway; (b) be located within or adjacent to the Project; (c) have ready access to the road network; (d) be located to minimise the need for heavy vehicles to travel through residential areas; (e) be sited on relatively level land; (f) be separated from nearest residences by at least 200 metres; (g) not require vegetation clearing beyond that already required by the Project; (h) not impact on heritage sites (including areas of archaeological sensitivity) beyond those already impacted by the Project; (i) not unreasonably affect the land use of adjacent properties; (j) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and (k) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours. <p>The location of the Ancillary Facilities shall be identified in the Construction Environmental Management Plan required under condition E20 and include consideration of the above criteria. Where the above criteria cannot be met for any proposed Ancillary Facility, the Proponent shall demonstrate to the satisfaction of the Secretary that there will be no significant adverse impact from that facility's construction or operation. Such assessment(s) can be submitted separately or as part of the Construction Environmental Management Plan.</p>	<p>The Construction IEA conducted by J2M Systems in 2018 stated there was opportunity for improvement in regard to this Condition:</p> <p><i>The approved Ancillary Facilities Management Plan (005 and 006) are to be included in the revised CEMP post approval by NSW DPE.</i></p> <p>Since the project moved from construction to operation the CEMP has been replaced by the OEMP. This condition is believed to have been managed, see Condition D9 and D10.</p>	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
E18	All construction ancillary facility sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the affected landowner.	<p>Bodangora Windfarm Revegetation Monitoring Report – third site visit, Niche Environment and Heritage 18/03/2021 states the following:</p> <p><i>If agreed with the landowner, some ancillary facilities do not need to be rehabilitated (for example the construction compound), in accordance with Condition E18 which reads "All construction ancillary facility sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the affected landowner". These areas are not required to be monitored under condition F6 so have been excluded from this monitoring report.</i></p>	Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		<p><i>Rehabilitation is required for all areas disturbed by the project that are not required for the ongoing operation of the project. For this project, areas which were disturbed that require rehabilitation include areas disturbed for the construction of turbines, access tracks, cabling transmission lines and the substation. Blade laydown areas are not required to be rehabilitated at this stage as they may be required for maintenance of the turbines going forward and therefore are out of the scope of this monitoring report.</i></p> <p>The Niche revegetation monitoring concluded that areas requiring rehabilitation overall had become 'well-established, in good health and self-sustaining' (see Condition F6) and stated:</p> <p><i>Due to significant rains prior to the follow up assessment and on-going management actions by CATCON, all areas are now considered to have met the performance criteria and can therefore said to be compliant.</i></p> <p>These findings are consistent with the findings of the site visit on 15/02/2022. The BWF site manager reports that agreements with landholders varied and some ancillary facilities do not need to be rehabilitated as the land holders wished to take ownership of them such as gravel piles and fences. In particular the construction compound next to the O&M still has fencing and gravel piles present at the landowners request.</p> <p>However, across the majority of the site rehabilitation appears to be successful. Review of aerial photography shows the state of rehabilitation over time with areas that were heavily disturbed during construction now rehabilitated to pre-construction condition (see photo references 9, 10 and 11, Appendix B, with the exception of access roads and blade laydown areas which will remain unrehabilitated for the life of the project</p>			
ENVIRONMENTAL REPRESENTATIVE					
E19	<p>Prior to the commencement of construction of the Project, or as otherwise agreed by the Secretary, the Proponent shall nominate for the approval of the Secretary a suitably qualified and experienced Environment Representative(s) that is independent of the design and construction personnel. The Proponent shall employ the Environment Representative(s) for the duration of construction and operation, or as otherwise agreed by the Secretary. The Environment Representative(s) shall:</p> <p>(a) be the principal point of advice in relation to the environmental performance of the Project;</p> <p>(b) monitor the implementation of environmental management plans and monitoring programs required under this Approval and advise the Proponent upon the achievement of these plans / programs;</p> <p>(c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this Approval, and other licences and approvals related to the environmental performance and impacts of the Project;</p> <p>(d) ensure that environmental auditing is undertaken in accordance with the Proponent's Environmental Management System(s);</p> <p>(e) be given the authority to approve / reject minor amendments to the Construction Environment Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environmental Management Plan required under condition E20;</p> <p>(f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur; and</p> <p>(g) be consulted in responding to the community concerning the environmental performance of the Project where the resolution of points of conflict between the Proponent and the community is required.</p>	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.</p> <p>A letter from Mike Young as the Secretary's nominee dated 14/12/2016 re: <i>Condition E19 – Environmental Representative</i> identifies Ms. Heather Tilley as the Environmental representative for the Bodangora Wind farm. This appointment remains unchanged at this point in time.</p>	Considered compliant	C	-
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN					
Conditions E20 and E21 relate to the CEMP	<p>These conditions relate to the Construction Environmental Management Plan which for the purposes of this audit have been superseded by the OEMP</p>	<p>The Construction IEA conducted by J2M Systems in 2018 made the following recommendations:</p> <p><i>Review requirements of the CEMP and ensure processes are established for the effective implementation of these requirements.</i></p> <p><i>Future consideration to be given to ensuring the CEMP is concise and adequately written to clearly describe what will be completed, when, by whom and what records will be maintained.</i></p>	<p>This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit. The CEMP has been superseded by the OEMP which is discussed in Condition F19.</p>	NT	-
SCHEDULE F – OPERATION ENVIRONMENTAL MANAGEMENT					

