

BARNETT & MAY

Hunter Valley Power Station

2022 Independent Environmental Audit

Prepared for
Snowy Hydro Limited

Client representative
Isaac Strachan

Date: 28 March 2023
Rev 1



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Prepared by — K. Holmes		Date 28 March 2023
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Revision History

Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
A	Draft for client Review	K. Holmes	M Holmes	K. Holmes	15/9/2022
0	Final	K. Holmes	K Holmes	K. Holmes	7/10/2022
1	Address DPE Comments	K. Holmes	K Holmes	K. Holmes	28/03/2023

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1. Introduction

Barnett & May was engaged by Snowy Hydro Ltd, to conduct the 2022 Independent Environmental Audit (IEA) of the Hunter Valley Power Station that was, at the time of the audit, under construction. The development is located at 73 Dickson Road, Loxford, NSW. This IEA was required under Part C, Conditions C15 to C19 the Project Approval 12590060.

The audit was undertaken in accordance with the Barnett and May's the requirements of the New South Wales Department of Planning, Industry and Environment (DPIE) Independent Audit Post Approval Guidelines (May 2020). The Audit was commissioned in August 2022 following approval of the auditor by DPIE on 26 July 2022.

The audit was undertaken by Ken Holmes (Accredited Lead Auditor) of Barnett & May in August 2022.

1.1 Project Description and Status of Construction

The Hunter Valley Power Station will comprise two heavy-duty, open cycle gas turbines (OCGT). The OCGTs will operate on natural gas. While the units will be hydrogen-ready, diesel will be used as back-up fuel. The power station will have a capacity of 660 megawatts.

Construction of the Power Station commenced on 29 March 2022. At the of this IEA site preparation former structures associated with the former aluminium smelter had been removed, remediation of contaminated soils (relocation of contaminated materials to adjacent site for secure, permanent burial in an engineered emplacement) were complete and earthworks, including leveling and drainage works were well progressed.

1.2 Audit Objectives

The objectives of this Independent Environmental Audit, in accordance with the Post Approval Audit Guidelines, were to:

1. Assess compliance against the conditions of the Project Approval.
2. Review all relevant post approval documentation required by the Project Approval(s) including an assessment of the implementation of Environmental Management Plans and Sub-plans.
3. Review compliance against other environmental licences and approvals excluding any Environmental Protection Licence issued under the Protection of the Environment Operations Act 1997.
4. Review the environmental performance of the development including:
 - a. A high-level comparison of actual impacts against predicted impacts as documented in the environmental impact assessment.
 - b. The physical extent of the development in comparison with the approved project boundaries.
 - c. Review of environmental incidents, non-compliances, and complaints relevant to the audit period.
 - d. Performance against any applicable environmental policy or environmental issue identified through consultation with the relevant Regulatory Authorities.
 - e. Feedback received from DPIE, other Agencies or Stakeholders including the community Consultative Committee (or equivalent body if applicable) relating to environmental performance of the development.
5. Review of the status of non-compliances and recommendations made in the preceding Independent Environmental Audit.
6. A high-level assessment of the adequacy of the Environmental Management Plans and Sub-plans required by the Approval.
7. Review performance of the development against any other matters considered relevant by the auditor or the Department, considering relevant regulatory requirements and legislation, knowledge of the development's past performance and comparison to industry best practices.

1.3 Audit Scope

The audit provides an assessment of the compliance of the project with the conditions of Project Approval 12590060 and EPBC Approval 2021/8888. Note that no other relevant environmental licences or approvals were identified for this development.

The scope of this audit was developed to meet the requirements of the New South Wales Department of Planning, Industry and Environment (DPIE) Independent Audit Post Approval Guidelines May 2020 (as specified in the Approval). The audit scope was therefore developed with consideration of:

- Requirements of the Project Approval(s)
- Relevant correspondence from DPIE (provided by the Auditee);
- Inputs provided by the Stakeholders consulted as part of this IEA;
- Review of the findings of the previous IEA; and
- The Auditor's experience in relation to relevant industry practices.

1.4 Audit Period

This audit of the construction phase of the project covers the period of 29 March 2022 (construction commencement) to 1 August 2022.

1.5 Limitations of this Report

In preparing this Independent Environmental Audit Report, Barnett and May has assessed the activities appropriate and necessary to evaluate the compliance status against the conditions contained in the Auditee's Project Approval. Barnett and May has addressed the general technical matters which might reasonably be considered to be relevant to such an assessment.

The findings of this Independent Environmental Audit are based on observations of the site, interviews with personnel nominated by the Auditee and review of the documentation provided by the Auditee. Barnett and May has relied on the accuracy and completeness of the documentation and other information provided by the Auditee.


Barnett and May can only advise based on the information provided to them and therefore cannot dismiss the possibility that compliance or environmental performance issues, other than those presented in the report existed at the time of this Audit.

The audit findings presented in this report are professional opinions based solely upon Barnett and May's visual observations of the site, and upon Barnett and May's interpretation of the documentation reviewed, interviews and conversations with personnel nominated by the Auditee, as referenced in this report. These conclusions are intended exclusively for the purposes stated herein, at the site listed, and for the project indicated. Opinions presented in this report apply to the site's conditions and features as they existed at the time of the audit, and those reasonably foreseeable. They necessarily cannot apply to conditions and features which Barnett and May is unaware of and has not had the opportunity to evaluate. This report does not, and does not purport to, give legal advice on the actual or potential environmental liabilities of any individual or organisation.

2. Definitions

Acronyms	Description
AQMP	Air Quality Management Plan
ASS	Acid Sulphate Soils
BCA	Australian Building Codes
BCS	Biodiversity, Conservation and Science Directorate (DPIE)
BMP	Biodiversity Management Plan
CCS	Community Consultation Strategy
CEMS	Construction Environmental Management Strategy
CAQMP	Construction Air Quality Management Plan
CNVMP	Construction Noise and Vibration Management Plan
CPTMP	Construction Pedestrian and Traffic Management Plan
CWMP	Construction Waste Management Plan
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water
DECC	Department of Environment and Climate Change (now DPIE)
DPIE	Department of Planning, Infrastructure and Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EP&A	Act Environmental Planning and Assessment Act 1979
EPA	NSW Environment Protection Authority
ER	Environmental Representative
ESD	Ecological Sustainable Development
HMP	Heritage Management Plan
IEA	Independent Environmental Audit
ICNG	EPA Interim Construction Noise Guideline
OEH	NSW Office of Environment and Heritage
SHL	Snowy Hydro Limited
SSD	State Significant Development
TfNSW	Transport for New South Wales
VOC	Volatile Organic Carbon

3. Auditor Certification

Independent Audit Certification Form	
Development Name	Hunter Valley Power Station
Application Number	12590060
Description of Development	Gas Fired Power Station
Development Address	73 Dickson Road, Loxford, NSW
Proponent	Snowy Hydro Ltd
Title of Audit	Hunter Valley Power Station 2022 Independent Environmental Audit
<p><i>I certify 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></p> <ul style="list-style-type: none"> <i>The audit has been undertaken in accordance with relevant approval condition(s) and in general accordance with the auditing standard AS/NZS ISO 19011:2011 and in general conformance with the DPE's Independent Audit Post Approval Requirements (June 2018).</i> <i>The findings of the audit are reported truthfully, accurately and completely;</i> <i>I have exercised due diligence and professional judgement in conducting the audit;</i> <i>I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</i> <i>I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</i> <i>I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</i> <i>Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</i> <i>I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</i> <p><i>Note.</i></p> <p><i>a) The Independent Audit is an 'environmental audit' for the purposes of section 122B (2) of the Environmental Planning and Assessment Act 1979. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</i></p> <p><i>b) The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement—maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents—maximum penalty 2 years imprisonment or \$22,000, or both).</i></p>	
Signature	
Name of Lead/Principal Auditor	Ken Holmes
Address	49 Coba Point, Berowra Waters, NSW
Email Address	ken@baeckea.com.au
Auditor Certification (if relevant)	Exemplar Global 14065
Date	7 October 2022

3.1 Audit Details

Table 1 - Audit Details

Audit Title:	Hunter Power Project - 2022 Independent Environmental Audit
Site:	Hunter Valley Power Station
Client Contact:	Isaac Strachan
Position:	Project Manager
Client:	Snowy Hydro Limited
Client Address:	Monaro Highway, Cooma, NSW 2630
Client Phone Number	02 64532888
Client Email:	Isaac.strachan@snowyhydro.com.au
Auditor:	Ken Holmes (Certified Lead Auditor)
Auditor's Telephone:	0438 046 261
Auditor's Email:	ken@baeckea.com.au
Date of Audit Commencement	17 August 2022

4. Audit process

4.1 Audit Guidelines

This audit report has been prepared in accordance with the 'Independent Audit Guideline, June 2018 as required by the project approval and specifically with the audit frequency specified in that edition of the audit guidelines. For consistency with current audit scopes, this audit also satisfies the general scope specified in the current edition of the DPIE Independent Audit Guidelines and the and requirements of the Independent Audit Guidelines June 2018 (DP&E, June 2018)

[Table 2](#) lists key requirements from the Audit Guidelines, the relevant Section of the Guidelines which references the requirement and indicates where each is addressed in this report.

Table 2 - Post Approval Audit Guidelines

Section	Independent Audit Report Requirements	Addressed
4.1	Version Control <ol style="list-style-type: none"> 1) the application number of the project; 2) each version or revision number of the report; 3) the date on which the report was prepared and issued to the Department; and 4) the title and name of the person who certified the Independent Audit Report. 	Section 3 Page iii Page iii Section 3.1
4.2	Contents	
4.2.1	Introduction – a brief overview of the audit including: <ol style="list-style-type: none"> 1) background of the project; 2) the audit team (including qualifications and experience); 3) the objectives of the audit; 4) the audit scope; and 5) the temporal period covered by the audit. 	Section 1.1 Section 4.3.1 and Appendix E Section 1.2 Section 1.3 Section 1.4
4.2.2	Audit Methodology <ol style="list-style-type: none"> 1) documentation from the Planning Secretary agreeing to the auditor and any technical specialist(s); 2) how the audit scope was developed; 3) a summary of the audit process adopted to determine the compliance status and assess if documents are adequate; 4) site personnel interviewed including their name and position title (and including if access was not granted or possible with any required personnel and why); 5) details of site inspections undertaken (including any areas where access was not granted or possible and why); 6) a summary of the consultation undertaken; and 7) meanings of compliance status descriptors used, as set out in this document. 	Appendix C Section 1.3 Section 4 Section 4.5.3 Section 4.5.2 Section 5 Section 4.6
4.2.3	Audit Findings <ol style="list-style-type: none"> 1) a list of the approvals and documents audited; 2) a summary of the assessment of compliance i.e. comparison between the total number of compliance requirements and any 	Appendix A Section 6.1

Section	Independent Audit Report Requirements	Addressed
	<p>non-compliances identified during the reporting period. Graphics can be used to summarise project performance in relation to compliance requirements;</p> <p>3) a summary of any notices, orders, penalty notices or prosecutions issued in relation to the consent during the audit period;</p>	Section 7.3
	<p>4) exception reporting of all non-compliances identified during the audit period. Details must include the relevant consent condition, the condition reference number, a unique non-compliance identification number, details of the non-compliance and the auditor's recommended actions that are proposed to be taken or have been taken to address the non-compliance;</p>	Section 6.2
	<p>5) a brief discussion or table of the status of actions arising from previous audits and the progress or outcomes of each action. Details must include the source of the action, reference (condition number), action proposed, proposed completion date, the status (date completed, if relevant) and the action complete.</p>	Section 7.6
	<p>6) a brief discussion of whether the Environmental Management Plans, Sub-plans and compliance documents are adequate, implemented and whether there are any opportunities for improvement;</p>	Section 7.5
	<p>7) a discussion of other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance;</p>	Section 7.9
	<p>8) documentation of any feedback received as a result of consultation undertaken with the Department, and other agencies or stakeholders including the community and Community Consultative Committee for the audit and the outcomes of this consultation;</p>	Section 5
	<p>9) a summary of complaints, and the adequacy of the response to, and management of complaints;</p>	Section 7.2
	<p>10) details of any incidents (including any enforcement action by any agency) and the adequacy of the response to, and management of such incidents;</p>	Section 7.1
	<p>11) an assessment of the compliance between actual and predicted impacts documented in environmental impact assessment, including an assessment of the physical extent of the development in comparison with the approved boundary and any potential off-site impacts of the development required under the Environmental Planning and Assessment Act 1979;</p>	Section 7.8
	<p>12) evidence collected through site inspections undertaken during the audit;</p>	Appendix A
	<p>13) evidence to support compliance assessment provided by the personnel interviewed during the audit;</p>	Appendix A
	<p>14) a brief discussion of any continual environmental management improvement opportunities identified as part of the audit; and</p>	Section 6.2
	<p>15) key strengths of the development's environmental management and performance identified by the auditor.</p>	Section 7.4

Section	Independent Audit Report Requirements	Addressed
4.2.4	Recommendations and opportunities for Improvement	Section 6.3
4.2.5	Appendices 1) a completed Independent Audit Table with all relevant conditions of consent, identifying each requirement, compliance status assessed, documenting verified evidence and providing recommendations for any non-compliance that is identified;	Appendix A
	2) a copy of documentation from the Planning Secretary agreeing to the auditor and any technical specialist(s);	Appendix C
	3) documentation detailing consultation with the Department, and other agencies or stakeholders including the community and Community Consultative Committee;	Appendix D
	4) completed and signed Independent Audit Declaration Form(s);	Section 3
	5) any reports prepared by the agreed technical specialist(s), as required; and 6) site inspection photographs.	Not required Appendix B

4.2 Overview

The audit process and methodology are summarised in this section, and comprised the following key undertakings:

- Preliminary planning activities
- Review of information and preparation of a compliance register (audit protocol / checklist)
- Site inspection and interviews:
 - Opening meeting
 - Site inspection
 - Review of relevant records
 - Review of additional information provided after the site inspection
- Preparation of this audit report.

4.3 Preliminary activities

Off-site planning for the site audit comprised:

- Initial discussions with client representative, to organise the site inspection and access to audit documentation
- Prepare the audit compliance checklist.
- Completion of a project specific Risk Assessment
- Review of online information
- Submission of a preliminary document / record request
- Consultation with relevant agencies.

4.3.1 Approval of audit teams

The client sought the Secretary's endorsement for the audit team to undertake this Independent Environmental Audit. The Secretary approved the appointment of the Auditor (Ken Holmes) on 26 July 2022 (Appendix C):

4.3.2 Consultation with Agencies

The Auditor consulted with the following agencies during the audit planning stage:

- Department of Planning, Industry and Environment (DPIE)
- NSW EPA
- Cessnock City Council
- Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW)

Emails were initially sent (via Email) to each of the above agencies advising them of the audit and the scope of the audit and inviting them to provide comments/requirements or specific environmental issues they required the audit to target. Where required (where no response was provided by the nominated stakeholder organisation, a follow up email was sent to repeat the invitation to provide input into the audit. Details of the responses from each group / organisation is provided in Section 5.

4.4 Information Review and Compliance Register

Prior to the site inspection the Auditor prepared a detailed audit checklist (spreadsheet) that was used to assess and track compliance. This spreadsheet formed the basis of the compliance register presented in Appendix A of this report.

