

# BRWF Stage One - Compliance Tracking Program - 2024



Project consent for Boco Rock Wind Farm (BRWF) MP 09\_0103 was determined by the Department of Planning, Housing and Infrastructure (DPHI) (the Department) on 9 August 2010, and modified by Department on 23 December 2022 (MP 09\_0103 Modification 1). The original consent allowed BRWF to be constructed across two Stages. BRWF Stage One commenced operation in February 2015, and the purpose of Modification 1 was to optimise capacity and constructability of BRWF Stage Two.

In accordance with Condition 4.1 of MP 09\_0103 Modification 1, this Compliance Tracking Program has been developed to track compliance with the requirements of the approval for BRWF Stage One. This compliance tracking program reports by exception and only identifies conditions where a non-compliance or pending action has been identified for the operational status of BRWF. This Compliance Tracking Program was updated on 15/01/2024.

Note: **Red type represents Modification 1 (09\_0103-Mod-1)**. Text that has been struck out reflects the pre-Modification condition of consent.

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
2.32	<p><b>Bushfire Risk</b></p> <p><del>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 (Planning for Bush fire Protection 2006 and Standards for Asset Protection Undated) and provide for necessary emergency management including appropriate fire fighting equipment and water supplies on site to respond to a bush fire.</del></p> <p><b>The Proponent must:</b></p> <ol style="list-style-type: none"> <li>a. <b>minimise the fire risks of the project, including managing vegetation fuel loads on-site;</b></li> <li>b. <b>ensure that the project:</b> <ul style="list-style-type: none"> <li>■ <b>complies with the relevant asset protection requirements in the RFS's Planning for Bushfire Protection 2019 (or equivalent) and Standards for Asset Protection Zones;</b></li> <li>■ <b>is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to an internal access road;</b></li> </ul> </li> </ol>	Compliant	<p>This condition has been updated as a result of MP 09_0103 Modification 1 (determined on 23 December 2022). The existing Emergency Response Plan (ERP) for BRWF Stage One was prepared to meet the original conditions of consent.</p> <p>The Department was contacted on 21 March 2023 notifying that a review of the ERP had been completed and it was determined that the current management measures at BRWF Stage One meet the new Condition 2.32. Equally the current Emergency Response Plan fulfills the requirements in RFS's <i>Planning for bush fire protection 2019</i> for a Bush Fire Emergency Management and Operations Plan.</p> <p>The requirement for the provision of a 20,000 litre supply tank fitted with a 65mm Storz fitting and a FRNSW compatible suction connection will be met during the delivery of BRWF Stage Two.</p>

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
	<ul style="list-style-type: none"> <li>c. develop procedures to manage potential fires on site, in consultation with the RFS;</li> <li>d. assist the RFS and emergency services as much as practicable if there is a fire or fire risk in the vicinity of the site; and</li> <li>e. notify the relevant local emergency management committee following construction of the project and prior to commencing operations for Stage Two.</li> </ul>		<p>The ERP does not require the Department's approval. Revision 5 of the ERP was provided to the RFS on 14/09/2023. No comments received.</p> <p>No fires have occurred in the vicinity of the site, as of the date of this report.</p> <p>Construction of Stage 2 has not commenced, as of the date of this report.</p>
3.3	<p>Prior to the commencement of construction of Stage One, the Proponent shall prepare and submit for the approval of the <del>Planning Secretary Director-General</del> a Bird and Bat Adaptive Management Program for Stage One, which takes account of 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 and implemented by a suitably qualified expert, approved by the <del>Planning Secretary Director-General</del>. The Program shall incorporate Monitoring, and a Decision Matrix that clearly sets out how the Proponent will respond to the outcomes of monitoring. It shall:</p> <ul style="list-style-type: none"> <li>a. incorporate an ongoing role for the suitably qualified expert;</li> <li>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 Stage One the project, that is, data may be required to be collected prior to the commencement of construction of Stage One;</li> <li>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;</li> <li>d. identify 'at risk' bird and bat groups, seasons (such as wet seasons where bird species may be attracted to nearby wetlands) and/or areas within the project site which may attract high levels of mortality and</li> </ul>	Compliant	<p>Bird and Bat Adaptive Management Program Version 1 (BBAMP Version 1) was approved by the Department on 15/05/2013.</p> <p>Monitoring reports have been submitted annually for the first five years of monitoring from 2015 to 2019. Annual reports were also submitted for 2020 (year 6) and 2021 (year 7).</p> <p>Pursuant to condition 4.4 c), the BBAMP was reviewed and updated in consultation with the BCD and the Department between 29/09/2023 and 24/11/2023.</p> <p>The BBAMP Version 2 was approved by the Department on 22/12/2023 and has been published on the Project's website.</p> <p>The next monitoring report will cover 2022 (year 8) and 2023 (year 9).</p>