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
HAZARD AND RISK					
Bushfire Risk					
F1	Throughout the operational life of the Project, the Proponent shall regularly consult with the RFS to ensure its familiarity with the Project. The Proponent shall comply with any reasonable request of the RFS to reduce the risk of bushfire and to enable fast access in emergencies.	Evidence includes: <ul style="list-style-type: none"> OEMP Bushfire Management Sub Plan Fire Management Plan for Bodangora Wind Farm, developed by Australian Bushfire Protection Planners Pty Ltd 28/04/2021 Site inspection 2022 where maintenance schedules and management systems including 'Smartsheet', 'Risk wizard' 'Jira' and 'Gensuite' which are set with reminders to carry out regular consultation, drills, inspections etc. and have capacity to report the results, incidents etc. Visitor Induction to BWF which covers what to do in case of bushfire 	Considered compliant The proponent consults with the RFS at least annually and is committed to reducing the risk of bushfire and to enable fast access in emergencies.	C	-
Safety Management System					
F2	At least two months prior to the commencement of commissioning, the Proponent shall prepare a report outlining a comprehensive Safety Management System, covering all on-site systems relevant to ensuring the safe operation of the Project. The System shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept at the site and shall be available for inspection by the Department upon request. The Safety Management System shall be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management', and should include: <ol style="list-style-type: none"> procedures and programs for the maintenance and testing of the safety related equipment to ensure its integrity over the life of the Project; and an outline of a documented procedure for the management of change. 	GE's Bodangora Wind Farm Simplified Work Plan (SWP) document provides a summary of required EHS (Environment, Health and Safety) activities. The document was originally drafted in June 2018, prior to the commencement of commissioning, and has most recently been revised in February 2022. The purpose of the SWP is: <i>Implementation of the Simplified Work Plan is necessary to maintain regulatory conformance, comply with of Department of Planning and Environment (DPE) and Environment Protection Authority conditions including the Environmental Protection License and Operational Environmental Management Plans, achieve EHS performance, and to meet GE Renewable Energy EHS management requirements.</i> As per the approved OEMP, Section 4.15 <i>Infigen's integrated Health, Safety and Environment (HSE) Management System has been developed to establish and document a framework of requirements, policies, standards, guidelines and management practices for consistent and continuous improvement in health, safety and environmental performance and to help ensure legal compliance.</i> <i>The HSE Management System is based on the requirements in:</i> <ul style="list-style-type: none"> Standard for Environmental Management Systems; and Standard for Occupational Health & Safety Management Systems. <i>The System is designed to meet legislative compliance and to align with recognized management system principles of Plan, Do, Check, Review.</i> <i>The BWF Emergency Response Plan, which is a sub-plan of Infigen's Work Health and Safety Management Plan, provides further details regarding safety considerations and the safety of personnel in the event of the emergencies.</i> Safety management at BWF is currently incorporated by the following policies and procedures: <ul style="list-style-type: none"> Iberdrola Health, Safety and Environment Policy The BWF OEMP GE Environmental Management Plan GE High Voltage Electrical Safety Procedures GE Emergency Response Plan Other GE Forms, Procedures, Plans including: <ul style="list-style-type: none"> Corrective Action Register Hazardous Substances and Dangerous Goods Job Safety Analysis / Safe Work Method Statement Incident Investigation Incident Reporting Internal Audits Management Review Permits to Work Risk Assessment and Control 	BWF is evidently committed to health, safety and environment. The Simplified Work Plan outlines a comprehensive Safety Management System, covering all on-site systems relevant to ensuring the safe operation of the Project which meets this Condition. There are adequate on-site systems relevant to ensuring the safe operation of the Project. Considered compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		<ul style="list-style-type: none"> JSA/SWMS Incident Report Form Hot Work Permit Incident Reporting Communication Protocol Vehicle Inspection Checklist Hazard Observation Card Site Induction and Personal Details Safety Toolbox Meeting Minutes Service Safety Inspection Compliance Inspection – Environmental GE Bodangora Wind Farm Plans and Documents Bodangora Wind Farm – Service Management Plan Bodangora Wind Farm – Emergency Response Plan Service HSE Risk Register Bodangora Wind Farm – Audit Schedule Bodangora Wind Farm – Incident Register Bodangora Wind Farm – Hazard Observation Register Bodangora Wind Farm – Corrective Action Register Bodangora Wind Farm – MSDS Register. <p>Site inspection 2022 showed an unquestionable dedication to safety as evidenced in visitor induction, signage, notice boards, access to policy and procedures etc. See Photo Reference 12, Appendix B.</p> <p>Maintenance schedules and management systems including 'Smartsheet', 'Risk wizard' 'Jira' and 'Gensuite' which are set with reminders to carry out regular consultation, drills, inspections etc. and have capacity to report results, hazards, incidents etc. were also observed in action at BWF.</p> <p>The Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management', was referred to during the 2022 audit.</p>			
Television and Radio Interference					
F3	Prior to the commencement of commissioning of the Project, the Proponent shall undertake an assessment of the existing quality of the television / radio transmission available at a representative sample of receivers located within five kilometres of any wind turbine.	BWF site manager stated this had occurred and potentially affected landholders were encouraged to contact the proponent if they experienced Television and Radio interference. Five landholders felt impacted and BWF provided new antennas for them. No further complaints have been received.	The proponent demonstrates a strong respect for and desire to work with surrounding landholders/receivers to ensure a positive working relationship. Considered compliant	C	-
F4	In the event of a complaint from a receptor located within five kilometres of a wind turbine regarding television / radio transmission during the operation of the Project, the Proponent shall investigate the quality of transmission at the receptor compared with the pre-commissioning assessment and where any transmission problems can be reasonably attributable to the Project, rectify the problems within three months of the receipt of the complaint, through the implementation of measures including: (a) modification to or replacement of receiving antenna; (b) installation and maintenance of a parasitic antenna system; (c) provision of a land line between the affected receptor and an antenna located in an area of favourable reception; and / or (d) other feasible measures. If interference cannot be overcome by the measures outlined in (a) to (d), the Proponent shall negotiate with the impacted landowner(s) about installing and maintaining a satellite receiving antenna. The Proponent shall be responsible for all costs associated with any such mitigation measures.	See previous Condition F3	Considered compliant	C	-
REHABILITATION AND REVEGETATION					
F5	Disturbance to watercourses and / or associated riparian vegetation shall be rehabilitated to a standard equal to or better than the existing condition in consultation with the CL&W and DPI (Fisheries) within six months of the cessation of construction activities at the relevant area. Any revegetation measures undertaken shall be monitored and maintained consistent with the requirements of Condition F6.	<p>Due to the elevated nature of a wind farms and access roads following ridgelines where possible there are not many waterway crossings impacted by the operation of the project:</p> <p>Gillinghall Road (a public road used by BWF staff) crosses multiple waterways in the vicinity of BWF. This road is maintained by Dubbo Regional Council - council were grading a waterway crossing at Gillinghall road at the time of inspection.</p> <p>The 2nd Strahler waterway crossing between wind turbines 18 and 19 was viewed during site inspection on 15/2/2022. This waterway appeared to be adequately rehabilitated to a standard equal to or better than the existing, see Photo reference 7, Appendix B.</p> <p>Refer also Condition F6 where the BWF revegetation and rehabilitation program for all areas of the Project is compliant and complete.</p>	<p>There is no evidence of consultation with the CL&W and DPI (Fisheries) within six months of the cessation of construction activities at the relevant areas.</p> <p>The proponent assumed this was covered by the requirements of Condition F6 which covers all access tracks which was assumed to conclude creek crossings on site.</p> <p>Due to the lack of consultation with the relevant parties, the Proponent has been found to be Non Compliant for Condition F5.</p> <p>Recommendation: The proponent is recommended to contact CL&W and DPI (Fisheries) regarding this Condition and provide a copy of the Niche Revegetation Monitoring Report.</p>	NC	NC1