4.5 Site audit

The site inspection component of the audit was undertaken on 17 August 2022.

4.5.1 Opening Meeting

The opening meeting was held and attended by the following personnel:

- Isaac Strachan – Health, Safety and Environment Lead
- Rachel Vazey – Senior Associate Environmental Planner (Jacobs)
- Mike Luger – Principal Environmental Planning and Management (Jacobs)
- Ken Holmes (Lead Auditor)

Introductions were made, and the purpose and scope of the audit was outlined. An explanation of the audit process was communicated. That is, a site inspection, site interviews and detailed review of records in order to identify compliance with the approval conditions relevant to the current operations at the site.

4.5.2 Site Inspections

The site inspection included observation of:

- Site access and security;
- Construction works;
- Waste storage areas; and
- Surface water management infrastructure.

4.5.3 Site Interviews

Audit interviews comprised of a series of meetings with:

- Isaac Strachan – Health, Safety and Environment Lead
- Rachel Vazey – Senior Associate Environmental Planner (Jacobs)
- Mike Luger – Principal Environmental Planning and Management (Jacobs)
- Dominic Oldfield – Environment Manager (Robson Civil)
- Reece Rassouli – Project Engineer (Robson Civil)

4.5.4 Document review

Compliance related documents that were not available prior to were requested to be provided following the audit. The Auditee's personnel assisted with the provision of documentation following the audit, through secure file transfer mechanisms. The key documents reviewed during this audit are listed in the Compliance Registers against specific conditions.

4.6 Reporting

The compliance register was completed using notes and observations recorded during the site inspection / interviews and review of appropriate documentation. The completed compliance register is presented in **Appendix B**. A summary of the non-compliances identified during this audit are provided in [Table 6](#). The audit criteria used to determine compliance for this audit is defined in [Table 3](#).

Table 3 - Compliance Assessment Matrix

Assessment	Criteria
<p style="text-align: center;">Complies</p>	<p>Compliance</p> <p>The site complies with the requirements of applicable pre-operational Consent Conditions.</p> <p>A judgment made by an auditor that the activities undertaken, and the results achieved fulfil the specified requirements of the audit criteria. While further improvements may still be possible, the minimum requirements are being met.</p>
<p style="text-align: center;">Non-Compliance</p>	<p>Non-Compliance</p> <p>Clear evidence has been collected to demonstrate the requirement has not been complied with and is within the scope of the audit.</p> <p>Site displays little or no evidence of compliance with the requirements of the regulatory documentation.</p> <p>Note: Where the auditor has not been able to collect enough verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of enough verification, the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. As the condition cannot be verified it is treated as a non-compliance.</p>
<p style="text-align: center;">Not Triggered</p>	<p>Not Applicable / Not Triggered</p> <p>The respective condition / requirement was not activated within the scope of the audit.</p>
<p style="text-align: center;">Noted</p>	<p>A statement or fact, where no assessment of compliance is required.</p>

Risk levels for each non-compliance identified have been assessed in accordance with Table 3.

Table 4 - Risk Assessment Matrix

Risk Level	Description
High	Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence.
Medium	Non-compliance with: <ul style="list-style-type: none"> • potential for serious environmental consequences, but is unlikely to occur; or • potential for moderate environmental consequences but is likely to occur.
Low	Non-compliance with: <ul style="list-style-type: none"> • potential for moderate environmental consequences, but is unlikely to occur; or • potential for low environmental consequences but is likely to occur.
Administrative non-compliance	Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions).

5. Stakeholder Consultation

[Table 5](#) provides a summary of the Stakeholder Consultation undertaken by the Auditor.

Table 5 - Summary of Stakeholder Inputs

Department	Contact	Stakeholder Comments	Auditor Response
NSW Department of Planning, Industry and Environment	Jennifer Sage	<p>Thanks for your email requesting input from DPE to the Independent Audit of the construction phase of the Hunter Power Project.</p> <p>The department requests that the audit consider the following –</p> <ul style="list-style-type: none"> • Stormwater management, including erosion and sediment controls – a constrained site and a very wet construction period. • The carrying out of construction activities within the approved project boundary, and conversely, identify any work conducted outside the approved project area. • Inspection of laydown areas and access to the project area. • Management of contaminated soils – the site has known contaminants and while remediation was carried out prior to Snowy Hydro taking possession, it was not suitable for construction (due to presence of wastes), so further work was required. • Waste management. 	All issues addressed during the IEA
Cessnock City Council	Council General Email Contact	Council acknowledged receipt of the Auditor's request, however did not provide any input to the audit.	Noted
NSW EPA	Regional Operations (Hunter Valley) – Steve James	The EPA appreciates the opportunity to comment on the Independent Environmental Audit, however we do not have any comments or concerns about the environmental performance of the construction project at this time.	Noted
DCCEEW	Vaughn Cox	I have copied the Dept's compliance monitoring team, which should have received a commencement notice, etc and be aware of any compliance issues.	Noted (no further input was provided by DCCEEW)

6. Statutory Compliance and Recommendations

Compliance with the Conditions of Consent have been reviewed by assessing compliance against the various documentation related to project approval, as listed in section 2.2 of this report. The Compliance Register presented in Appendix A provides a detailed review of the compliance status of the site, including recommendations to address non-conformances.

6.1 Summary of Compliance Status

A summary of compliance with pre-operations statutory requirements is provided in [Table 6 - Summary of Statutory Compliance](#). The number of conditions include sub-clauses within each approval document.

Table 6 - Summary of Statutory Compliance

Approval/ Licence	No. of Conditions	Compliant	Non- Compliant	Noted	Not Triggered
Project Approval 12590060	201	87	3	18	93
EPBC 2021/8888	28	4	0	1	23

6.2 Non-Compliances and other recommendations

Non-compliances identified during the site inspection, interviews and document reviews are recorded in detail in the Compliance Registers in **Appendix A** and are summarised in [Table 7](#). Recommendations have been made to address all identified Non-Compliances and Observations (recommendations for improvement).

Table 7 - Statutory Non-Compliances and Observations

No.	Condition	Finding	Recommendation	Risk Level
Project Approval 12590060				
S3 B20 (b)	Prior to the commencement of installation of the gas turbines, the Proponent must submit final design drawings to the following organisations: (b) RAAF Williamstown	Commencement of installation of the gas turbines is scheduled to commence in December 2022. Therefore, full compliance with this condition has not yet been triggered. SHL has submitted copies of the stack design to each listed stakeholder, however, has not provided a copy of the final stack design drawings to RAAF Williamstown as required by this Condition.	Provide a copy of the final stack design drawings to RAAF Williamstown, unless DPIE approval is obtained.	Observation
S3 B20 (c)	Prior to the commencement of installation of the gas turbines, the Proponent must submit final design drawings to the following organisations: (c) Aeronautical Information Services – Air Force	Commencement of installation of the gas turbines is scheduled to commence in December 2022. Therefore, full compliance with this condition has not yet been triggered. SHL has submitted copies of the stack design to each listed stakeholder, however, has not provided a copy of the final stack design drawings to the Aeronautical Information Services as required by this Condition.	Provide a copy of the final stack design drawings to Aeronautical Information Services, unless DPIE approval is obtained.	Observation

No.	Condition	Finding	Recommendation	Risk Level
S5 C15	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) or its latest version.	Construction commenced 29 March 2022 and the audit was commissioned in August 2022 with a site inspection on 17 August 2022. The audit was not commissioned or undertaken within 12 weeks of commencement of construction, in accordance with Independent Audit Post Approval Requirements (2020)	Ensure that all future audits are commissioned and commenced within the time frames specified in the Independent Audit Post Approval Requirements (2020).	Administrative non-compliance
S5 C20	<p>Before the commencement of construction until the completion of all rehabilitation required under this approval, the Proponent must:</p> <p>a) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this approval) publicly available on its website:</p> <p>(i) the EIS;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this approval;</p> <p>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval;</p> <p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;</p> <p>(vii) a summary of the current phase and progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p>	<p>The following documents / records were available on the project website at the commencement of this IEA:</p> <p>i. EIS</p> <p>ii. Planning Approval (SSD 12590060), the EPL 21627 and EPBC Approval 2021/8888</p> <p>iii. All plans and strategies required by the Approval</p> <p>iv. SHL does not plan to stage the construction of the power station, therefore no staging plans are required</p> <p>v. The EMS does not specify a specific program for reporting on environmental performance other than the IEA requirements of the Approval and monitoring results (vi below)</p> <p>vi. Monthly monitoring summary and noise monitoring results</p> <p>vii. A summary of the current status of the project (Progress and Approvals)</p> <p>viii. Contact Details (Contact Tab)</p> <p>ix. The complaints register was not provided on the website.</p> <p>x. Annual Reviews are not required by the Approval</p>	<p>Ensure that a copy of the project Complaints Register is uploaded to the website. Note that this requirement applies whether or not complaints have been received.</p>	Administrative non-compliance

No.	Condition	Finding	Recommendation	Risk Level
	(x) the Annual Reviews of the development; (xi) audit reports prepared as part of any Independent Environmental Audit of the development and the Proponent's response to the recommendations in any audit report; (xii) any other matter required by the Secretary; and	xi. The current IEA is the first independent audit, therefore no audit reports were required at the time of this IEA. xii. The Secretary has not requested that any other matters be reported on the website.		

7. Independent Audit Post Approval Requirements

This audit focused on the compliance requirements established by the Conditions of Approval. This section of the report covers the specific requirements contained in the DPIE Guidelines.

7.1 Summary of Environmental Incidents

During the audit period, four minor environmental incidents were recorded. The incidents were:

- Hydraulic Hose Failure (30 March 2022) resulting in minor hydraulic oil spill within the project boundary.
- Sediment discharge into Basin B (3 May 2022). No offsite discharge occurred.
- Unexpected contamination finds (11 May 2022). Material classified in accordance with EPA Guidelines and managed in accordance with site EPL.
- Sediment Discharge at Basin C (27 May 2022). No offsite discharge occurred.

Those incidents were managed and investigated appropriately. None of the incidents recorded resulted in a material environmental impact and therefore were not required to be reported to DPE or any other Authority.

7.1.1 Incident Response Assessment

During this IEA the Auditor accessed the incident management system and reviewed the Incident Register. The system implemented as documented in the EMS includes:

- Incident reporting;
- Implementation of immediate response actions;
- Incident investigation;
- Development of corrective and preventative actions;
- Reporting (internal and external);
- Incident record management.

The Auditor sighted evidence that the incident management system is well understood and fully implemented.

7.2 Summary of Complaints

No complaints have been received by the Proponent over the Audit Period.

7.2.1 Compliant Management System Assessment

During this IEA the Auditor accessed the complaints management system. The system implemented as documented in the EMS includes:

- Complaint reporting;
- Communication protocol (initial and on-going contact with complainants);
- Compliant investigation;
- Development of corrective and preventative actions (where appropriate);
- Reporting (internal and external);
- Complaint record management.

The system as described in the EMS is considered appropriate for the project.

7.3 Summary of Notices

No compliance related notices, orders, penalty notices or prosecutions were issued to the project during the audit period:

7.4 Project Environmental Management System

The Hunter Power Project operates in accordance with the Environmental Management Strategy that was prepared in accordance with the requirements of the Project Approval. The EMS, as documented, generally satisfies the intent of ISO 14001.

The Auditor has concluded that the high degree of compliance identified in this audit indicates the Environmental Management System is appropriate and is being implemented.

7.5 Implementation of the Environmental Management Plan and Sub-plans

The Conditions of Approval required the preparation and implementation of the following management plans:

- Environmental Management Strategy
- Biodiversity Management
- Water Management Plan
- Cultural Heritage Management Plan
- Construction Pedestrian and Traffic Management Plan
- Waste Management Plan
- Air Quality Management Plan

During the document review phase of the project the contents of each of the plans were reviewed and found to reflect the requirements of the Approval. The Plans and Programs adequately identified the relevant project risks and proposed appropriate risk management controls.

7.6 Status of Previous IEA Findings

This IEA is the first construction phase audit, therefore there are no previous audit findings to assess.

7.7 Specialist Auditor Reports

No specialist auditor reports were required as part of this audit.

7.8 Environmental Impacts

The assessment of construction impacts against those predicted in the Environmental Impact Assessment, prepared by Ethos Urban (28 October 2018), are summarised in [Table 8](#).

Table 8 - Predicted vs Actual Impacts

Category	Predicted Impact	Actual Impacts to Date
Biodiversity	<p>Proposal would result in the direct removal of some native vegetation. The estimated native vegetation clearing is approximately 1.54 ha consisting of the following:</p> <p>Parramatta Red Gum – Narrow-leaved Apple – Prickly-leaved Paperbark shrubby woodland in the Cessnock-</p> <ul style="list-style-type: none"> • Kurri Kurri area (PCT 1633) – 1.49 ha • Typha rushland (PCT 1737) – 0.05 ha. <p>One Threatened Ecological Community (TEC) listed under the BC Act would be impacted by the Proposal:</p> <ul style="list-style-type: none"> • Parramatta Red Gum – Narrow-leaved Apple – Prickly-leaved Paperbark shrubby woodland in the Cessnock- Kurri Kurri area (PCT 1633) – 1.49 ha. 	<p>The clearing do date resulted in the removal of slightly less vegetation than proposed in the EIS.</p>
Aquatic Biology	<p>The Proposal is unlikely to result in a significant impact as no channel works are proposed and as no significant impacts to water quality or hydrology are predicted.</p>	<p>The earthworks associated with the proposal (that were still progressing at the time of the IEA) were undertaken during a period of heavy and prolonged rainfall. This resulted in some discharges of water from the this. The Auditor understands that no impacts on aquatic biology from the construction works has been detected.</p>
Surface Water	<p>The following potential impacts were identified:</p> <ul style="list-style-type: none"> • Erosion of soils and sedimentation of waterways • Reduced water quality from elevated turbidity, increased nutrients and other contaminants associated with construction (ie. heavy metals which are bound to sediment or fuels, oils and grease from accidental spills) • Smothering of aquatic organisms from increased sediments and associated low dissolved oxygen levels • Potential increased occurrence of algal blooms 	<p>No material surface water impacts have been identified during the audit period.</p>

Category	Predicted Impact	Actual Impacts to Date
	<p>associated with reduced water quality</p> <ul style="list-style-type: none"> • Migration of litter off-site • Contamination due to accidental leaks or spills of chemicals and fuels. 	
Groundwater	The groundwater impact assessment (see Chapter 12) does not predict any measurable changes in groundwater levels or flows beyond the Proposal Site, and therefore impacts to GDE are not predicted.	No impacts on groundwater have been identified.
Heritage	<p>Most impacts that would result from the Proposal are located within already disturbed and impacted areas and the Proposal is unlikely to further harm Aboriginal objects, if present.</p> <p>No known or listed non-Aboriginal heritage items have been identified within or near the Proposal Site.</p>	No heritage artifacts have been identified during the excavation works.
Soil Contamination	<p>The following potential impacts could occur during construction of the Proposal:</p> <ul style="list-style-type: none"> • Risks associated with soil erosion during the earthworks associated with site regrading, the stormwater basin, foundation excavation and services installation • Construction of the Proposal would also involve the storage, treatment or handling of fuels, chemicals, building materials, wastes and other potential contaminants. Potential for chemical and fuel spills during construction may result in localised contamination of soils and/or groundwater. 	<p>No significant erosion or sediment control issues have been reported during the audit period.</p> <p>No incidents relating to fuel or chemical management have been reported during the audit period.</p>
Construction Noise	The construction phases which were predicted to result in the highest noise levels at the nearest sensitive receiver are the initial site earthworks, and the surfacing works (i.e. Phases 1 and 8). These works would result in noise levels of 51 dB(A) and 49 dB(A) at the nearest residential receiver, respectively.	No noise or vibration related complaints have been received during the audit period. No noise impacts in excess of the predicted impacts have been recorded.
Construction Air Quality	<p>Construction of the Proposal would generate fugitive emissions in the form of:</p> <ul style="list-style-type: none"> • Dust from handling of soils and exposed excavations, including the site excavations for the gas turbine facility and switchyard, construction of on-site access roads, overall site grading activities and vehicle movements • Emissions generated by combustion of fuel from construction plant including small volumes of particulates, carbon monoxide, carbon dioxide, hydrocarbons and nitrogen oxides. 	No air quality related complaints have been received during the audit period. No air quality impacts from construction have been identified.
Traffic and access	<p>Additional construction vehicle movements generated by the Proposal are not expected have a large impact on the operation of the Hart Road interchange. The interchange currently carries low traffic volumes and has spare capacity to accommodate additional construction traffic.</p> <p>No impacts to road access are expected as no public roads are proposed to be closed during construction</p>	No traffic impacts exceeding the predictions in the EIS have been identified.