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
	<p>include monthly mortality assessments and periodic local population census' and bird utilisation surveys;</p> <ul style="list-style-type: none"> <li>e. identify potential mitigation measures and implementation strategies in order to reduce impacts on birds and bats <b>from Stage One</b> 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</li> <li>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.</li> </ul> <p>The Reports referred to under part f) shall be submitted to the <b>Planning Secretary</b> <del>Director-General</del> on an annual basis for the first five years of operation and every two years thereafter from the commencement of operation (unless otherwise agreed to by the <b>Planning Secretary</b> <del>Director-General</del>), and shall be prepared within two months of the end of the reporting period. The Planning Secretary <del>Director-General</del> may, at the request of the Proponent, vary the reporting requirement or period by notice in writing to the Proponent. The Proponent may request the <b>Planning Secretary</b> <del>Director-General</del> to consider a variation to the reporting requirements at <b>any time</b> <del>anytime</del>.</p> <p>The Proponent is required to implement reasonable and feasible mitigation measures <b>for Stage One</b> as identified under part e) where the need for further action is identified through the Bird and Bat Adaptive Management Program <b>for Stage one</b>, or as otherwise agreed with the <b>Planning Secretary</b> <del>Director-General</del>.</p>		
4.2	<p><b>Independent Environmental Audit</b></p> <p><b>Independent Audits of Stage One and Stage Two must be conducted and carried out at the frequency described and in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i>, unless otherwise agreed or directed by the Planning Secretary.</b></p>	Compliant	<p>This condition has been added as a result of MP 09_0103 Modification 1.</p> <p>An Independent Environmental Audit (IEA) of BRWF Stage One was last completed in September 2015. The approved Operational Environmental Management Plan (OEMP Version E) for BRWF Stage One stipulates that independent audits would be carried out upon request from the Secretary of the Department or the Minister of the DCCEEW. No request had been raised to date.</p>

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
			<p>As a result of MP 09_0103 Modification 1, Independent Audits of BRWF Stage One (and Stage Two, once commenced) will be conducted in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i> unless otherwise agreed or directed by the Planning Secretary.</p> <p>On 20/03/2023, BRWF obtained the Secretary's agreement to start the audit by 31 August 2023.</p> <p>On 05/04/2023 the Department endorsed the IEA team.</p> <p>On 22/08/2023 the IEA conducted a site visit and on 13/10/2023 the IEA report and response to recommendations was submitted to the Department.</p> <p>The Department provided a letter on 16/10/2023 noting the report generally satisfied this condition. The IEA report and the Department letter of response have been published on the Project's website.</p> <p>Pursuant to condition 4.3 and as instructed in the Department letter, the current strategies and plans were reviewed and it was determined that no revisions were required.</p>
4.3	<p><b>Revising, Staging, Combining and Updating Strategies, Plans or Programs</b></p> <p>The Proponent must:</p> <ol style="list-style-type: none"> <li>update the strategies, plans or programs required under this approval to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and</li> <li>review and, if necessary, revise the strategies, plans or programs required under this approval to the satisfaction of the Planning Secretary within 3 months of the:</li> <li>submission of an incident report under condition 4.12;</li> <li>submission of an audit report under condition 4.2; or</li> <li>any modification to the conditions of this approval.</li> </ol>	Compliant	<p>This condition has been added as a result of MP 09_0103 Modification 1.</p> <p>Pursuant to item c) 'incident report' and d) 'audit report' of this condition:</p> <ul style="list-style-type: none"> <li>Following an incident that occurred on 07/10/2023 and the completion of the IEA and submission of the IEA report to the Department on 13/10/2023, a review of the relevant strategies and plans was completed between 17/10/2023 and 25/10/2023, and it was determined that revisions were not required.</li> </ul> <p>Pursuant to item e) 'modification' of this condition, the modification triggered a review of the strategies, plans and programs that are relevant to the operational status of BRWF Stage One. These plans are:</p>