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		However, there is no evidence of consultation with the CL&W (Crown Lands and Water) and DPI (Fisheries) within six months of the cessation of construction activities at the relevant areas.	Areas which may be of interest to CL&W and DPI where mapped hydrolines and Key Fish Habitat intersect BWF internal roads have been indicated on a map, see Photo Reference 13, Appendix B. Photos of these areas could be provided with consultation.		
F6	The Proponent shall implement a revegetation and rehabilitation programme for all areas of the Project footprint which are disturbed during the construction of the Project, which are not required for the ongoing operation of the Project, including temporary construction facility sites and sections of construction access roads. The Proponent shall ensure that all revegetation measures are implemented progressively where possible and in all cases within six months of the cessation of construction activities at the relevant area. Unless otherwise agreed to by the Secretary, the Proponent shall monitor and maintain the health of all revegetated areas until such time that the plantings have been verified by an independent and suitably qualified expert (whose appointment has been agreed to by the Secretary) as being well established, in good health and self sustaining.	<p>Bodangora Windfarm Revegetation Monitoring Report – third site visit, Niche Environment and Heritage 18/03/2021 states the following:</p> <p><i>If agreed with the landowner, some ancillary facilities do not need to be rehabilitated (for example the construction compound), in accordance with Condition E18 which reads "All construction ancillary facility sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the affected landowner". These areas are not required to be monitored under condition F6 so have been excluded from this monitoring report.</i></p> <p><i>Rehabilitation is required for all areas disturbed by the project that are not required for the ongoing operation of the project. For this project, areas which were disturbed that require rehabilitation include areas disturbed for the construction of turbines, access tracks, cabling transmission lines and the substation. Blade laydown areas are not required to be rehabilitated at this stage as they may be required for maintenance of the turbines going forward and therefore are out of the scope of this monitoring report.</i></p> <p>The Niche revegetation monitoring concluded that areas requiring rehabilitation overall had become 'well-established, in good health and self-sustaining' (see Condition F6) and stated:</p> <p><i>Due to significant rains prior to the follow up assessment and on-going management actions by CATCON, all areas are now considered to have met the performance criteria and can therefore said to be compliant.</i></p> <p>These findings are consistent with the findings of the site visit on 15/02/2022. The BWF site manager reports that agreements with landholders varied and some ancillary facilities do not need to be rehabilitated as the land holders wished to take ownership of them such as gravel piles and fences. In particular the construction compound next to the O&M still has fencing and gravel piles present as the landowners request.</p> <p>However, across the majority of the site rehabilitation appears to be successful. Review of aerial photography shows the state of rehabilitation over time with areas that were heavily disturbed during construction now rehabilitated to pre-construction condition (see photo reference 9, 10 and 11, Appendix B).</p> <p>Access roads and blade laydown areas will remain unrehabilitated for the life of the project</p> <p>Sighted letter from Steve O'Donoghue, as nominee of the Secretary, dated 6/9/18 re: Endorsement of Experts from Niche Environment and Heritage to undertake the verification if rehabilitation performance in accordance with this condition.</p>	<p>The revegetation and rehabilitation program is complete and has been verified by an independent and suitably qualified experts from Niche Environment and Heritage (as agreed by the Secretary)</p> <p>Considered Compliant</p>	C	-
NOISE					
Noise Verification Report					
F7	Prior to commissioning of the wind farm, the Proponent shall provide an updated prediction of wind farm noise levels at all non-associated residences or representative clusters of non-associated residences that will experience wind turbine noise greater than 35 dB(A) when turbines are operating at rated power. The report is to be prepared in consultation with the EPA and should meet the requirements set out in Appendix 2.	<p>The Construction IEA conducted by J2M Systems in 2018 states the proponent was compliant with this condition.</p> <p><i>Citing the following evidence:</i></p> <ul style="list-style-type: none"> <i>Operational noise report and evidence on file.</i> <i>Bodangora Wind Farm, Consolidated Environmental Noise Assessment, Sonus, January 2018.</i> <i>NSW EPA response (email dated 19/02/2018) outlining no concerns raised or comments on the noise verification report.</i> 	This current audit relates to operation of the project, Conditions related to Construction have not been fully explored as they are not relevant to this audit.	NT	-
Operational Noise Criteria – Wind Turbines					