Category	Predicted Impact	Actual Impacts to Date
	of the Proposal. Existing access to surrounding land uses and for emergency vehicles would be maintained throughout construction works.	

7.8.1 Extent of Project Operations

The original Environmental Assessment and modifications defined the proposed project boundaries. A review of current aerial imagery (Google Maps) and the Auditor's observations during the site inspection found that the construction works are confined to the approved site boundaries, with the exception of an equipment laydown that is outside the approved site boundary. The laydown area is located within the area known as Precinct 3B. That land is owned by Hydro Aluminum. The Kurri Regrowth project holds access rights to the area as part of their development of the site.

SHL has a license in place with Regrowth who in turn have a license with Hydro. The SHL license with Regrowth is for the Permitted Use - Construction lay down area including parking for light and heavy vehicles, haulage, and hard standing area (including the temporary storage of construction materials, spares and equipment). In cooperation with Hydro Aluminum, Regrowth provides a construction access road for SHL that does not interfere with the Hydro boom gate and weigh bridge on Hart Road.

SHL prepared a Consistency Assessment to determine if the use of the laydown area is consistent with the current Project Approvals. The Consistency Assessment was endorsed by the Environmental Representative on 21 July 2022 (copy attached). The use of the laydown area was assessed as being consistent with the Regrowth / Hydro development Project Approvals (Demolition and Remediation works) and their EPL for stormwater discharge.

The Auditor considers that the use of an off-site temporary construction material storage area that is appropriately licensed and consistent with the planning approvals for at area does not conflict with the Hunter Power Project Planning Approval.

7.9 Other Matters

During the pre-audit stakeholder consultation, the Auditor wrote to DPIE to seek input into the audit scope. DPIE requested that the audit include the review of the following issues:

- Stormwater management, including erosion and sediment controls – a constrained site and a very wet construction period – refer to Section 7.8 above.
- The carrying out of construction activities within the approved project boundary, and conversely, identify any work conducted outside the approved project area – refer to Section 7.8.1 above.
- Inspection of laydown areas and access to the project area – refer to Section 7.8.1 above. No issues with the use of the off-site storage and laydown area were identified during the IEA.
- Management of contaminated soils – the site has known contaminants and while remediation was carried out prior to Snowy Hydro taking possession, it was not suitable for construction (due to presence of wastes), so further work was required. One unexpected (contamination) find was encountered during the audit period. At the time of this IEA, fill materials from excavations were being managed in accordance with the documented construction methodology. The Auditor notes that while the unexpected find was recorded in Robson Civils' incident register, that the identification and management of an unexpected contamination find is not a reportable incident.
- Waste management – minimal construction wastes were being generated at the time of this IEA. The construction area was provided with appropriate waste storage infrastructure. The review of waste disposal documentation indicated that construction wastes are being managed in accordance with the requirements of the Environmental Management Strategy.

The Auditor did not identify any further issues in relation to environment (statutory compliance) or the management and mitigation of environmental hazards.

Compliance Table

Appendix A

Project Approval 12590060								
Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S2 A1	Minimise harm to the Environment	In addition to meeting the specific performance criteria established under this approval, the Proponent must implement all feasible and reasonable measures to prevent, and if prevention is not feasible and reasonable, minimise any material harm to the environment that may result from the construction, operation, decommissioning or rehabilitation required under this approval.					Noted	
S2 A2	Terms of Approval	The Proponent must carry out the Development in accordance with the: a. EIS;				The assessment of compliance in relation to this approval has been undertaken against the requirements of the consolidated approval and is presented in detail below.	Noted	
		b. In accordance with all written directions of the Secretary; and		Health, Safety and Environment Lead – no directions have been issued to Snowy hydro during the audit period.		No directions related to the construction phase of the have been issued to Snowy hydro during the audit period.	Not Triggered	
		c. site plan and building elevation drawings at Appendix 1 and Appendix 6			Construction of buildings had not commenced at the time of this IEA.	Construction of buildings had not commenced at the time of this IEA.	Not Triggered	
S2 A3	Terms of Approval	If there is any inconsistency between the documents in condition A2 above, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this approval prevail to the extent of any inconsistency.					Noted	
S2 A4	Terms of Approval	The Proponent must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of: a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this consent; and		Health, Safety and Environment Lead – no directions have been issued to Snowy hydro during the audit period.			Not Triggered	
		b) any reports, reviews or audits undertaken or commissioned by the Department regarding compliance with this approval; and		Health, Safety and Environment Lead – no directions have been issued to Snowy hydro during the audit period.			Not Triggered	
		c) the implementation of any actions or measures contained in these documents.		Health, Safety and Environment Lead – no directions have been issued to Snowy hydro during the audit period.			Not Triggered	
S2 A5	Terms of Approval	Any document that must be submitted within a timeframe specified in or under the terms of this approval may be submitted within a later timeframe agreed with the Secretary. This condition does not apply to the immediate written notification required in respect of an incident under condition C6.	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Management Plan Staging", dated 22 December 2021.			DPIE approved the submission of management plans in two stages, construction and operations. The Auditor sighted DPIE approval letters for each of the construction stage plans required under this Approval.	Complies	

Project Approval 12590060

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S2 A6	Lapse of Approval	This approval will lapse five years after the date on which it is granted unless construction has physically commenced on or before that time.	Letter from DPIE (H Watters) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Notification of commencement of construction", dated 4 April 2022.	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.	Construction works were sighted by the Auditor.	Construction of the project has commenced.	Not Triggered	
S2 A7	Limits of Approval	The development must be a dual fuel power station using natural gas and/or liquid fuel (diesel) and shall comprise of two open cycle gas turbine power plants with a total nominal output capacity of up to 750 megawatts.	https://www.snowyhydro.com.au/hunter-power-project/	Health, Safety and Environment Lead – the power station is designed to operate on both natural gas (primary fuel) and diesel (backup fuel).		The description of the proposed power station provided on the Snowy Hydro website is for a 660-megawatt dual fuel power station. These criteria were confirmed by the Snowy Hydro Health, Safety and Environment Lead.	Complies	
S2 A8	Limits of Operations	Fuel burning equipment must not be operated for the purpose of generating electrical power at the premises for more than 1,100 cumulative hours per calendar year.				Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
S2 A9	Limits of Operations	Fuel burning equipment must not be fired on diesel for the purpose of generating electrical power at the premises for more than 175 cumulative hours per calendar year.				Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
S2 A10	Limits of Operations	Diesel fuel used in the power station must comply with the <i>Australian Government's Fuel Quality Standards (Automotive Diesel) Determination 2019</i> made under the <i>Fuel Quality Standards Act 2000</i> .				Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
S2 A11	Limits of Operations	The Proponent is permitted to exceed the maximum hours specified in A8 and A9 in the event that operation, or continued operation, is required if: (a) the AEMO, or a person authorised by AEMO, directs the Proponent, under the National Electricity Law and the National Electricity Rules, to take relevant actions to maintain or restore the security or reliability of the electricity network; (b) the relevant AEMO direction referred to above remains in force; and (c) the Proponent takes all practical measures to prevent or minimise air pollution.				Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
S2 A12	Limits of Operations	The Proponent must notify the Secretary and the EPA of any and all limit exceedances of conditions A8 to A10 or activation of condition A11.				Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
S2 A13	Statutory Requirements	The Proponent must ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the development. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent must ensure that a copy of this approval and all relevant environmental approvals are available	Planning Approval SSI-12590060 Environment Protection Licence No. 21627 EPBC 2021/8888			Copies of the Planning Approval, EPL and EPBC approval were in place. No other environmental licence or approval is required for the construction of the project.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		on the site at all times during the life of the development.						
S2 A14	Statutory Requirements	For the purpose of section 198 of the EP&A Regulation, the relevant provisions, as defined in section 198(1) of the EP&A Regulation, apply to this approval.					Noted	
S2 A15	Notifications	At least two weeks prior to the commencement of the following activities, unless otherwise agreed by the Secretary, the Proponent must notify the Department in writing of the date of commencement of: a) construction of the development;	Letter from DPIE (H Watters) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Notification of commencement of construction", dated 4 April 2022.	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.		DPIE's letter of 4 April 2022 acknowledged SHL's original notification (7 February 2022) of commencement of construction on or after 23 February 2022. The letter also acknowledges SHL's updated advice (28 March 2022) that construction start was to start on 29 March 2022.	Complies	
		b) commissioning of the gas power station;	Not Triggered			Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
		c) operations; and	Not Triggered			Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
		d) the decommissioning of the development and rehabilitation of the site.	Not Triggered			Operations of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	
S2 A16	Structural Adequacy	The Proponent must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.			Construction of buildings had not commenced at the time of this IEA.	Construction of permanent structures had not commenced at the time of this IEA. This condition has not yet been triggered.	Not Triggered	
S2 A17	Demolition	The Proponent must ensure that all demolition work is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version.	Letter (quotation) from Watson Demolition titled "Demolition of workshop and office building – Kurri Hydro" dated 21 April 2022.	Health, Safety and Environment Lead – One small shed near the western boundary of the site was demolished. This was arranged by Robsons who engaged Watson Demolition. The works were undertaken as per AS2601.		One minor demolition was undertaken during the audit period (a small shed). The Auditor sighted the quotation by the demolition company that acknowledged the requirement to meet the requirements of AS 2601:2001.	Complies	
S2 A18	Protection of Public Infrastructure	The Proponent must: a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project.	Incident Register Complaints Register	Health, Safety and Environment Lead – No damage has occurred to any public infrastructure as a result of the works being undertaken by SHL during this audit period.		No damage has occurred to any public infrastructure as a result of the works being undertaken by SHL during this audit period. No incidents or complaints related to damage to public infrastructure have been reported during the audit period.	Not Triggered	
		b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.	Incident Register Complaints Register	Health, Safety and Environment Lead – No damage has occurred to any public infrastructure as a result of the works being undertaken by SHL during this audit period.		No damage has occurred to any public infrastructure as a result of the works being undertaken by SHL during this audit period. No incidents or complaints related to damage to public infrastructure have been reported during the audit period.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S2 A19	Operation of Plant and Equipment	The Proponent must ensure that all plant and equipment used on the site is: a) maintained in a proper and efficient condition.	Vehicle Maintenance Log – Tommy Gun Environmental – Hitachi ZX135-05 5B (maintenance log dated 7 July 2022) Sage Civil Service Report Articulated Dump Truck SC-27 Service record dated 17 July 2022 Robson Hired Plant Inspection Checklist 1707: • Sage Civil - Articulated Dump Truck A11211025 Service record dated 24 May 2022 • Tommy Gun Earthmoving - Articulated Dump Truck HCMDAE20C0010215 Service record dated 11 July 2022 Plant Risk Assessment (Sage Civil) - Articulated Dump Truck inspection record dated 4 July 2022	Health, Safety and Environment Lead – UGL have been commissioned as construction contractor. Robson Civil Projects Limited are currently completing preliminary earthworks. Robson Civil Environment Manager – Daily plant checks are conducted on all plant. All plant are regularly maintained and records kept.	During the audit all plant and equipment observed was operational and appeared to be appropriately maintained. Earthworks were being undertaken by Robson Civil at the time of the IEA.	Records of inspections and maintenance covering the audit period were sighted by the Auditor. Plant and equipment sighted during the audit were operational and appeared to be good condition.	Complies	
		b) operated in a proper and efficient manner.		Health, Safety and Environment Lead – UGL have been commissioned as construction contractor. Robson Civil Projects Limited are currently completing preliminary earthworks.	During the audit all plant and equipment observed was operational and appeared to be appropriately maintained. Earthworks were being undertaken by Robson Civil at the time of the IEA.	Records of inspections and maintenance covering the audit period were sighted by the Auditor. Plant and equipment sighted during the audit were operational and appeared to be good condition.	Complies	
S2 A20	Environmental Representative	Prior to commencing the development, an environmental representative (ER) must be approved by the Secretary and engaged by the Proponent.	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			Approval for the appointment of the Environmental Representative (and alternates) was provided by DPIE in December 2021, three months prior to commencement of construction.	Complies	
S2 A21	Environmental Representative	The Secretary's approval of an ER must be sought no later than one (1) week before commencing the development.	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			Approval for the appointment of the Environmental Representative (and alternates) was provided by DPIE in December 2021, three months prior to commencement of construction.	Complies	
S2 A22	Environmental Representative	The proposed ER must be a suitably qualified and experienced person who was not involved in the preparation of the documents listed in condition A2 and is independent from the design and construction of the development. The ER must meet only the requirements set out in sections 2.2, 2.3, 2.4 and 3 in the <i>Environmental Representative Protocol</i> (Department of Planning and Environment, October 2018).	Curriculum Vitae – G Byrnes / B McLennan / J Robertson Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			The Environmental Representative (and alternates) have been reviewed and are considered to be appropriately qualified and experienced.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S2 A23	Environmental Representative	From commencing the development, until commencing operation, or as agreed with the Secretary, the approved ER must:	ER Scope of work – Assignment 1 dated 25 January 2022 covering the provision of ER services in accordance with Approval Condition S2 A23 and A24.				Complies	
		a) review the documents identified in conditions B5, B8, B12, B13, B19, B29, B33, B40, B43, B48 and C1 and any other documents that are identified by the Secretary, to ensure they are consistent with requirements in or under this approval and if so:	Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022 Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Construction Environmental Management Strategy (18 February 2022)", dated 2 March 2022 Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Heritage Management Plan (24 February 2022)", dated 2 March 2022 Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Final Hazard Analysis (22 February 2022)", dated 8 August 2022 Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Final Water Management Plan (24 February 2022)", dated 1 March 2022 Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Final Design: Updated Air Quality Impact Assessment (4 August 2022)", dated 15 August 2022			Correspondence from the ER to SHL endorsing the documents specified in this Condition. The Auditor notes that the documents referred to in Conditions 8, 12, 13, 19 (this report has however been finalised but not yet endorsed by the ER), and 29 have not yet been triggered.		
		(i) make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary); or (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Department for information or are not required to be submitted to the Department);						
		b) as may be requested by the Secretary, assist the Department in the resolution of community complaints; and		Environmental Representative (telephone interview 29 August 2022) – DPIE did not request the ER to assist in the resolution of any community complaints during the audit period.		DPIE did not request the ER to assist in the resolution of any community complaints during the audit period.	Not Triggered	
		c) consider any minor amendments to be made to the plans / strategies in conditions B5, B8, B12, B13, B19, B29, B33, B40, B43, B48 and C1 that involve updating or are of an administrative nature and do not increase impacts to nearby sensitive receivers, and ensure they are consistent with the terms of this approval and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the terms of this approval.	Landuse Consistency Assessment – Licensing of Land for parking and laydown of materials, dated June 2022.			A consistency assessment for the addition of parking and equipment laydown areas was reviewed and endorsed (as consistent with the approval) by the ER on 21 July 2022.	Complies	
S2 A24	Environmental Representative	The Proponent must provide the ER with all documentation requested by the ER in order for the ER to perform their functions specified in condition A23, as well as the complaints register for any complaints received (on the day they are received)		Environmental Representative (telephone interview 29 August 2022) – SHL provided the ER with all information required by the ER to allow them to perform their functions under this Approval.		SHL provided the ER with all information required by the ER to allow them to perform their functions under this Approval.	Complies	