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
			<ul style="list-style-type: none"> <li>• OEMP</li> <li>• BBAMP</li> </ul> <p>An Administrative update of the BBAMP was submitted on 25/05/2023. The Department approved this version of the BBAMP on 05/10/2023.</p> <p>The OEMP was reviewed and the updated Version F was submitted on 25/04/2023. SQE are waiting to receive feedback or approval from the Department.</p> <p>A notification of non compliance was provided to the Department on 24/05/2023, since the updated BBAMP and OEMP were not submitted within 3 months of the modification. On 07/06/2023 the Department assessed the non-compliance with the Approval in accordance with its Compliance Policy and determined on this occasion to record the breach with no further action.</p>
4.4	<p>With the approval of the Planning Secretary, the Proponent may:</p> <p>a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the project to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and</p> <p>c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the project).</p>	Compliant	<p>BBAMP Version 1 was approved by the Department on 15/05/2013.</p> <p>Pursuant to condition 4.4 c), the BBAMP was reviewed and updated in consultation with the BCD and the Department between 29/09/2023 and 24/11/2023.</p> <p>The BBAMP Version 2 was approved by the Department on 22/12/2023 and has been published on the Project's website.</p> <p>Current OEMP Version E was approved by the Department on 21/11/2014.</p> <p>The plan was reviewed and revised pursuant to Conditions 4.3 e) and 4.4c); and Version F was submitted to the Department on 25/04/2023. SQE are waiting to receive feedback or approval from the Department.</p>
4.12	<p>Incident Notification</p> <p>The Department must be notified in writing via the Major Projects website portal immediately after the Proponent becomes aware of an incident. The notification must identify the project (including the</p>	Compliant	<p>This condition has been added as a result of MP 09_0103 Modification 1.</p> <p>An incident occurred on 07/10/2023 and was notified in writing to the Department via the major project portal on</p>

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
	<p>development application number and the name of the project if it has one), and set out the location and nature of the incident.</p> <p>Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.</p>		<p>09/10/2023. A report of the incident was provided to the Department on 16/10/2023.</p> <p>On 17/10/2023 a response was received from the Department, acknowledging clean up of spill and that the OEMP will be reviewed and possibly revised within 3 months of spill.</p> <p>On 26/10/2023 a full incident report was provided to the Department via the Major Projects portal, in accordance with Item 3 of Appendix 3.</p> <p>On 30/10/2023; the Department advised no further comment in relation to the report.</p> <p>The OEMP Version F was reviewed on 25/10/2023, and it was determined that revisions were not required. It is also noted that SQE are waiting to receive feedback or approval from the Department on Version F that was submitted on 25/04/2023.</p>
5.1	<p><del>Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.</del></p> <p>The Proponent must:</p> <p>a) make the following information publicly available on its website as relevant to the stage of the project:</p> <ul style="list-style-type: none"> <li>• the Environmental Assessment;</li> <li>• the final layout plans for the project;</li> <li>• current statutory approvals for the project;</li> <li>• approved strategies, plans or programs required under the conditions of this approval;</li> <li>• the proposed staging plans for the project if the construction, operation or decommissioning of the project is to be staged;</li> <li>• a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;</li> <li>• how complaints about the project can be made;</li> </ul>	Compliant	The documents listed in Condition 5.1 are available on the public website.