F8	The Proponent shall ensure that the noise generated by the operation of wind turbines does not exceed the greater of: (d) 35 dB(A); or (e) the existing background noise level for each integer wind speed from cut-in speed to the rated power of the wind turbine generators, by more than 5 dB(A).	<p>The Post-Construction Noise Monitoring Report for Bodangora Wind Farm by Resonate, Dated Tuesday 3 September 2019 was sighted and reviewed.</p> <p>This report addresses noise monitoring undertaken to address Condition F8. The report states:</p> <p><i>Since the original Environmental Assessment for the Project, the NSW DPE has issued a Wind Energy: Noise Assessment Bulletin (NSW Bulletin), which could be considered to replace the SA Guidelines. However, we note</i></p>	Considered Compliant	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	Unless otherwise replaced by an equivalent NSW wind farm noise guideline, noise generated by the project is to be measured in accordance with the relevant requirements of Sections 3.1 and 3.2 of the South Australian Environment Protection Authority's Wind Farms Environmental Noise Guidelines 2009, as modified by the provisions in Appendix 3. However, these criteria do not apply if the Proponent has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.	<i>that the procedures listed for operational monitoring in the NSW Bulletin reference those in the SA Guidelines and are otherwise consistent with the Project Approval.</i> This report concludes that Bodangora Wind Farm is operating in compliance with the noise emission requirements of the Noise Guarantee and Project Approval.			
Operational Noise Criteria – Ancillary Infrastructure					
F9	The Proponent shall 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. Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy (as may be updated from time-to-time), as modified by the provision in Appendix 3. However, these criteria do not apply if the Proponent has an agreement with the owner/s of the relevant residence or land to generate higher noise levels, and the Proponent has advised the Department in writing of the terms of this agreement.	The Post-Construction Noise Monitoring Report for Bodangora Wind Farm by Resonate, Dated Tuesday 3 September 2019 was sighted and reviewed. This report addresses noise monitoring undertaken to address Condition F9. The report states: <i>These criteria apply to noise from the substation at Bodangora Wind Farm when measured at residences not involved with the wind farm. The NSW Industrial Noise Policy (INP) has since been superseded by the Noise Policy for Industry (NPI) such that the measurement procedures from the NPI are to apply to substation noise.</i> Additional noise monitoring conducted of the Bodangora Wind Farm substation determined that noise levels from the substation easily comply with the Project Approval requirements for substation noise. The report concludes that Bodangora Wind Farm is operating in compliance with the noise emission requirements of the Noise Guarantee and Project Approval.	Considered Compliant	C	-
Operating Conditions					
F10	The Proponent shall: (a) implement best management practice to minimise the construction, operational, decommissioning and road traffic noise and vibration of the project; (b) implement sector management of wind turbines to manage any wind directions or meteorological conditions that are found to result in exceedances of the noise criteria in condition F8; (c) undertake noise monitoring within 3 months of the commissioning of the wind farm, or other timing as may be agreed by the Secretary, to determine whether the project is complying with the relevant conditions of this approval; and (d) carry out further noise monitoring if required by the Secretary, to the satisfaction of the Secretary.	The Post-Construction Noise Monitoring Report for Bodangora Wind Farm by Resonate, Dated Tuesday 3 September 2019 was sighted and reviewed. This report addresses Condition F10(c). The conclusion to this report states: <i>This report presents the results of noise compliance monitoring conducted at Bodangora Wind Farm. Noise levels with the wind farm operating have been measured at 10 locations and assessed against the requirements of the applicable Noise Guarantee and the Project Approval.</i> <i>The wind farm noise monitoring results demonstrate that noise levels from Bodangora Wind Farm is compliant with the relevant Project Approval requirements. No special characteristics, such as low frequency noise or tonality, were observed as part of the assessment.</i> <i>Additional noise monitoring conducted of the Bodangora Wind Farm substation determined that noise levels from the substation easily comply with the Project Approval requirements for substation noise.</i> <i>This report concludes that Bodangora Wind Farm is operating in compliance with the noise emission requirements of the Noise Guarantee and Project Approval.</i> The OEMP Noise Management Sub-plan was also reviewed which outlines how this Condition is addressed through a Noise Reduction / Mitigation Strategy.	The proponent has demonstrated it has implemented best management practices to minimise noise and vibration throughout the life of the project. No exceedances of noise criteria have been reported or discovered. No further noise monitoring has been ordered. Considered Compliant Recommendation: As stated in the OEMP it is unclear if the following has been done: <i>The results (of noise monitoring within 3 months of commissioning) will also be provided to DPE within one calendar month of completion of the monitoring and assessment report.</i> If this has been done the OEMP needs to be updated accordingly. If it has not been done the results need to be submitted to DPE.	C	-
F11-F18	Deleted	-	-	-	-
OPERATIONAL ENVIRONMENTAL MANAGEMENT					