Project Approval 12590060

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S32A2 5	Planning Agreement	Within 6 months of the date of commencement of development under this approval, or other timeframe agreed by the Secretary, the Proponent must enter into a Planning Agreement with Council: (a) in accordance with Division 7.1 of Part 7 of the EP&A Act; and	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			In their letter dated 21 June 2022, DPIE granted SHL an extension of time (to 30 November 2022) to finalise the Planning Agreement with Council. This condition is therefore not yet triggered.	Not Triggered	
		b) the terms of the Proponent's offer to Council in Appendix 3.	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			In their letter dated 21 June 2022, DPIE granted SHL an extension of time (to 30 November 2022) to finalise the Planning Agreement with Council. This condition is therefore not yet triggered.	Not Triggered	
S2 A26	Planning Agreement	If the Proponent and Council do not enter into a Planning Agreement within the timeframe under condition A25, then prior to the commencement of operation of the development, the Proponent must make a Section 7.12 of the EP&A Act contribution to Council of \$880,000. The amount to be indexed in accordance with the provisions of the Council's <i>City Wide Infrastructure Contributions Plan 2020</i> .	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			In their letter dated 21 June 2022, DPIE granted SHL an extension of time (to 30 November 2022) to finalise the Planning Agreement with Council. This condition is therefore not yet triggered.	Not Triggered	
S2 A27	Planning Agreement	If there is any dispute between the Proponent and Council in regard to conditions A25 and A26 then either party may refer the matter to the Secretary for resolution.	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Environmental Representative Approval", dated 22 December 2021.			In their letter dated 21 June 2022, DPIE granted SHL an extension of time (to 30 November 2022) to finalise the Planning Agreement with Council. This condition is therefore not yet triggered.	Not Triggered	
S3 B1	Air Quality General Operating Conditions	The premises must be maintained and operated in a manner that minimises or prevents dust emissions from the premises.	Complaints Register Incident Register Hunter Power Project Construction Air Quality Management Plan, 17 January 2022 Robson Civil Hunter Power Project Environmental Induction 6422 (dated 28 April 2022).	Health, Safety and Environment Lead – no dust complaints were received during the audit period. No notices or directions have been received from the EPA or DPIE in relation to nuisance dust or air quality issues during the audit period. Principal Environmental Planning and Management (Jacobs) - The site has a tyre rumble grid at the main gate currently modifying the MP to change this detail in consultation with the ER.	During the site inspection an operating water cart (Photograph 1) of observed on site. No dust emissions from the earthworks were observed. The majority of the site is cleared, and major earth works were underway. Stockpiles of excavated materials were present (Photograph 2) Rumble Grid at site entrance (Photograph 3) The site speed limit is 20 kmh. Signage (photograph 4) advising of the speed limit was sighted.	No dust complaints or dust related incidents were reported during the audit period. No dust related issues were observed during the site inspection. An air quality management plan has been prepared for the project and has been substantially implemented (for further information please refer to Condition C1 below). Mobile plant is regularly maintained to minimise air (exhaust) emissions), refer to Condition S2 A19 above. The environmental induction provided to site (construction personnel) includes appropriate information regarding dust and air quality management.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B2	Air Quality General Operating Conditions	The Proponent must carry on any activity, or operate any plant, in or on the premises by such reasonably practicable means as may be necessary to prevent or minimise air pollution.	Complaints Register Incident Register Hunter Power Project Construction Air Quality Management Plan, 17 January 2022 Robson Civil Hunter Power Project Environmental Induction 6422 (dated 28 April 2022).	Health, Safety and Environment Lead – no dust complaints were received during the audit period. No notices or directions have been received from the EPA or DPIE in relation to nuisance dust or air quality issues during the audit period. Principal Environmental Planning and Management (Jacobs) - The site has a tyre rumble grid at the main gate currently modifying the MP to change this detail in consultation with the ER.	During the site inspection an operating water cart (Photograph 1) of observed on site. No dust emissions from the earthworks were observed. The majority of the site is cleared, and major earth works were underway. Stockpiles of excavated materials were present (Photograph 2) Rumble Grid at site entrance (Photograph 3) The site speed limit is 20 kmh. Signage (photograph 4) advising of the speed limit was sighted.	No dust complaints or dust related incidents were reported during the audit period. No dust related issues were observed during the site inspection. An air quality management plan has been prepared for the project and has been substantially implemented (for further information please refer to Condition C1 below). Mobile plant is regularly maintained to minimise air (exhaust) emissions), refer to Condition S2 A19 above. The environmental induction provided to site (construction personnel) includes appropriate information regarding dust and air quality management.	Complies	
S3 B3	Air Quality General Operating Conditions	Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.	Hunter Power Project Construction Air Quality Management Plan, 17 January 2022		No trucks were observed entering or leaving the site during the site inspection.	The CAQMP specifies the requirement that all trucks entering and leaving the site must be covered.	Complies	
S3 B4	Air Quality General Operating Conditions	The Proponent shall not permit any offensive odour to be emitted beyond the boundary of the site.		Health, Safety and Environment Lead – no odour complaints were received during the audit period.	No offensive odours were encountered during the site inspection.	No odour complaints were received during the audit period.	Complies	
S3 B5	Final Design Verification	Prior to the commencement of the installation of the gas turbines, the Proponent must provide a revised Air Quality Impact Assessment (AQIA) to the Secretary and EPA that is based on the detailed design of the plant and includes emission specifications (emission rates and concentrations) based on manufacturer performance guarantees. Should the plant design and emissions characteristics differ from what was assessed previously (Hunter Power Project, Air Quality Impact Assessment, Jacobs, 30 July 2021), the revised AQIA must include remodeling of emissions based on final design and reassessment of impacts.	Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Final Design: Updated Air Quality Impact Assessment (4 August 2022)", dated 15 August 2022 Hunter Valley Project Updated Air Quality Impact Assessment, Revision 3, dated 4 August 2022.			The Auditor has reviewed the Revised AQIA. The assessment concludes "that the detailed design has resulted in negligible changes to slight reductions in ground level concentrations of pollutants, when compared with the air quality modelling results produced for the Project EIS". The revised assessment satisfies the requirements of Condition B5. The ER endorsed the revised AQIA on 15 August 2022. At the time of the IEA the revised report had not been submitted to EPA or DPIE. However, the timing for the submission of the report had not been exceeded.	Complies	
S3 B6	Final Design Verification	The final design, installation and operation of the power station must not preclude the ability for air pollution emissions controls to be retrofitted.				Other than preparatory earthworks, the construction of the power station have not commenced. This condition has not yet been triggered.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B7	Air Quality Verification	Within six months of commissioning the power station (unless otherwise agreed by the Secretary in consultation with the EPA) and during a period in which the development is operating under high design loads, the Proponent must undertake a monitoring program to confirm the air emission performance of the power station.				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		The monitoring program must include, as a minimum (or as otherwise permitted by the applicable EPL): (a) two rounds of post-commissioning monitoring of the pollutants and parameters in Table 1 below for each discharge point;				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		(b) consideration of the dual-fuel and peaking operability of the power station in capturing representative air pollutant emission concentrations and normal operating parameters; and				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		(c) sampling methods as per the NSW EPA's <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> (latest version).				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
S3 B8	Air Quality Verification	Within six weeks of completing post-commissioning testing (unless otherwise agreed by the Secretary in consultation with the EPA), the Proponent must submit a Post-Commissioning Verification Report (the Report) to the EPA.				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		The Report must: a) include all analytical results of post-commissioning monitoring required for all discharge points. Any external report must be reproduced in full;				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		b) include all the information listed in section 4 of the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> (latest version);				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		c) describe all the operational parameters during post-commissioning testing;				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		d) compare analytical results from post-commissioning monitoring against final design emission specifications and modelled emission parameters (emission rates and concentrations) in the AQIA required under condition B5 (final design verification assessment); and				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation											
S3 B8	Air Quality Verification	<p>e) should any comparison under B8(d) identify monitored discharge concentrations or emission rates above the emissions characteristics in the revised AQIA or the <i>Protection of the Environment Operations (Clean Air) Regulation 2021</i> standards of concentration, the Proponent must:</p> <p>(i) re-assess and evaluate both the emissions concentrations against the <i>Protection of the Environment Operations (Clean Air) Regulation 2021</i> standards of concentration and the impacts against the relevant impact assessment criteria in the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (latest version); and/or</p> <p>(ii) identify actions and measures to be implemented to reduce emissions of air pollutants to no greater than those predicted in the AQIA. Details of the actions and measures and a timetable for implementation must be submitted to the Secretary and the EPA for approval.</p>				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered												
S3 B9	Monitoring / Discharge Points	The following points referred to in Table 2 below (or alternative points as permitted by the applicable EPL) are identified for the purposes of monitoring and/or setting of limits for the emission of pollutants to the air from the point.					Noted												
	Table 2	<table border="1"> <thead> <tr> <th>Emission Point</th> <th>Type of Monitoring Point</th> <th>Type of Discharge Point</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Air Emissions</td> <td>Discharge to Air</td> <td>Gas Turbine Stack 1</td> </tr> <tr> <td>2</td> <td>Air Emissions</td> <td>Discharge to Air</td> <td>Gas Turbine Stack 1</td> </tr> </tbody> </table>	Emission Point	Type of Monitoring Point	Type of Discharge Point	Description of Location		1	Air Emissions	Discharge to Air	Gas Turbine Stack 1	2	Air Emissions	Discharge to Air	Gas Turbine Stack 1				
	Emission Point	Type of Monitoring Point	Type of Discharge Point	Description of Location															
1	Air Emissions	Discharge to Air	Gas Turbine Stack 1																
2	Air Emissions	Discharge to Air	Gas Turbine Stack 1																
S3 B10	Discharge Limits	For each monitoring/discharge point specified by Table 3 below (or alternative points as permitted by the applicable EPL) the concentration of a pollutant discharged at that point, must not exceed the concentration limits specified for that pollutant in the table (or alternative limits as permitted by the applicable EPL).				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered												
	Table 3	Pollutant	Fuel Type	100 percentile limit (mg/m ³)	Reference Conditions	Averaging Period													
		Nitrogen dioxide (NO ₂) or Nitric Oxide (NO) or both as NO ₂ Equivalent	Natural Gas	51	Dry, 273 °K, 101.3 kPa, 15% O ₂	1 hr.													
			Diesel	86															
Carbon Monoxide (CO)	Natural Gas	12.5	Dry, 273 °K, 101.3 kPa, 15% O ₂	1 hr.															
	Diesel	63																	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
S3 B11	Monitoring Conditions	The Proponent must, for each air monitoring/discharge point, determine the pollutant concentrations and emission parameters specified in Table 4 below. For each pollutant, the Proponent must use the sampling method, units of measure, and sample at the frequency specified opposite in the other columns. Sampling methods as per the NSW EPA's <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> (latest version) (or alternative methods as permitted by the applicable EPL).	Not Triggered						
		Pollutant / Parameter		Units of Measure	Frequency	Sampling Method			
		Nitrogen dioxide (NO ₂) or Nitric Oxide (NO) or both as NO ₂ Equivalent		mg/m ³	Continuous	CEM-2 and US EPA Procedure 1			
		Carbon Monoxide (CO)		mg/m ³	Continuous	CEM-4 and US EPA Procedure 1			
		Moisture		%	Continuous	Special Method 1 and US EPA Procedure 1			
		Oxygen		%	Continuous	CEM-3 and US EPA Procedure 1			
		Temperature		°C	Continuous	TM-2 and US EPA Procedure 1			
		Velocity		m/s	Continuous	CEM-6 and US EPA Procedure 1			
		Volumetric flow rate		m ³ /s	Continuous	CEM-6 and US EPA Procedure 1			
Selection of sampling positions		-	-	TM-1					
S3 B12	Hazards and Risks Preconstruction	<p>Prior to the commencement of the installation of the gas turbines, unless otherwise agreed by the Secretary, the Proponent must prepare and submit to the satisfaction of the Secretary:</p> <p>a) A Fire Safety Study based on the detailed design of the development. This study must cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study' and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The study must be prepared in consultation with NSW Rural Fire Service to verify the required Asset Protection Zone (APZ) in view of up to 14 MPa gas releases from the gas receiving station. The study must also be submitted for the approval of Fire and Rescue NSW.</p>		Principal Environmental Planning and Management (Jacobs) - Draft report has been prepared by AECOM and is currently being reviewed by SHL.		The Fire safety study was in the final stages of preparation at the time of the audit. This study is required before the commencement of installation of the turbines, and therefore this condition is not yet triggered.	Not Triggered		
		<p>b) A Hazard and Operability Study based on the detailed design of the development, chaired by a qualified person independent of the development, approved by the Secretary prior to the commencement of the study. The study must be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'. The study report must be accompanied by a program for the implementation of all recommendations made in the report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented. The scope of the study must</p>	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) HAZOP Chairperson Approval", dated 21 December 2021.	Principal Environmental Planning and Management (Jacobs) – The HAZOP report currently being prepared.		DPIE approved the appointment of D Lockley as Chairperson of the HAZOP study in December 2021. The Hazard and Operability Study required by this condition was being prepared at the time of this IEA.	Complies		