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
	<ul style="list-style-type: none"> <li>• a complaints register, which is to be updated on a monthly basis;</li> <li>• minutes of CCC meetings;</li> <li>• the annual Statement of Compliance with the EPL;</li> <li>• the results of the compliance tracking program;</li> <li>• any independent environmental audit, and the Proponent's response to the recommendations in any audit; and</li> <li>• any other matter required by the Planning Secretary; and</li> </ul> <p>b) keep this information up to date.</p>		
<p><b>6.4</b></p>	<p><b>Operational Environmental Management Plan</b></p> <p>The Proponent shall prepare and implement an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during operation of the project. The Plan shall be consistent with Guideline for the Preparation of Environmental Management Plans (DIPNR 2004) and shall include, but not necessarily be limited to:</p> <ol style="list-style-type: none"> <li>a. a description of key operational and maintenance activities associated with the project;</li> <li>b. identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all approvals, licences, approvals and consultations;</li> <li>c. a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;</li> <li>d. overall environmental policies and principles to be applied to the operation of the project;</li> <li>e. an environmental risk analysis to identify the key environmental performance issues associated with the construction phase and details of how environmental performance would be monitored and managed to meet acceptable outcomes including what</li> </ol>	<p>Compliant</p>	<p>The current approved OEMP for BRWF Stage One (Version E, dated 27/11/2014) is being implemented. The OEMP (Version E) is available on the project website.</p> <p>A revised OEMP for BRWF Stage One (Version F) was submitted to the Department for review and approval on 25/04/2023. SQE are waiting to receive feedback or approval from the Department.</p> <p>A separate OEMP will be prepared for Stage Two prior to the commencement of operation of that Stage.</p>

Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
	<p>actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> <li>(i) measures to monitor and manage noise emissions including: <ul style="list-style-type: none"> <li>■ measures to be undertaken to rectify annoying characteristics resulting from the operation of the project such as but not limited to adverse mechanical noise from component failure,</li> <li>■ measures for regular performance monitoring of noise generated by the project</li> <li>■ measures to proactively respond to and deal with noise complaints; <ul style="list-style-type: none"> <li>(i) (a) details of noise mitigation measures (such as sector management or on-curtilage noise treatments) that would be used to ensure that operational noise criteria are not exceeded;</li> <li>(ii) measures to monitor and manage visual impacts in accordance with the requirements of this approval including maintenance requirements for landscaping measures implemented in relation to the project;</li> <li>(iii) measures to monitor and manage flora and fauna impacts including adaptive bird and bat management in accordance with the requirements of this approval and measures for the monitoring and maintenance of revegetated areas on site (including associated weed management) consistent with the requirements of conditions 2.7 and 2.8;</li> <li>(iv) measures to monitor and manage dust emissions (including dust generated by traffic on unsealed internal access tracks)</li> <li>(v) measures to monitor and manage operational traffic impacts particularly during maintenance events where</li> </ul> </li> </ul> </li> </ul>		



Schedule/ Condition	Terms for Approval	Status	Date of compliance date and evidence type
	<p>operational traffic volumes associated with the project may increase and procedures for restoring any damage attributable to the project during the operation phase;</p> <p>(vi) emergency management measures including measures to control bushfires;</p>		
	<p>f. procedures for the periodic review and update of the Operation Environmental Management Plan as necessary.</p> <p>The Plan shall be submitted for the approval of the Planning Secretary no later than one month prior to the commencement of each stage of Operation of the project or within such period as otherwise agreed by the Planning Secretary. Operation of each stage shall not commence until written approval has been received from the Planning Secretary.</p>	Compliant	<p>A revised OEMP for BRWF Stage One (Version F) was submitted to the Department on 25/04/2023 for review and approval. SQE are waiting to receive feedback or approval from the Department.</p>