F19	Prior to the commencement of operation, or as otherwise agreed by the Secretary, the Proponent shall prepare and implement (following approval) an Operation Environmental Management Plan for the Project. The Plan shall outline the environmental management practices and procedures that are to be followed during operation, and shall be prepared in consultation with relevant agencies and in accordance with the <i>Guideline for the Preparation of Environmental Management Plans</i> (Department of Infrastructure, Planning and Natural Resources, 2004). The Plan shall include, but not necessarily be limited to: (a) a description of activities to be undertaken during operation of the Project (including staging and scheduling); (b) statutory and other obligations that the Proponent is required to fulfil during operation, including approval / consents, consultations and	The Bodangora Wind Farm Operational Environmental Management Plan (OEMP) was accessed on the Project website during the 2022 audit. The version inline is dated 02/11/2018. Letter from DPE nominee of the Secretary to BWF dated 16/12/2018 stating: <i>The department has reviewed the revised OEMP (Version 3) and is satisfied that it addresses the requirements of Condition F19, Schedule F of project approval (10_0157).</i> This letter also noted that further works are required to determine specific sector management measures that will be used by Bodangora to ensure noise criteria are not exceeded. Measures to be incorporated	Considered Compliant Recommendation: As per the OEMP Approval letter it is unclear if: <i>further works are required to determine specific sector management measures that will be used by Bodangora to ensure noise criteria are not exceeded.</i> This needs to be clarified and the OEMP updated accordingly if required. The OEMP is overdue for annual review and needs to be updated as required.	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
	<p>agreements required from authorities and other stakeholders under key legislation and policies;</p> <p>(c) overall environmental policies, guidelines and principles to be applied to the operation of the Project;</p> <p>(d) a description of the roles and responsibilities for relevant employees involved in the operation of the Project, including relevant training and induction provisions for ensuring that employees are aware of their environmental and compliance obligations under these Conditions of Approval;</p> <p>(e) an environmental risk analysis to identify the key environmental performance issues associated with the operation phase of the Project; and</p> <p>(f) details of how environmental performance would be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts, including those safeguards and mitigation measures detailed in the EA (and any impacts arising from the staging of the construction of the Project); and</p> <p>(g) details of how sector management would be used to ensure that operational noise criteria are not exceeded.</p> <p>The Plan shall be submitted for the approval of the Secretary no later than one month prior to the commencement of operation, or as otherwise agreed by the Secretary. Operation shall not commence until written approval has been received from the Director General. Upon receipt of the Secretary's approval, the Proponent shall make the Plan publicly available as soon as practicable.</p> <p><i>Note: The approval of an Operation Environmental Management Plan does not relieve the Proponent of any other requirement associated with this Project Approval. If there is an inconsistency with an approved Operation Environmental Management Plan and the conditions of this Project Approval, the requirements of this Project Approval prevail.</i></p>				
F20	Deleted	-	-	-	-
SCHEDULE G – ADDITIONAL PROCEDURES					
DECOMMISSIONING					
G1, G3, G4, G5	These conditions, apart from G2 outlined below, all relate to decommissioning of the project which is not relevant at this stage.	The proponent has prepared a Decommissioning and Rehabilitation Plan which has been approved and is available on the Bodangora Wind Farm website.	The Decommissioning and Rehabilitation Plan is due to be updated in May 2022.	NT	-
G2	<p>The Proponent must:</p> <p>(a) rehabilitate all areas of the site not proposed for future disturbance progressively, that is, as soon as reasonably practicable following construction or decommissioning;</p> <p>(b) minimise the total area exposed at any time; and</p> <p>(c) employ interim rehabilitation strategies to minimise dust generation, soil erosion and weed incursion on parts of the site that cannot yet be permanently rehabilitated.</p>	<p>Bodangora Windfarm Revegetation Monitoring Report – third site visit, Niche Environment and Heritage 18/03/2021 states the following:</p> <p><i>If agreed with the landowner, some ancillary facilities do not need to be rehabilitated (for example the construction compound), in accordance with Condition E18 which reads "All construction ancillary facility sites shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the affected landowner". These areas are not required to be monitored under condition F6 so have been excluded from this monitoring report.</i></p> <p><i>Rehabilitation is required for all areas disturbed by the project that are not required for the ongoing operation of the project. For this project, areas which were disturbed that require rehabilitation include areas disturbed for the construction of turbines, access tracks, cabling transmission lines and the substation. Blade laydown areas are not required to be rehabilitated at this stage as they may be required for maintenance of the turbines going forward and therefore are out of the scope of this monitoring report.</i></p> <p>The Niche revegetation monitoring concluded that areas requiring rehabilitation overall had become 'well-established, in good health and self-sustaining' (see Condition F6) and stated:</p> <p><i>Due to significant rains prior to the follow up assessment and on-going management actions by CATCON, all areas are now considered to have met the performance criteria and can therefore said to be compliant.</i></p> <p>These findings are consistent with the findings of the site visit on 15/02/2022. The BWF site manager reports that agreements with landholders varied and some ancillary facilities do not need to be rehabilitated as the land holders wished to take ownership of them such as gravel piles and fences. In particular the construction compound next to the O&M still has fencing and gravel piles present as the landowners request.</p>	<p>The revegetation and rehabilitation program are complete and has been verified by an independent and suitably qualified experts from Niche Environment and Heritage (as agreed by the Secretary)</p> <p>Considered Compliant</p>	C	-