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		include and not be limited to: (i) components and processes associated with the power station, including the storage, handling and use of diesel fuel; and (ii) the supply tie-in at the gas receipt station.						
S3 B12	Hazards and Risks Preconstruction	c) A Final Hazard Analysis based on the detailed design of the development, prepared in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'</i> . The scope of the study must include and not be limited to specifying all design variations between the final detailed design and the conceptual design described in the EIS.	Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Final Hazard Analysis (22 February 2022)", dated 8 August 2022 Hunter Power Project Final Hazard Analysis, Revision C, dated 22 July 2022			The Final Hazard Analysis report – Revision C (prepared by Jacobs) was issued on 22 July 2022. The report was endorsed by the ER on 8 August 2022.	Complies	
S3 B13	Pre-commissioning	Prior to the commencement of operations, unless otherwise agreed to by the Secretary, the Proponent must prepare and submit to the satisfaction of the Secretary: a) A comprehensive Emergency Plan and detailed emergency procedures for the development. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'</i> .				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	
		b) A document setting out a comprehensive Safety Management System , covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Secretary upon request. The Safety Management System must be developed in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'</i> . The Safety Management System must also include Safety and Operating Plans required under AS 2885.				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B14	Pre-startup	One month prior to the commencement of operation of the development, the Proponent must submit to the Secretary, a Pre-Startup Compliance Report detailing compliance with conditions B12 and B13, including: a) dates of study/plan/system submission, approval, commencement of installation of the gas turbines and commissioning				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	
		b) actions taken or proposed, to implement recommendations made in the studies/plans/systems; and				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	
		c) responses to any requirement imposed by the Secretary under condition A2 of Schedule 2.				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	
S3 B15	Post-startup	Three months after the commencement of operation of the development, the Proponent must submit to the Secretary, a Post-Start-up Compliance Report verifying that: a) the Emergency Plan required under condition B13(a) is effectively in place and that at least one emergency exercise has been conducted; and				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	
S3 B15	Post-startup	b) the Safety Management System required under condition B13(b) has been fully implemented and that records required by the system are being kept.				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	
S3 B16	Post Commissioning Requirements	Twelve months after the commencement of operations of the development and every three years thereafter or at such intervals as the Secretary may agree, the Proponent must carry out a comprehensive Hazard Audit of the development and within two months of each audit submit a report to the satisfaction of the Secretary for approval. The audits must be carried out at the Proponent's expense by a qualified person or team, independent of the development and approved by the Secretary prior to commencement of the audit. Hazard Audits must be carried out in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit'</i> . The audit must include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.				Operation of the power station has not commenced. This condition has not yet been triggered.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B17	General	The Proponent must store all chemicals, fuels and oils used in accordance with:		Principal Environmental Planning and Management (Jacobs) - Fuels stored on site include petrol and diesel fuel, oil for small plant such as generators, large mobile plant is fuelled by a mobile fuel truck that brings spill mats to place under vehicles during the refuelling process. There are also chemicals stored at the water treatment area – that is in a chemical container with a bund	At the time of this IEA, construction works were limited to earthworks only. No significant storage of fuels and oils were present at the site. Photograph 8 shows a self-bunded dangerous goods storage container located near the water treatment plant.	There is (during this construction phase) no bulk storage of fuel on-site. Minor fuel, oil and chemicals are stored appropriately in bunded containers.	Complies	
		a) the requirements of all relevant Australian Standards;				There is (during this construction phase) no bulk storage of fuel on-site.	Not Triggered	
		b) within a bunded area with a minimum bund capacity of 110% of the volume of the largest single stored vessel within the bund; and				Minor fuel, oil and chemicals are stored appropriately in bunded containers.	Complies	
		c) the NSW EPA’s Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.					Noted	
		d) In the event of an inconsistency between the requirements in (a) to (c) above, the most stringent requirement shall prevail to the extent of the inconsistency.					Noted	
S3 B18	General	For the purpose of condition B17, any tanks or other storage vessels that are interconnected and may distribute their contents either by gravity or automated pumps must be considered a single vessel.			No permanent structures had been installed at the time of this IEA.		Noted	
S3 B19	Aviation Safety	Prior to the commencement of installation of the gas turbines, the Proponent must provide an updated plume rise assessment report based on the final generator design to the satisfaction of the Secretary. The report must:	Hunter Power Project Revised Plume Rise Assessment for Final Design, Revision 1, dated 3 June 2022. Letter from DoD (C Mangion) to SHL (I Smith) titled “Hunter Power Project (Kurri Kurri Power Station), Hart Road, Loxford NSW – updated plume rise assessment”, dated 27 June 2022. Letter from CASA (B Parker) to DPIE (C Preshaw) titled “Hunter Power Project - Kurri Kurri Power Plant”, dated 27 June 2022.			The Revised Plume Assessment Report has been reviewed by the Auditor. Letters from DoD and CASA evidencing consultation in accordance with this Condition was sighted by the Auditor.	Complies	
		a) be prepared in consultation with Civil Aviation Safety Authority, Department of Defence and RAAF Base Williamtown;						
		b) demonstrate that the critical plume extent is consistent with the predictions in the EIS; and	Hunter Power Project Revised Plume Rise Assessment for Final Design, Revision 1, dated 3 June 2022.			The Revised Plume Rise Assessment report concludes that the plume rise heights are consistent (in fact having a slightly lower impact) compared to the predictions in the Environmental Impact Statement.	Complies	
		c) demonstrate that reasonable and feasible at source mitigation measures have been applied to further minimise the critical plume extent.	Hunter Power Project Revised Plume Rise Assessment for Final Design, Revision 1, dated 3 June 2022.			The Revised Plume Rise Assessment report concludes that the plume rise heights are consistent (in fact having a slightly lower impact) compared to the predictions in the Environmental Impact Statement.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
S3 B20	Aviation Safety	Prior to the commencement of installation of the gas turbines, the Proponent must submit final design drawings to the following organisations: a) Department of Defence – Land Planning and Regulation Branch;	Letter from SHL (I Smith) to the Department of Defence – Land Planning and Regulation Branch (T Hogan) titled “Hunter Power Project – Final Design Drawings”, dated 7 July 2022			SHL has provided a copy of the final stack design drawings to DoD as required by this Condition.	Complies		
		b) RAAF Williamstown	Letter from SHL (I Smith) to the Department of Defence – Land Planning and Regulation Branch (T Hogan) titled “Hunter Power Project – Final Design Drawings”, dated 7 July 2022	Principal Environmental Planning and Management (Jacobs) – We worked with our specialist aeronautical subcontractor to understand those entities within DoD as well as various telephone enquiries and emails with CASA and DoD and were satisfied that these entities are covered by DoD Land Planning and Regulation/ CASA processes.			Commencement of installation of the gas turbines is scheduled to commence in December 2022. Therefore, full compliance with this condition has not yet been triggered. SHL has submitted copies of the stack design to each listed stakeholder, however, has not provided a copy of the final stack design drawings to RAAF Williamstown as required by this Condition.	Not Triggered	Provide a copy of the final stack design drawings to RAAF Williamstown, unless DPIE approval is obtained.
		c) Aeronautical Information Services – Air Force					Commencement of installation of the gas turbines is scheduled to commence in December 2022. Therefore, full compliance with this condition has not yet been triggered. SHL has submitted copies of the stack design to each listed stakeholder, however, has not provided a copy of the final stack design drawings to the Aeronautical Information Services as required by this Condition.	Not Triggered	Provide a copy of the final stack design drawings to Aeronautical Information Services, unless DPIE approval is obtained.
		d) Air Services Australia	Letter from SHL (I Smith) to Air Services Australia (D Jackson) titled “Hunter Power Project – Final Design Drawings”, dated 7 July 2022			SHL has provided a copy of the final stack design drawings to Air Services Australia as required by this Condition.	Complies		
		e) Newcastle Airport Limited	Letter from SHL (I Smith) to Newcastle Airport (B Kochanski) titled “Hunter Power Project – Final Design Drawings”, dated 7 July 2022			SHL has provided a copy of the final stack design drawings to Newcastle Airport as required by this Condition.	Complies		
		f) Cessnock Airport; and	Letter from SHL (I Smith) to Cessnock Airport (T Allan) titled “Hunter Power Project – Final Design Drawings”, dated 7 July 2022			SHL has provided a copy of the final stack design drawings to Cessnock Airport as required by this Condition.	Complies		
		g) Maitland Airport	Letter from SHL (I Smith) to Maitland Airport (G Thompson) titled “Hunter Power Project – Final Design Drawings”, dated 7 July 2022			SHL has provided a copy of the final stack design drawings to Maitland Airport as required by this Condition.	Complies		
		S3 B20	Aviation Safety	Evidence of notification/ provision of detailed design drawings must be submitted to the Secretary prior to the commencement of installation of the gas turbines.	Post Approval Submission Form – Evidence of submission Aviation			Document transmission (Post Approval) form evidencing submission of final design drawings was sighted by the Auditor.	Complies

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation		
S3 B21	Noise Limit Conditions	Operational noise generated at the premises must not exceed the noise limits at the times and locations in Table 5 below (or alternative limits as permitted by the applicable EPL).				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered			
	Table 5	Location	Noise Limits in dB(A)							
			Day	Evening	Night	Night				
			L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{AFmax}				
			13 Bishops Bridge Road, Sawyers Creek	50	58	41				52
			10 Dawes Road, Loxford	45	45	43				53
			20 Bowditch Ave, Loxford	43	43	38				52
			464 Cessnock Road, Gilleston Heights	40	35	35				52
58 Sawyers Gully Road, Sawyers Gully	42	42	38	52						
S3 B22	Noise Limit Conditions	The noise limits set out in condition B21 apply under the meteorological conditions described in Table 6.					Noted			
	Table 6	Assessment Period	Meteorological Conditions							
		Day	Stability Categories A, B, C and D with wind speeds up to and including 3 m/s at 10 m above ground level							
		Evening	Stability Categories A, B, C and D with wind speeds up to and including 3 m/s at 10 m above ground level							
Night	Stability Categories A, B, C and D with wind speeds up to and including 3 m/s at 10 m above ground level; or Stability Category E with wind speeds up to and including 2 m/s at 10 m above ground level									
S3 B23	Noise Limit Conditions	For those meteorological conditions not referred to in condition B22, the noise limits that apply are the noise limits in condition B21 plus 5 dB(A).					Noted			
S3 B24	Noise Limit Conditions	For the purposes of condition B22, the meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station (point to be established) and the stability category shall be determined using the sigma-theta data method (section D1.4) from Fact Sheet D of the <i>Noise Policy for Industry</i> (NSW EPA, 2017), or latest version.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered			
S3 B25	Noise Limit Conditions	For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the <i>Noise Policy for Industry</i> (NSW EPA, 2017), or latest version, must be applied, if appropriate, to the noise measurements by the noise monitoring equipment.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered			