Condition of Consent	Requirement (exact wording)	Evidence collected	2022 Independent Audit Findings and Recommendations	Compliance Status	Unique Identifier of Non-compliance
		<p>However, across the majority of the site rehabilitation appears to be successful. Review of aerial photography shows the state of rehabilitation over time with areas that were heavily disturbed during construction now rehabilitated to pre-construction condition (see photo reference 9,10 and 11, Appendix B).</p> <p>Access roads and blade laydown areas will remain unrehabilitated for the life of the project</p> <p>Sighted letter from Steve O'Donoghue, as nominee of the Secretary, dated 6/9/18 re: Endorsement of Experts from Niche Environment and Heritage to undertake the verification of rehabilitation performance in accordance with this condition.</p>			







Appendix B – Photos

Photo Reference	Location/ Relevant CoC	Photo
1	Chemical storage facilities relevant to Condition C11	
2	Mobile water tank and water storage facilities on site for fire fighting, Condition C16	

3	Waste management, Condition C29	
4	Heritage site SU18/L1, Condition E2	

5	Areas of erosion to be repaired under warranty, Condition E13				
6	Areas of erosion recently mitigated by BWF whilst waiting warranty repairs, Condition E13				

7	Waterway crossing between wind turbines 18 and 19, Condition E13(b)			
8	Intersection of Gillinghall and Goolma, Condition E16			

9	Rehabilitation of Ancillary facilities, aerial view of O&M facilities and construction compound pre, during and post construction. Condition E18			
10	Aerial view of turbine 2 pre, during and post construction. Showing rehabilitation of Ancillary facilities, Condition E18	<p style="text-align: center;">Pre construction</p> 	<p style="text-align: center;">During construction</p> 	<p style="text-align: center;">Post construction</p> 

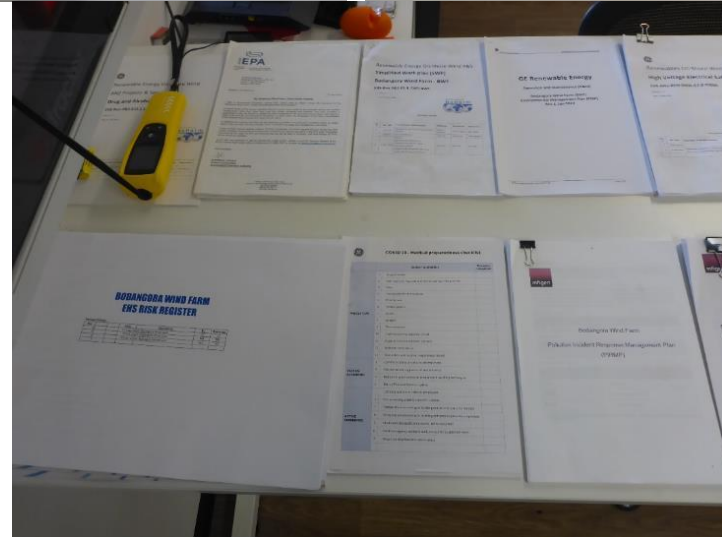
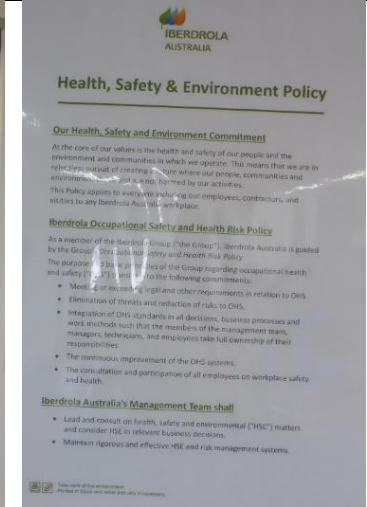
11

Rehabilitation
of Ancillary
facilities
(cable
pathways),
Condition
E18



12

Safety Management System, Condition F2



13

Potentially disturbed waterway areas (circled in red) where mapped hydrolines and Key Fish Habitat intersect BWF internal roads,



Appendix C – Correspondence

Consultative Community Committee

The screenshot shows an email client window titled "RE: Bodangora Wind Farm Intendant Environmental Audit - Consultation - Message (HTML)". The window includes a menu bar with "File", "Message", "Help", and "Kofax PDF". Below the menu bar is a toolbar with icons for "Reply", "Reply All", "Forward", "Mark Unread", "Find", "Zoom", and "Save Attachments". The email content is as follows:

RE: Bodangora Wind Farm Intendant Environmental Audit - Consultation

Ian Rogan <ian.rogan@bigpond.com>
To: Genevieve Peel

You replied to this message on 25/01/2022 1:42 PM.

Tue 25/01/2022 12:36 PM

Genevieve-I submit the following statement in response to your request. Please advise if you need other information from me.






I, Ian Rogan, was appointed to the position of chair of the Community Consultative Committee(CCC) for the Bodangora Wind Farm project in 2015 and have continued in that role to the present. Over that period the wind farm has gone through the planning, construction and full operational phases. The CCC has met, on average 2 to 3 times per year and has been operationally supported by the local manager of Infigen Energy. At CCC meetings, representatives of Infigen Energy have given updates relating to recent developments in planning, construction and operations of the wind farm. The CCC members (host landholders, neighbouring landholders, local government representatives, local business operators, representatives of environmental groups) have provided feedback and questions on behalf of the broader community to the wind farm operators. In recent years one of the key roles of the CCC has been to assess applications from community groups to the one or two phases/year of the Community Benefit Fund. The CCC has made recommendations to the relevant local government body administering the Community Benefit Fund, for allocation of those funds.