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B26	Meteorological Monitoring	Prior to the commencement of the installation of the gas turbines, unless otherwise agreed by the Secretary, the Proponent must ensure there is a suitable meteorological weather station operating located on the premises or at a location approved by the EPA that:		Principal Environmental Planning and Management (Jacobs) – The Meteorological Station can't be built until the end of construction so either a temporary one will be installed, or as the met station data is only required for commissioning and operation, it is most likely that SHL will apply to the Secretary to delay this requirement.	A meteorological monitoring station has not yet been installed at the site.	The installation of the turbines has not commenced. Therefore, this condition has not yet been triggered. The Auditor notes that SHL may seek approval from DPIE for an extension of time for installation of the met station.	Not Triggered	
		a) complies with the NSW EPA's <i>Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales</i> (or latest version);					Not Triggered	
		b) is capable of continuous real-time measurement of wind speed, wind direction, sigma theta, air temperature, rainfall and relative humidity; and					Not Triggered	
		c) is capable of measuring meteorological conditions in accordance with the <i>Noise Policy for Industry (EPA 2017 or latest version)</i> .					Not Triggered	
S3 B27	Noise Monitoring	Within six months of full operation post commissioning attended noise validation monitoring must be undertaken during a period of full load and must:				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		a) occur at each receiver location listed in condition B21;				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		b) occur annually in a reporting period;				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		c) occur during day, evening and night period as defined in the Noise Policy for Industry (or latest version) over two 15- minute compliance measurements during each period;				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		d) occur for three consecutive operating days.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
S3 B28	Noise Monitoring	On completion of post commissioning attended noise validation monitoring required in condition B27, that shows compliance with conditions B21 and B23, ongoing attended noise monitoring must be undertaken to the satisfaction of the EPA.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B29	Noise Monitoring Report	A noise compliance assessment report must be submitted to the EPA and the Secretary within 30 days (or an alternative timeframe agreed by the Secretary) of the completion of the post commissioning validation monitoring and any annual monitoring.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		The assessment must be prepared by a qualified person and include: a) an assessment of compliance with noise limits presented in conditions B21 and B23; and				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in conditions B21 and B23.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
S3 B30	Hours of Construction	All construction work at the premises must be conducted between 7 am and 6 pm Monday to Friday and between 8 am and 1 pm Saturdays and at no time on Sundays and public holidays.	Robson Civil Hunter Power Project Environmental Induction 6422 (dated 28 April 2022). Complaints Register	Health, Safety and Environment Lead – no complaints related to out of hours work were received during the audit period.		No complaints related to out of hours work were received during the audit period. No evidence of breaches of the work hours limits was found during this IEA. Note that approval for extension of working hours was requested, refer to Condition B32 below. The environmental induction provided to site (construction personnel) includes appropriate information regarding construction working hours.	Complies	
S3 B31	Exceptions to Construction Hours	The following activities may be carried out outside the recommended construction hours: a) construction that causes $L_{Aeq(15minute)}$ noise levels that are: (i) no more than 5 dB above Rating Background Level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009); and (ii) no more than the Noise Management Levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses; or b) for the delivery of materials required by the police or other authorities for safety reasons; or c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or d) as approved through the process outlined in condition B32 of this approval.					Noted	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B32	Variation of Construction Hours	The hours of construction activities specified under condition B30 of this approval may be varied with the prior written approval of the Secretary. Any request to alter the hours of construction shall be:	Letter from SHL (D Thomson) to DPIE (J Turner) titled "Infrastructure Approval 12590060 Hunter Power Project (Kurri Kurri Gas-Fired Power Station) - application for additional construction hours", dated 3 May 2022 Letter from SHL (D Thomson) to EPA (H Rutherford) titled "Hunter Power Project EPL 21627 - additional construction hours", dated 3 May 2022 Letter from SHL (D Thomson) to DPIE (J Turner) titled "Infrastructure Approval 12590060 Hunter Power Project (Kurri Kurri Gas-Fired Power Station) - application for additional construction hours", dated 3 May 2022			SHL applied to DPIE and the EPA for an extension of work hours covering for earthworks. DPIE approved the change on 16 May 2022.	Complies	
		a) considered on a case-by-case or activity-specific basis;						
		b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours	Noise and Vibration Impact Assessment Report, prepared by Jacobs for Robson Civil, dated 3 May 2022.			The SHL application for variation of working hours included a Noise and Vibration Impact Assessment that provided details of the works to be undertaken and justification for the variation.	Complies	
S3 B32	Variation of Construction Hours	c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of relevant Council(s) (and other relevant agencies) has been and will be undertaken	Letter from SHL (A Felton) to impacted residents titled "Proposed change to construction hours: earthworks phase – hunter power project", dated 2 May 2022 Consultation Log (detailing door knock consultation with impacted resident, dated 2 May 2022			Records of consultation with potentially impacted residents was sighted by the Auditor.	Complies	
		d) all feasible and reasonable noise mitigation measures have been put in place; and	Noise and Vibration Impact Assessment Report, prepared by Jacobs for Robson Civil, dated 3 May 2022.			The SHL application for variation of working hours included a Noise and Vibration Impact Assessment that provided details of the works to be undertaken and justification for the variation.	Complies	
		e) accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECCW, 2009), or latest version.	Noise and Vibration Impact Assessment Report, prepared by Jacobs for Robson Civil, dated 3 May 2022.			The SHL application for variation of working hours included a Noise and Vibration Impact Assessment that provided details of the works to be undertaken and justification for the variation.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B33	Biodiversity Management Plan	Prior to commencement of construction, unless otherwise agreed by the Secretary, the Proponent must prepare a Biodiversity Management Plan to the satisfaction of the Secretary. This plan must: a) be prepared by a suitably qualified and experienced biodiversity expert/s;	Hunter Power Project Biodiversity Management Plan, Amended Final Version 2, dated 21 February 2022. Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022 Letter from DPIE (H Watters) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Notification of commencement of construction", dated 4 April 2022.	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.		A Biodiversity Management Plan was prepared by Jacobs (a suitably experienced and qualified consultant). The plan was finalised on 21 February 2022, and endorsed by the ER on 1 March 2022, prior to the commencement of construction	Complies	
		(b) be prepared in consultation with the BCS;	Letter from DPIE (S Crick) to SHL (I Smith) titled "Hunter Power Station, Kurri Kurri (SSI-12590060) – Request to comment on Biodiversity Management Plan", dated 29 November 2021. Letter from ER (G Byrnes) to Jacobs (M Luger) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022			Correspondence from BCS (dated 29 November 2021) evidence that BCS was consulted during the preparation of the BMP and approved the plan on 10 January 2022.	Complies	
		(c) describe the short, medium and long-term measures to be undertaken to manage vegetation and fauna habitat on the site;	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Biodiversity Management Plan", dated 10 January 2022. Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022			The Auditor has reviewed the BMP, that was endorsed by the ER on 1 March 2022. Section 3 of the plan describes the management of flora and fauna on the site.	Complies	
		(d) describe how biodiversity offsets required in condition B34 will be retired;	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Biodiversity Management Plan", dated 10 January 2022. Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022			The Auditor has reviewed the BMP, that was endorsed by the ER on 1 March 2022. Section 2.6 of the plan describes the biodiversity off-sets required.	Complies	
		(e) describe measures to be implemented within the site to minimise: (i) the amount of clearing; (ii) impacts on fauna, including undertaking pre-clearance surveys and maximising the salvage of resources for habitat enhancement; (iii) impacts on threatened flora and fauna species or ecological communities within the development footprint and its surrounds; (iv) the spread of weeds and fungal pathogens; (v) the generation and dispersion of sediment to watercourses; and (vi) light spill from night works; and	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Biodiversity Management Plan", dated 10 January 2022. Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022			The Auditor has reviewed the BMP, that was endorsed by the ER on 1 March 2022. Section 3 of the plan describes the management of flora and fauna on the site.	Complies	
		(f) include a program to monitor, evaluate and report on the effectiveness of the measures.	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Biodiversity Management Plan", dated 10 January 2022.			The Auditor has reviewed the BMP, that was endorsed by the ER on 1 March 2022. Section 4.2 of the plan describes the	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation	
			Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Biodiversity Management Plan Amended Final 2 (21 February 2022)", dated 1 March 2022			monitoring of flora and fauna on the site.			
S3 B33	Biodiversity Management Plan	The Proponent must implement the approved Biodiversity Management Plan.	Vegetation Clearing Checklists (25/7/22 and 27/7/2022).		The majority of the site has been cleared, however a small section at the northern end of the site will be retained and managed	Checklists evidencing implementation of vegetation clearing protocols were sighted by the Auditor.	Complies		
S3 B34	Biodiversity Offsets	Prior to the commencement of any construction activity that would impact on any of the vegetation communities or species identified in Tables 7 and 8 below, the Proponent must retire biodiversity credits of a number and class specified in Tables 7 and 8 below in consultation with the BCS and to the satisfaction of BCT.	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) - Retirement of biodiversity credits (SSI-12590060)", dated 24 January 2022.			Correspondence from DPIE (dated 24 January 2022) verified that the required biodiversity off-sets were retired prior to commencement of construction.	Complies		
		The retirement of these credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Scheme</i> and can be achieved by: (a) acquiring or retiring 'biodiversity credits' within the meaning of the <i>Biodiversity Conservation Act 2016</i> ;	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) - Retirement of biodiversity credits (SSI-12590060)", dated 24 January 2022.			Correspondence from DPIE (dated 24 January 2022) verified that the required biodiversity off-sets were retired prior to commencement of construction.	Complies		
		(b) making payments into an offset fund that has been developed by the NSW Government; or	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) - Retirement of biodiversity credits (SSI-12590060)", dated 24 January 2022.			Correspondence from DPIE (dated 24 January 2022) verified that the required biodiversity off-sets were retired prior to commencement of construction and payments were made into the Biodiversity Conservation Fund.	Complies		
		(c) funding a biodiversity conservation action that benefits the threatened entity impacted by the development, consistent with the ' <i>Ancillary Rules: Biodiversity conservation actions</i> '.	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) - Retirement of biodiversity credits (SSI-12590060)", dated 24 January 2022.			Payment to the Biodiversity Conservation Fund were made by SHL. Therefore, this condition was not triggered.	Not Triggered		
S3 B34	Biodiversity Offsets	Written evidence of the retirement of these credits must be provided to the Department prior to commencing construction activity.	Letter from DPIE (R Hawkesbury) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) - Retirement of biodiversity credits (SSI-12590060)", dated 24 January 2022.			Correspondence from DPIE (dated 24 January 2022) verified that the required biodiversity off-sets were retired prior to commencement of construction.	Complies		
S3 B34	Table 7	Vegetation Community		PCT ID	Credits Required				
		Parramatta Red Gum – Narrow-leaved Apple – Prickly-leaved Paperbark shrubby woodland in the Cessnock-Kurri Kurri area		1633	13				
	Table 8	Species	Credits Required						
		Earp's Gum	74						
		Southern Myotis	9						
Regent Honeyeater	14								
Common Planigale	9								

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B35	Water Supply	The Proponent must ensure it has sufficient water for the development; and if necessary, adjust the scale of development on site to match its available water supply.	Hunter Power Project Water Management Plan, Final, dated 25 February 2022.			Site water balances for the construction phase and operational phase are presented in Sections 4.1 and 4.a of the Water Management Plan. Based on the details provided in the Water Management Plan the Auditor has concluded that the Proponent has identified water supply requirements appropriate to the scale of the development. Construction phase water is being sourced from the Hunter Water (municipal) system.	Complies	
S3 B36	Water Quality	The Proponent must ensure that all surface discharges from the site comply with all relevant provisions of the POEO Act, including any discharge limits (both volume and quality) set for the development in any EPL.	Incident Register Environment Protection Licence No. 21627		Surface water controls were inspected during the IEA. Surface runoff from the construction drain to a sediment basin. Water collected in that basin is treated in an on-site water treatment plant and discharged from site in accordance with the requirements of the EPL.	Two water related incidents were recorded during the audit period (for details please refer to Section 7.1 above). The incidents were investigated and where required water samples were collected and tested. The incidents, as reported, did not result in a pollution event as defined in the POEO.	Complies	
S3 B37	Water Quality	All process operational wastewater generated by the activity must:				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
		a) be discharged to the sewer network subject to a trade waste agreement with Hunter Water Corporation; or b) captured and stored at the premises and must only be disposed of by tanker transport to a licensed wastewater facility.				Operation of the power station has not commenced. This monitoring condition has not yet been triggered.	Not Triggered	
S3 B38	Water Quality	Prior to the commencement of any construction the Proponent must install and maintain suitable sediment and erosion controls onsite, in accordance with the relevant requirements of <i>Managing Urban Stormwater: Soils and Construction – Volume 2A Installation of Services</i> (DECC 2008).	Robson Civil Projects Hunter Power Project (Early Works) PESCP Stage 2.		Photograph 5 shows typical contouring along the construction area boundary (draining to the sediment pond). Photograph 6 shows the water discharge point that is the overflow channel from the sediment pond (and discharge point for the WWTP). The wastewater treatment plant is shown in Photograph 7.	Surface water controls were inspected during the site audit and compared to the details contained in the Stage 2 Erosion and Sediment Control Plan.	Complies	
S3 B39	Acid Sulphate Soils	The Proponent must ensure that any construction activities in identified areas of acid sulphate soil risk are undertaken in accordance with the <i>Acid Sulphate Soil Manual</i> (Acid Sulphate Soil Management Advisory Committee, 1998).	Acid Sulphate Soil Management Plan, Hart Road, Loxford NSW, prepared by ADE Consulting Group, Version v1f, dated 10 June 2022. Incident Register	Principal Environmental Planning and Management (Jacobs) – no acid sulphate soils are currently being treated on-site at this time. Robsons has sent suspected ASS for lab analysis but no ASS has been identified (or treated) on-site.	No acid sulfate soils were being treated on-site at the time of this IEA.	An acid sulphate soils management plan has been prepared by the civil contractor (Robson Civil). The plan provides appropriate procedures for the identification and management of ASS.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B40	Water Management Plan	<p>Prior to the commencement of construction, unless the Secretary agrees otherwise, the Proponent must prepare a Water Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <p>a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</p>	<p>Hunter Power Project Water Management Plan, Final, dated 25 February 2022.</p> <p>Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) – Experts Approval to prepare Water Management Plan", dated 24 January 2022.</p> <p>Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) – Water Management Plan", dated 16 February 2022.</p>			<p>The Water Management Plan was prepared by Jacobs. The authors of the plan were approved by DPIE in January 2022.</p> <p>Conditional Approval for the Water Management Plan was issued by DPIE on 16 February 2022.</p>	Complies	
		<p>b) be prepared in consultation with EPA, DPIE Water, Hunter Water Corporation, and Council;</p>	<p>Email from DPIE Water (A Drew) to SHL (M Luger) titled "Hunter Power Station: request to comment on draft water management plan", dated 23 November 2021. DPIE declines to provide comment on the draft.</p> <p>Email from SHL (I Smith) to DPIE Water (A Drew) titled "Hunter Project – Construction Water Management Plan Consultation", dated 17 February 2022. This email requests the second round of consultation with DPIE Water in response to the Conditional Approval of the Water Management Plan.</p> <p>Email from DPIE Water (A Drew) to SHL (M Luger) titled "DPE Water Response - Hunter Power Project (Kurri Kurri Power Station) (SSI-12590060) – Construction Water Management Plan: SHL comment", dated 11 April 2022.</p> <p>Email from Hunter Water (B Calderwood) to SHL (I Smith) titled "Confirmation from Hunter Water of on-going engagement with Snowy Hydro regarding the servicing of the Hunter Power Project site at Kurri Kurri", dated 28 January 2022.</p> <p>Email from EPA (M Sing) to Jacobs (M Luger) titled "Letter in relation to draft management plans – EPL 21627 – Proposed Hunter Power Station – Jacobs Group (Australia) Pty Ltd – 23/11/2021</p> <p>Email from Cessnock City Council (S Hyatt) to Jacobs (M Luger) titled "Hunter Project management plan feedback", dated 24 November 2021.</p>			<p>Correspondence verifying that the required consultation was undertaken during the preparation of the Construction Water Management Plan, including the second round of consultation with DPE Water following conditional approval of the plan was provided to the Auditor.</p>	Complies	
		<p>c) include a: (i) Site Water Balance that includes details of:</p> <p>a) predicted annual inflows to and outflows from the site;</p> <p>b) sources and security of water supply, including reasonable and feasible measures to minimise potable water demand through detailed design and operations;</p> <p>c) water and wastewater storage capacity;</p>	<p>Hunter Power Project Water Management Plan, Final, dated 25 February 2022.</p>			<p>The site water balance (construction phase) is presented in Section 4.1 of the Water Management Plan.</p>	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		d) water use and management on site including demineralisation water treatment and wastewater transfer; and e) reporting procedure;						
S3 B40	Water Management Plan	d) include a: (ii) Surface Water Management Plan that includes: a) baseline data on surface water flows and quality of watercourses and/or water bodies potentially impacted by the development;	Hunter Power Project Water Management Plan, Final, dated 25 February 2022.			The elements of the Surface Water Management Plan are covered in the Water Management Plan, specifically: Section 4.4.1 of the Water Management Plan states that the Principal Contractor will develop a Surface Water Management Plan including a Basin Discharge Procedure. Robson Civil has prepared a CEMP covering the excavation stage of construction. Section 9.2.4 of the Robson Civil CEMP states that surface water management will be managed in accordance with the following documents: <ul style="list-style-type: none">• Robson Progressive Erosion and sediment control procedures (PESCP)• Robson Soil and Water Management Plan which includes water quality control procedures• Robson Discharge Management Plan Baseline surface water data is included in Section 3.2.3 of the WMP.		
		d) include a: (ii) Surface Water Management Plan that includes: b) a detailed description of the surface water management system; including: - erosion control measures and pollution control measures which do not require an open basin excavated below the water table where practicable; and - measures to manage spills, off site flood impacts and stream erosion flows;				A description of the surface water management system is included in the concept erosion and sediment control plan is detailed in Section 5.1. The Robson Soil and Water Management Plan and PESCP states that the erosion and sediment controls and the temporary sediment basin are located above the groundwater table. Robson PIRMP includes spill management procedures. Off-site flood impacts and stream erosion flows managed through implementation of onsite Project stormwater controls. Refer to the Robson CEMP and responses below		
		c) a program to monitor and evaluate: - disturbance of acid sulphate soils; - surface water discharges, stormwater and storage volumes; - rainfall and flooding events; and - the effectiveness of the surface water management systems to minimise erosion and sediment impacts;				Water quality monitoring is covered in Section 6.2 of the WMP and Robson CEMP. Acid Sulfate Soils management is covered in the Robson ASSMP prepared by ADE Consulting called "22.0389.ASSMP1.v1f_Robson Loxford"		

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B40	Water Management Plan	d) reporting procedures for the results of the monitoring program; and				Daily and weekly environmental inspections and erosion and sediment control and water quality control inspections are covered in the CEMS, Robson CEMP, Section 6.2 of the WMP and Section 2.5 CMP.		
		e) a plan to mitigate any adverse surface water impacts of the development;				Measures to mitigate any adverse surface water impacts from the Project are identified in Section 5.2 and Table 5-2 of the WMP	Complies	
		e) include a: iii) Groundwater Management Plan that includes: a) detailed baseline data of hydrogeology and groundwater levels and quality of groundwater resources potentially impacted by the development; b) water licencing requirements; c) a detailed description of the groundwater management and monitoring system, including measures to reduce potential for contamination or take of groundwater and estimated groundwater take, if the base of the pollution and surface water management basin is located less than 1 m above the water table; d) a program to monitor and evaluate groundwater flows, groundwater quality and the effectiveness of groundwater management systems, including e) reporting procedures for the results of the monitoring program; f) a plan to respond to any probable or actual exceedances of the groundwater performance criteria and repair, mitigate and/or offset any adverse groundwater impacts of the development.	Hunter Power Project Water Management Plan, Final, dated 25 February 2022.			Table 1.3 of the Water Management Plan states that the Groundwater Management Plan described in this condition is an operational requirement and will be included in the next revision of the Water Management Plan. The Auditor notes that this condition does not specify that the Groundwater Management Plan is solely an operational requirement. However, the groundwater issues covered in this Condition relate to the operational phase of the project.	Not Triggered	
S3 B41	Protection of Heritage Items	The Proponent must ensure the development does not cause any direct or indirect impacts on heritage items located outside the approved development footprint.	Incident Register	Principal Environmental Planning and Management (Jacobs) – no heritage sites outside of the project site have been impacted by the construction works.		No heritage sites outside of the project site have been impacted by the construction works.	Complies	
S3 B42	Protection of Heritage Items	If Aboriginal archaeological heritage items are unexpectedly discovered during construction of the development, all works must cease, and a suitably qualified and experienced archaeologist be brought in to assess the find. Depending on the nature of the discovery, additional assessment, recording and management measures may be required prior to the recommencement of works in the affected area. Heritage NSW - ACH and/or members of the relevant Local Aboriginal Land Council must be notified of this discovery in writing.	Incident Register	Principal Environmental Planning and Management (Jacobs) – no unexpected archaeological artifacts have been found during the construction works.		No unexpected archaeological artifacts have been found during the construction works.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B43	Aboriginal Cultural Heritage Management Plan	Prior to the commencement of construction, unless the Secretary agrees otherwise, the Proponent must prepare an Aboriginal Cultural Heritage Management Plan for the development to the satisfaction of the Secretary. The plan must:	Hunter Power Project Aboriginal Cultural Heritage Management Plan, Amended Final, dated 24 February 2022.			The Aboriginal Cultural Heritage Management Plan has been prepared and the final version published on 24 February 2022. The plan was prepared by Jacobs, an appropriately qualified and experienced consultant.	Complies	
		a) be prepared by suitably qualified and experienced persons;						
		b) be prepared in consultation with Registered Aboriginal Parties and Heritage NSW - ACH;	Hunter Power Project Aboriginal Cultural Heritage Management Plan, Amended Final, dated 24 February 2022.			Appendix A of the ACHMP provides a detailed record of the consultation undertaken with each relevant party.	Complies	
		c) be submitted to the Secretary for approval prior to carrying out construction under this approval;	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) – Cultural Heritage Management Plan", dated 17 January 2022.			Conditional Approval for the Cultural Heritage Management Plan was approved by DPIE on 17 February 2022.	Complies	
		d) describe the measures to be implemented on the site to:						
		(i) ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;						
(ii) protect, monitor and/or manage Aboriginal objects, including an archaeological monitoring program which includes a methodology for test and/or salvage excavations of intact alluvial deposits, and measures for the long-term management of Aboriginal objects if discovered during construction;								
(iii) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;								
(iv) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development; and								
(v) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site;								
		e) an unexpected finds protocol;	Hunter Power Project Aboriginal Cultural Heritage Management Plan, Amended Final, dated 24 February 2022.			Section 4.1 of the plan describes the processes for on-going consultation.	Complies	
		f) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term.	Hunter Power Project Aboriginal Cultural Heritage Management Plan, Amended Final, dated 24 February 2022.			Section 4.6 describes the program for on-going protection and care of artifacts salvaged from the site.	Complies	

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Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B43	Aboriginal Cultural Heritage Management Plan	The Proponent must implement the approved Aboriginal Cultural Heritage Management Plan.	Robson Civil Hunter Power Project Environmental Induction 6422 (dated 28 April 2022).	Principal Environmental Planning and Management (Jacobs) – no unexpected archaeological artifacts have been found during the construction works.		The site induction package delivered to all construction personnel describes the key requirements, including dealing with unexpected finds, for heritage management during construction.	Complies	
S3 B44	Waste	Any waste materials exposed or created in association with the constructions works and proposed to be disposed of to an offsite location, must be classified in accordance with the EPA's <i>Waste Classification Guidelines</i> .	Incident Register (Robsons Civil) Letter from Qualtest (G Jackson) to Robsons Civil (R Rassouli) titled "Project 6244 – HPP Early Works, Kurri Kurri Waste Classification Assessment – Slag Material", dated 6 May 2022.			During excavation works on 11 May 2022 a black slag material (unexpected find) was uncovered. The Auditor notes that while the unexpected find was recorded in the incident register that, that incident was not a "Reportable Incident". The material was sampled and tested by Qualtest (laboratory) in accordance with the EPA's Waste Classification Guidelines.	Complies	
S3 B45	Waste	Chemicals, fuels and oils used on-site must be kept in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's <i>Storing and Handling of Liquids: Environment Protection-Participants Manual</i> (Department of Environment and Climate change, 2007).		Principal Environmental Planning and Management (Jacobs) - Fuels stored on site include petrol and diesel fuel, oil for small plant such as generators, large mobile plant is fuelled by a mobile fuel truck that brings spill mats to place under vehicles during the refuelling process. There are also chemicals stored at the water treatment area – that is in a chemical container with a bund.	At the time of this IEA, construction works were limited to earthworks only. No significant storage of fuels and oils were present at the site. Photograph 8 shows a self-bunded dangerous goods storage container located near the water treatment plant.	There is (during this construction phase) no bulk storage of fuel on-site. Minor fuel, oil and chemicals are stored appropriately in bunded containers.	Complies	
S3 B46	Contamination	Construction cannot commence until a copy of the Site Audit Statement that covers the site subject to the development is provided to the Secretary. The Site Audit Statement must demonstrate the site is suitable for the development.	NSW EPA NSW Site Auditor Scheme Site Audit Statement no, 2021/03, dated 4 February 2022. This audit statement covers the former switchyard. NSW EPA NSW Site Auditor Scheme Site Audit Statement no, 2015/01a, dated 21 December 2021. This audit statement covers the remainder of the development site. Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) – Site Audit Statement", dated 1 March 2022.	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.		Two site audit statements were prepared for the site and provided to DPIE. DPIE confirmed that the Audit Statements were accepted on 1 March 2022.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S3 B47	Traffic Management Requirements	The Proponent must: a) maintain all roads and utility-related infrastructure on site in a safe and serviceable condition;				Condition B47 a) (maintenance of site roads) is applicable to the operational phase only. Therefore, this condition has not been triggered.	Not Triggered	
		b) provide sufficient parking on site for all vehicles;				Condition B47 b) (provision of parking) is applicable to the operational phase only. Therefore, this condition has not been triggered.	Not Triggered	
		c) ensure heavy vehicles entering and leaving the site have loads covered or contained;	Hunter Power Project Construction Air Quality Management Plan, 17 January 2022 Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022 Induction Register Robson Civil Projects (24.2.22 - 21.4.22)	Principal Environmental Planning and Management (Jacobs) – Heavy vehicle driver are required to attend the Robsons Civil Site Induction and sign off on the contents of the Driver Code of Conduct as part of that induction.	No trucks were observed entering or leaving the site during the site inspection.	The CAQMP specifies the requirement that all trucks entering and leaving the site must be covered. It is noted that the Driver Code of Conduct does not specify that all incoming and outgoing loads must be covered, although this requirement is covered in the Environmental Induction. This is the key communication tool with heavy vehicle drivers during both the construction and operational phases. The Auditor reviewed the induction training register.	Complies	
S3 B47	Traffic Management Requirements	d) minimise dust and/or sediment being tracked onto Hart Road and the public road network;	Hunter Power Project Construction Air Quality Management Plan, 17 January 2022 Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022 Induction Register Robson Civil Projects (24.2.22 - 21.4.22)		A rumble grid has been installed at the site exit. No significant build up of dust / dirt was observed on the public road servicing the site at the time of this IEA.	The CAQMP specifies the requirement that the public road servicing the site is regularly inspected and swept. A rumble grid has been installed at the site exit to remove dust / dirt from heavy vehicles. The Auditor reviewed the induction training register that verified training of heavy vehicle drivers.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		e) minimise the traffic noise impacts of the development; and	Drivers Code of Conduct	Principal Environmental Planning and Management (Jacobs) – Heavy vehicle driver are required to attend the Robsons Civil Site Induction and sign off on the contents of the Driver Code of Conduct as part of that induction.	No trucks were observed entering or leaving the site during the site inspection.	The TMP and Drivers Code of Conduct specifies the requirement that heavy vehicle noise is minimised. The Auditor reviewed the induction training register that verified training of heavy vehicle drivers.	Complies	
		f) keep the public informed of any road or infrastructure upgrades, disruptions to traffic, the closure of roads or other infrastructure, oversize overmass vehicle use, peak construction periods, and any emergencies.	Complaints Register	Principal Environmental Planning and Management (Jacobs) – no road closures of other disruptions to public infrastructure were required during this audit period.		NO traffic related complaints were recorded during the audit period. No road closures of other disruptions to public infrastructure were required during this audit period.	Not Triggered	
S3 B48	Traffic Management Plan	Prior to the commencement of construction, unless the Secretary agrees otherwise, the Proponent must prepare a Traffic Management Plan in consultation with Council and TfNSW for the development and to the satisfaction of the Secretary.	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022	Health, Safety and Environment Lead – construction works commenced on 29 March 2022		The Traffic Management Plan has been prepared and was issued on 25 February 2022, prior to commencement of construction.	Complies	
		This plan must: a) describe the measures that would be implemented to comply with the transport management requirements in condition B47 above;	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			Section 6 of the Traffic Management Plan describes the impact mitigation measures to be implemented to address the requirements of Condition B47.	Complies	
		b) include details of the transport route to be used for all construction and operational traffic;	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			Section 4.3 of the Traffic Management Plan describes the transport routes for light, heavy and oversize / over mass vehicles.	Complies	
		c) include details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction and operations;	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			Section 6 of the Traffic Management Plan describes the impact mitigation measures to be implemented.	Complies	
		d) include oversize over mass requirements and management;	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			Section 6.11 of the Traffic Management Plan describes the management of oversize / over mass vehicles.	Complies	
S3 B48	Traffic Management Plan	e) include a driver’s code of conduct that addresses: (i) travelling speeds; (ii) driver fatigue; (iii) procedures to ensure that drivers adhere to the designated transport routes; and (iv) procedures to ensure that drivers implement safe drive practise;	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			The Driver Code of Conduct is provided in Appendix A and satisfies the requirements of Condition B48 e).	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		f) include a program to: (i) record and track vehicle movements; and (ii) monitor the effectiveness of these measures; and	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			Table 7-3 of the plan requires the recording of heavy vehicle movements to and from site.	Complies	
		g) include a protocol for undertaking independent dilapidation surveys to assess the existing condition of Hart Road, prior to and following construction and decommissioning activities.	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022			Section 6.5 of the Traffic Management Plan describes the requirement for pre and post construction dilapidation surveys.	Complies	
		The Proponent must implement the approved Traffic Management Plan.	Hunter Power Project Traffic Management Plan Amended Final, dated 25 February 2022 Hunter Power Project Dilapidation Survey Hart Road, Loxford, prepared by Streetwise Road Safety and Traffic Services Pty Ltd, dated 14 February 2022.	Principal Environmental Planning and Management (Jacobs) – Heavy vehicle driver are required to attend the Robsons Civil Site Induction and sign off on the contents of the Driver Code of Conduct as part of that induction.		The dilapidation survey for Hart Road has been completed. Induction training for heavy vehicle drivers	Complies	
S3 B49	Visual and Lighting	The Proponent must: a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection; (b); and		Principal Environmental Planning and Management (Jacobs) – final design of these elements is not yet complete.		Final design of visual and lighting elements is not yet complete.	Not Triggered	
		b) ensure the visual appearance of infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and		Health, Safety and Environment Lead – Building colours will be matt and are being specified as such with the OEM. Lighting, such as aviation lighting, is being specified in accordance with CASA requirements which include directing the light sources upwards so as to minimise off-site impacts.		Final design of visual and lighting elements is not yet complete.	Not Triggered	
		c) not mount any commercial advertising signs or logos on site, except where this is required for identification or safety purposes.				Final design of visual and lighting elements is not yet complete.	Not Triggered	
S3 B50	Visual and Lighting	The Proponent must: a) minimise the off-site lighting impacts of the development; and		Principal Environmental Planning and Management (Jacobs) – final design of these elements is not yet complete.		Final design of visual and lighting elements is not yet complete.	Not Triggered	
		b) ensure that any external lighting associated with the development: (i) is installed as low intensity lighting (except where required for safety or emergency purposes); (ii) does not shine above the horizontal; and (iii) complies with Australian Standard AS4282 (INT) 1997.		Principal Environmental Planning and Management (Jacobs) – final design of these elements is not yet complete.		Final design of visual and lighting elements is not yet complete.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
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S5 C1	Environmental Management Strategy	The Proponent must prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Secretary.	Hunter Power Project Environmental Management Strategy Amended Final, dated 18 February 2022 Letter from ER (G Byrnes) to SHL (I Smith) titled "Hunter Power Project Construction Environmental Management Strategy (18 February 2022)", dated 2 March 2022	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.		The Construction Environmental Management Strategy Plan was prepared by Jacobs. The plan was finalised on 18 February 2022, and endorsed by the ER on 2 March 2022, prior to the commencement of construction.	Complies	
		The Strategy must: a) provide the strategic framework for environmental management of the project;	Hunter Power Project Environmental Management Strategy Amended Final, dated 18 February 2022			Section 1 of the EMS describes the purpose and scope of the document and establishes an appropriate strategic framework for environmental management of the project.	Complies	
		b) identify the statutory approvals that apply to the project;	Hunter Power Project Environmental Management Strategy Amended Final, dated 18 February 2022			Legislative requirements are detailed in Section 4 of the EMS.	Complies	
		c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;	Hunter Power Project Environmental Management Strategy Amended Final, dated 18 February 2022			Roles and responsibilities for environmental management are described in Section 7.2 of the EMS.	Complies	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> - keep the local community and relevant agencies informed about the operation and environmental performance of the project; - receive, handle, respond to, and record complaints; - resolve any disputes that may arise during the course of the project; - respond to any non-compliance; and - respond to emergencies; 	Hunter Power Project Environmental Management Strategy Amended Final, dated 18 February 2022			Community and stakeholder engagement is described in Section 6.2 of the EMS.	Complies	
		<p>e) include:</p> <p>(i) the following subplans:</p> <ul style="list-style-type: none"> • construction air quality management plan prepared in consultation with the EPA; • construction noise management plan prepared in consultation with the EPA; and • construction and operational waste management plan, incorporating management of any contaminated materials disturbed during construction <p>(ii) references to any strategies, plans and programs approved under the conditions of this approval; and</p> <p>(iii) a clear plan depicting monitoring to be carried out under the conditions of this approval.</p>	Hunter Power Project Website Hunter Power Project Environmental Management Strategy Amended Final, dated 18 February 2022			The EMS and subplans are available of the project website, including the Waste Management Plan, the Noise and Vibration Management Plan and Construction Monitoring Program.	Complies	
S5 C1	Environmental Management Strategy	The Proponent must implement the approved Environmental Management Strategy.	Refer to implementation of specific environmental management subplans above.			The Auditor reviewed each management plan required under the Approval and was satisfied that the current construction works are being undertaken in accordance with those plans.	Complies	
S5 C2	Net Zero Power Generation Plan	Prior to the commencement of operations, the Proponent must prepare a Net Zero Power Generation Plan for the development, to the satisfaction of the Secretary.		Health, Safety and Environment Lead – providers are being considered for the Net Zero Generation Plan, with an RFP or sole provider being considered.		Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		The plan must:				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		a) be prepared by a suitably qualified, experienced and independent person approved by the Secretary;				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		b) be prepared in consultation with the EPA and the Department’s Climate and Atmospheric Science Group;				Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
		c) investigate opportunities to achieve Net Zero greenhouse gas emissions from the development including consideration of:				Operation of the power station has not commenced; therefore this condition has not yet been triggered.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		(i) contemporary best practice and continuous improvement measures; (ii) applicable Commonwealth and State greenhouse gas emissions targets and policies including a commitment to Net Zero by 2050, and 50% reduction compared to 2005 levels by 2030; (iii) latest technology for displacing natural gas or diesel as the fuel supply, such as use of green hydrogen;						
		d) describe measures to displace or offset greenhouse gas emissions having regard to: (i) the investigations undertaken under condition C2(c); and (ii) the following Net Zero targets by calendar year: <ul style="list-style-type: none"> from the commencement of operations until 2029: 10% of total Scope 1 greenhouse gas emissions; from 2030 until 2039: all Scope 1 greenhouse gas emissions resulting from generating electrical power at the premises for more than 175 cumulative hours per calendar year (or 2% of the year); and from 2040 onwards: all Scope 1 greenhouse gas emissions. 	As above			Operation of the power station has not commenced; therefore, this condition has not yet been triggered.	Not Triggered	
S5 C3	Net Zero Power Generation Plan	Every three years following the approval of the plan, or other timeframe agreed by the Secretary, a report shall be submitted to the Secretary to update the outcomes of the investigations and measures described in condition C2.	Not Triggered			Operation of the power station has not commenced, therefore this condition has not yet been triggered.	Not Triggered	
S5 C4	Net Zero Power Generation Plan	The Proponent must implement the approved Net Zero Power Generation Plan.				Operation of the power station has not commenced, therefore this condition has not yet been triggered.	Not Triggered	
S5 C5	Revision of Strategies, Plans and Programs.	The Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary within 3 months of the submission of an:	Incident Register		Health, Safety and Environment Lead – No reportable incidents occurred during the audit period.	No reportable incidents were reported during the audit period.	Not Triggered	
		a) Submission of an incident report under condition 5 C6 below						
		b) Submission of an independent environmental audit report under Conditions C15 to C19 below 7		Health, Safety and Environment Lead – No independent audits were undertaken during the audit period.	No independent environmental audits were undertaken during the audit period.	Not Triggered		
		c) the approval of any modification of the conditions of this approval;		Health, Safety and Environment Lead – No modifications to the Approval were approved during the audit period.	No modifications to the approval were approved during the audit period.	Not Triggered		
		d) the issue of a direction of the Planning Secretary		Health, Safety and Environment Lead – No directions to revise any	No directions were received from DPIE requiring the amendment of any plan	Not Triggered		