I am familiar with the Community Consultative Committee Guidelines for State Significant Projects (November 2016; updated January 2019), and believe that the Bodangora Wind Farm CCC has been operating within those guidelines.

Ian Rogan
Chair, Bodangora Wind Farm CCC
0418484088

NSW DPIE Biodiversity and Conservation Division

RE: Bodangora Wind Farm Intendant Environmental Audit - Consultation

 Phil Cameron
To:  David Geering
Cc:  Samantha Wynn;  Genevieve Peel;  Heidi Kolkert

Reply Reply All Forward

Fri 21/01/2022 8:33 AM

From: David Geering <David.Geering@environment.nsw.gov.au>
Sent: Friday, 21 January 2022 8:16 AM
To: Phil Cameron <phil@areaenv.com.au>
Cc: Samantha Wynn <Samantha.Wynn@environment.nsw.gov.au>
Subject: RE: Bodangora Wind Farm Intendant Environmental Audit - Consultation

Hi Phil

Thank you for your email in relation to your appointment as the independent auditor for the Bodangora Wind Farm project, and for the opportunity to provide further input.

BCS primary concern is in relation to bid and bat strike during the operational phase of the project.

BCS collaborated with Infigen and their consultants, Nature Advisory, during the 2021 LRFF mortality event. The final Little Red Flying Fox Impact Report produced will serve as a solid basis in implementing timely mitigation measures should a similar event occur in the future.

BCS commented on the Bodangora Wind Farm 2021 Annual Report in October 2021. In that response we recommended that the carcass monitoring program be continued for an additional three years and that the use of carcass detection dogs be investigated to increase detection of small carcasses.

BCS had several concerns regarding the planned cessation of the carcass monitoring program. Several unforeseen circumstances occurred in the first two years of operation of the windfarm that have resulted in both threatened and non-threatened species triggers. To some extent these were related to drought and/or drought-breaking conditions. BCS believes it would be prudent to continue the carcass monitoring program for an additional three years to gather data over a range of environmental conditions. The proposal to continue "incidental reporting" of carcasses is likely to detect primarily large species. We are particularly concerned about the high likelihood that carcasses of smaller species, particularly microbats, not being detected at all.

Two years of carcass monitoring has yielded little meaningful data from a total of 68 microbat carcasses located. Detectability of bat carcasses across three detectability trials was 56%. It is well established that detection rates of small carcasses by humans is low. The annual report stated that "Approximately 1,307 bats were estimated to be lost over two years". This calculation excluded LRFF. The estimate of 1,307 bats is the mean number calculated. Statistically, the 95% confidence level indicates that as many as 2,330 individuals may have been lost, noting that certain assumptions were made. Based on the available data, BCS regards the upper limit of potential mortality as undesirable. We recommended that the use of carcass detection dogs be investigated to increase detection of microbats and thus provide additional data for analysis and provide greater certainty around mortality rates at the wind farm.

Happy to discuss further if you have questions.

In regards other conditions:

- have the clearing limits specified in C1 of the Project Approval been adhered to;
- have the offset requirements as set out in Condition C7 of the Project Approval been met; and
- have credit arrangements relating to offsets been completely retired?

Regards

David

David Geering
Senior Conservation Planning Officer, Planning North West
Biodiversity and Conservation Division

Dubbo Regional Council

From: Genevieve Peel <gen@areaenv.com.au>
Sent: Wednesday, 16 February 2022 3:17 PM
To: Peter James <Peter.James@dubbo.nsw.gov.au>; Phil Cameron <phil@areaenv.com.au>
Subject: Bodangora Wind Farm Independent Environmental Audit

[EXTERNAL Message: Be cautious of clicking on links or opening attachments]

Dear Peter,

AREA Environmental & Heritage Consultants from Dubbo have been appointed as the Independent Environmental Auditors for the Bodangora Wind Farm.

Part of the audit requires us to consult with a range of stakeholders to obtain their feedback regarding the Bodangora Wind Farm's environmental performance and compliance with Conditions of Consent.

This email is seeking any comment from a relevant representative of Dubbo Regional Council about this matter and ask if Council has any concerns it wants to raise with respect to compliance for the Bodangora Wind Farm and the Planning Agreement entered with Wellington Council (obviously now Dubbo Regional Council!). Any comments or concerns about the environmental performance of the project during the audit period will be investigated and your response will be included as an appendix to our report for transparency.

Specifically we need to confirm whether Bodangora Wind Farm has been making ongoing contributions to the Bodangora Community Fund, road maintenance and administration as per Condition B16 of the Project Approval.

Please do not hesitate to contact me or AREA's Managing Director Phil (cc'd into this email, contact number 0409 852 098) if you have any questions about this email. Otherwise, we look forward to your reply.

Thank you

Kind Regards
AREA Environmental & Heritage
Consultants Pty Ltd
ABN: 29 616 529 867

AREA Landscape Design Consultants
Pty Ltd
ABN: 56 646 194 176



Genevieve Peel
Environmental Consultant
B.Sc (Env)(Hons)

a: "The Old Macquarie Brewery" c1876, 72 Brisbane Street, Dubbo, NSW, 2830

e: gen@areaenv.com.au

w: www.areaenvironmental.com.au

m: 0429 452 221

Please note: I work Tuesday, Wednesday and Thursday

We acknowledge Traditional Owners and their ancestors.

RE: Bodangora Wind Farm Independent Environmental Audit

Peter James <Peter.James@dubbo.nsw.gov.au>
To: Genevieve Peel

You replied to this message on 16/02/2022 3:37 PM.

Reply Reply All Forward

Wed 16/02/2022 3:33 PM

Hi Genevieve,

I'm not the right person to answer your environmental performance questions, I'll track someone down internally and forward this to them for a response.

I will also forward this to our finance people to see if they can answer the Community Benefits Fund questions.

Thanks PJ



Peter James
Senior Transport Asset Specialist
Infrastructure Delivery | Dubbo Regional Council
P 02 6840 6409
Peter.James@dubbo.nsw.gov.au
<http://dubbo.nsw.gov.au>



How was your experience today?

Click on one of the icons below to let us know!



We acknowledge the Wiradjuri people, the traditional custodians of the land. We pay respects to Elders past, present and emerging of the Wiradjuri Nation.

Please consider the environment before printing this email.

This e-mail, together with any attachments, is for the exclusive and confidential use of the addressee(s). Any other distribution, use of, or reproduction without prior written consent is strictly prohibited. Views expressed in this e-mail are those of the individual, except where specifically stated otherwise. Dubbo Regional Council does not warrant or guarantee this message to be free of errors, interference or viruses.

Appendix D – Independent Environmental Audit Auditor Approval



Planning,
Industry &
Environment

Bodangora Wind Farm Pty Limited
Attention: Mr Matt Dickie
LVL 17/ 56 PITT STREET
SYDNEY New South Wales 2000

28/09/2021

Dear Mr Dickie

Bodangora Wind Farm Project (MP10_0157) Independent Environment Audit Auditor Approval Request

I refer to your application submitted to the Department of Planning, Industry and Environment (the Department) on 17 September 2021, seeking the Secretary's endorsement for an audit team to undertake the Independent Environmental Audit (IEA) in accordance with Schedule D Condition D8 for the Bodangora Wind Farm Project (the consent).

The Department has reviewed the nomination and information you have provided and is satisfied that Advanced Regional Environmental Assessments (AREA) Consultants Pty Ltd Pty and AREA Environmental & Heritage Consultants are suitably qualified and experienced.

Consequently, in accordance with Schedule D Condition D8(a) of the Consent and the Independent Audit Post Approval Requirements, the Secretary has agreed to the following audit team below to undertake the IEA and prepare the IEA Report:

1. Mr Phillip Cameron – Lead Auditor
2. Ms Addy Watson
3. Dr Heidi Kolkert
4. Mr Nick Harrop
5. Mrs Gen Peel
6. Mr Dave Sturman

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

The Independent Audit must be prepared, undertaken and finalised in accordance with the all the requirements of Schedule D Condition D8 and have regards for the Independent Audit Post Approval Requirements. Failure to meet these requirements will require revision and resubmission.

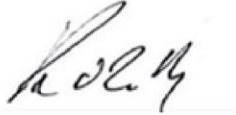
The Department reserves the right to request an alternate auditor or audit team for future audits.

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.

Prior to submitting the IEA report, it is recommended that you review the report to ensure it complies with the relevant consent condition and the Independent Audit Post Approval Requirements.

If you wish to discuss the matter further, please contact Jennifer Rowe on 0242471851.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly', enclosed in a thin black rectangular border.

Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary

Appendix E – Declarations

Declaration of Independence Form

Declaration of Independence - Auditor

Project Name: Bodangora Wind Farm Project

Consent Number: MP 10_0157

Description of Project: 33 turbine Wind Farm

Project Address: Bodangora, NSW

Proponent: Bodangora Wind Farm Pty Ltd

Date: 22/02/2022

I declare that:

- i. I am not related to any proponent, owner, operator or other entity involved in the delivery of the project. Such a relationship includes that of employer/employee, a business partnership, sharing a common employer, a contractual arrangement outside an Independent Audit, or that of a spouse, partner, sibling, parent, or child;
- ii. I do not have any pecuniary interest in the project, proponent or related entities. Such an interest includes where there is a reasonable likelihood or expectation of financial gain (other than being reimbursed for performing the audit) or loss to the auditor, or their spouse, partner, sibling, parent, or child;
- iii. I have not provided services (not including independent reviews or auditing) to the project with the result that the audit work performed by themselves or their company, except as otherwise declared to the Department prior to the audit;
- iv. I am not an Environmental Representative for the project; and
- v. I will not accept any inducement, commission, gift or any other benefit from auditee organisations, their employees or any interested party, or knowingly allow colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)


Name of Proposed Auditor: Phil Cameron

Signature: 

Qualification: BSc, Ass Dip App Sci.

Company: AREA Environmental & Heritage Consultants


Name of Proposed Auditor: Heidi Kolkert

Signature: 

Qualification: BA-BSc (hons) PhD

Company: AREA Environmental & Heritage Consultants

Name of Proposed Auditor: Genevieve Peel

Signature: 

Qualification: B.Sc.(Env)(Hons)

Company: AREA Environmental & Heritage Consultants

Independent Audit Report Declaration Form

Independent Audit Report Declaration Form

Project Name: Bodangora Wind Farm Project

Consent Number: MP 10_0157

Description of Project: 33 turbine wind farm

Project Address: Bodangora NSW

Proponent: Bodangora Wind Farm Pty Ltd

Date: 22/02/2022

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an

approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and

- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor: Phil Cameron


Signature: 

Qualification: BSc, Ass Dip App Sci.

Company: AREA Environmental & Heritage Consultants

Company Address: "The Old Macquarie Brewery" 72 Brisbane Street, Dubbo, NSW, 2830

Name of Auditor: Genevieve Peel

Signature: 

Qualification: B.Sc(Env)(Hons)

Company: AREA Environmental & Heritage Consultants