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
				plans were received from DPIE during the audit period.		required under the Approval during the audit period.		
		The Proponent must review and, if necessary, revise the studies, strategies or plans required under the conditions of approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.					Noted	
S5 C6	Incident Notification, Reporting and Response	The Secretary must be notified in writing via the Major Projects website immediately after the Proponent becomes aware of an incident. The notification must identify the development (including the application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.	Incident Register Complaints Register	Health, Safety and Environment Lead – An incident threatening material harm hasn’t occurred during the course of the Project. Prior to commencement of construction, when the EPL was in place, but SHL was not operating under the Infrastructure Approval, a pollution event occurred during a very high rainfall event which was verbally reported to the EPA and will be identified on the EPL21627 Annual Return.		Four environmental incidents were recorded during the audit period. Please refer to Section 7.1 for details of those incidents. None of the incidents recorded in the audit period triggered the criteria as “reportable incidents”, i.e. incidents that have caused or had the potential to cause material environmental harm.	Not Triggered	
S5 C7	Non-compliance Notification	The Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance.	Incident Register Complaints Register	Health, Safety and Environment Lead – An incident threatening material harm hasn’t occurred during the course of the Project.		Four environmental incidents were recorded during the audit period. Please refer to Section 7.1 for details of those incidents. None of the incidents recorded in the audit period triggered the criteria as “reportable incidents”, i.e. incidents that have caused or had the potential to cause material environmental harm.	Not Triggered	
S5 C8	Non-compliance Notification	A non-compliance notification must identify the development and the application number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Incident Register Complaints Register	Health, Safety and Environment Lead – SHL is not aware of any compliance issues occurring during the audit period.		SHL is not aware of any compliance issues occurring during the audit period.	Not Triggered	
S5 C9	Non-compliance Notification	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	Incident Register Complaints Register	Health, Safety and Environment Lead – SHL is not aware of any compliance issues occurring during the audit period.		SHL is not aware of any compliance issues occurring during the audit period.	Not Triggered	
S5 C10	Compliance Reporting	Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Requirements outlined in the <i>Compliance Reporting Post Approval Requirements (2020)</i> or its latest version.	<i>Compliance Reporting Post Approval Requirements (May 2020)</i>			Compliance reports are not required by the <i>Compliance Reporting Post Approval Requirements (2020)</i> for construction projects.	Not Triggered	

Project Approval 12590060								
Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S5 C11	Compliance Reporting	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the <i>Compliance Reporting Post Approval Requirements (2020)</i> or its latest version, unless otherwise agreed to by the Secretary.	<i>Compliance Reporting Post Approval Requirements (May 2020)</i>			Compliance reports are not required by the <i>Compliance Reporting Post Approval Requirements (2020)</i> for construction projects.	Not Triggered	
S5 C12	Compliance Reporting	The Proponent must make each Compliance Report publicly available within 60 days of submitting it to the Secretary, unless otherwise agreed by the Secretary.	<i>Compliance Reporting Post Approval Requirements (May 2020)</i>			Compliance reports are not required by the <i>Compliance Reporting Post Approval Requirements (2020)</i> for construction projects.	Not Triggered	
S5 C13	Compliance Reporting	Notwithstanding the requirements of the <i>Compliance Reporting Post Approval Requirements (2020)</i> or its latest version, the Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	<i>Compliance Reporting Post Approval Requirements (May 2020)</i>			Compliance reports are not required by the <i>Compliance Reporting Post Approval Requirements (2020)</i> for construction projects.	Not Triggered	
S5 C14	Notification to Department	Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Proponent must notify the Department via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase. If any of these phases of the development are to be staged, then the Proponent must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Management Plan Staging", dated 22 December 2021. Letter from DPIE (H Watters) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Notification of commencement of construction", dated 4 April 2022. Letter from DPIE (S O'Donoghue) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Staging Request", dated 10 February 2022.			SHL advised DPIE of the commencement of construction as required by this Condition. SHL also requested approval for the staging of management plans. That request was approved by DPIE.	Complies	
S5 C15	Independent Environmental Audit	Independent Audits of the development must be conducted and carried out in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i> or its latest version.				Construction commenced 29 March 2022 and the audit was commissioned in August 2022 with a site inspection on 17 August 2022. The audit was not commissioned or undertaken within 12 weeks of commencement of construction, in accordance with Independent Audit Post Approval Requirements (2020)	Non-Compliance	Ensure that all future audits are commissioned and commenced within the time frames specified in the <i>Independent Audit Post Approval Requirements (2020)</i> .
S5 C15	Independent Environmental Audit	Proposed independent auditors must be agreed to in writing by the Secretary prior to the commencement of an Independent Audit.	Letter from DPIE (H Watters) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Independent Auditor Nomination", dated 26 July 2022.			DPIE approved the appointment of the auditor for this IEA in July 2022.	Complies	
S5 C16	Independent Environmental Audit	The Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the <i>Independent Audit Post Approval Requirements (2020)</i> or its latest version, upon giving at least 4 weeks' notice (or timing) to the Proponent of the date upon which the audit must be commenced.					Noted	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
S5 C17	Independent Environmental Audit	The Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the <i>Independent Audit Post Approval Requirements (2020)</i> or its latest version, upon giving at least 4 weeks' notice (or timing) to the Proponent of the date upon which the audit must be commenced.					Noted	
S5 C18	Independent Environmental Audit	Independent Audit Reports and the Proponent's response to audit findings must be submitted to the Secretary within 2 months of undertaking the independent audit site inspection, as outlined in the <i>Independent Audit Post Approvals Requirements (2020)</i> or its latest version, unless otherwise agreed by the Secretary.					Noted	
S5 C19	Independent Environmental Audit	Notwithstanding the requirements of the <i>Independent Audit Post Approvals Requirements (2020)</i> or its latest version, the Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Secretary's satisfaction that independent operational audits have demonstrated operational compliance.					Noted	

S5 C20	Access to Information	<p>Before the commencement of construction until the completion of all rehabilitation required under this approval, the Proponent must:</p> <p>b) make the following information and documents (as they are obtained, approved or as otherwise stipulated within the conditions of this approval) publicly available on its website:</p> <p>(i) the EIS;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this approval;</p> <p>(iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</p> <p>(v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval;</p>	<p>Snowy Hydro Website (https://www.snowyhydro.com.au/hunter-power-project/documents/)</p>	<p>Health, Safety and Environment Lead – The Secretary has not directed SHL to place any additional materials on the project website.</p> <p>Principal Environmental Planning and Management (Jacobs) – The Infrastructure Approval requires reporting to take the form of Compliance Reporting (Condition C10 -13) and does not call for Annual Reviews. Compliance reporting requirements and the proponent's approach to addressing them are detailed in the Compliance Register and are also addressed in the CEMS at Section 7.7.5. Note the Compliance Register is also detailed in the CEMS at Section 7.7.5. The Compliance Register manages all other reporting required by the Infrastructure Approval, EPL (21627) and the DCCEEW (EPBC 2021/8888) approval for the project, as well as the requirements of the management</p>	<p>The following documents / records were available on the project website at the commencement of this IEA:</p> <ol style="list-style-type: none"> EIS Planning Approval (SSD 12590060), the EPL 21627 and EPBC Approval 2021/8888 All plans and strategies required by the Approval SHL does not plan to stage the construction of the power station, therefore no staging plans are required The EMS does not specify a specific program for reporting on environmental performance other than the IEA requirements of the Approval and monitoring results (vi below) Monthly monitoring summary and noise monitoring results A summary of the current status of the project (Progress and Approvals) 	<p>Non-Compliance</p>	<p>Ensure that a copy of the project Complaints Register is uploaded to the website. Note that this requirement applies whether or not complaints have been received.</p>
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Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
		<p>(vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;</p> <p>(vii) a summary of the current phase and progress of the development;</p> <p>(viii) contact details to enquire about the development or to make a complaint;</p> <p>(ix) a complaints register, updated monthly;</p> <p>(x) the Annual Reviews of the development;</p> <p>(xi) audit reports prepared as part of any Independent Environmental Audit of the development and the Proponent's response to the recommendations in any audit report;</p> <p>(xii) any other matter required by the Secretary; and</p>		plans.		<p>viii. Contact Details (Contact Tab)</p> <p>ix. The complaints register was not provided on the website.</p> <p>x. Annual Reviews are not required by the Approval</p> <p>xi. The current IEA is the first independent audit, therefore no audit reports were required at the time of this IEA.</p> <p>xii. The Secretary has not requested that any other matters be reported on the website.</p>		
		<p>c) keep such information up to date, to the satisfaction of the Secretary.</p>	<p>SHL Website</p>			<p>The documents available on the SHL website relating to the Hunter Power Project were up to date versions.</p>	Complies	
S5 C21	Updating and Staging of Studies, Strategies and Plans	<p>To ensure the studies, strategies and plans for the development are updated on a regular basis and incorporate any required measures to improve the environmental performance of the development, the Proponent may submit revised studies, strategies or plans required for the development under the conditions of approval at any time. With the agreement of the Secretary, the Proponent may also submit any study, strategy or plan required under the conditions of this approval on a staged basis.</p>					Noted	
S5 C22	Updating and Staging of Studies, Strategies and Plans	<p>The Secretary may approve a revised strategy or plan required under the conditions of approval, or the stage submission of these documents, at any time. With the approval of the Secretary, the Proponent may prepare the revised or staged strategy or plan without undertaking consultation with all parties nominated under the applicable conditions in this approval.</p>					Noted	

EPBC 2021/8889								
Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
1	Action Specific Conditions	To ensure there is no adverse impact on the environment as a result of the action, the approval holder must comply with conditions A8-A12 of Part A, B1-B11, B19-B20, B35-40, B41-B43, B46 of Part B, C1-C4 of Part C of the State development consent (to the extent the conditions in Part C relate to environment).				No non-compliances against Planning Approval Conditions B20 and B40 were identified in this IEA. For details, please refer to Conditions B20 and B40 above.	Complies	
2	Action Specific Conditions	The action must only occur within the boundary (shown in red) on the map at Attachment A.		Refer to Section 7.8.1 above.	At the time of this IEA, other than the use of a temporary equipment laydown area, the construction works were confined to the approved Action boundary.	The construction works being undertaken within the approved Action boundary are consistent with the definition of construction works in the EPBC Approval. No works as defined in that Approval were being undertaken outside of the approved boundaries at the time of this IEA. Note that equipment storage (whether permanent or temporary) is not covered by the EPBC Approval definitions and as such the use of the temporary storage area outside of the approved Action boundaries is considered to be consistent with the requirements of the EPBC Approval.	Complies	
3	Notification of Commencement of the Action	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action	Letter from SHL (M Bikil) to DAWE (Post Approvals Section) titled "Notification of commencement of action – Kurri Kurri Gas Fired Power Station, NSW (EPBC 2021/8888)", dated 29 March 2022.	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.		SHL advised DAWE of the commencement of construction on 29 March 2022.	Complies	
4	Notification of Commencement of the Action	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.			Earthworks were well progressed at the time of this IEA.	The Action has commenced.	Not Triggered	
5	Compliance Records	The approval holder must maintain accurate and complete compliance records.				All information (including documents and records relating to compliance) requested by the Auditor were available for review.	Complies	
6	Compliance Records	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.		Principal Environmental Planning and Management (Jacobs) – DAWE / DCCEEW did not requested copies of any compliance records during the audit period.		DAWE / DCCEEW did not requested copies of any compliance records during the audit period.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
7	Annual Compliance Reporting	Following commencement of the action, the approval holder must prepare a compliance report addressing compliance with each of the conditions of this approval, including implementation of commitments made in all management plans and strategies required under any condition of the State development consent that is referred to in this approval, in respect of every calendar year, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:	Letter from DPIE (H Watters) to SHL (I Smith) titled "Hunter Power Project (SSI-1290060) Notification of commencement of construction", dated 4 April 2022.	Health, Safety and Environment Lead – construction works commenced on 29 March 2022.		The Action (defined in the EPBC Approval as the construction and operation of a gas fired power station and associated infrastructure) commenced on 29 March 2022. The requirement for the preparation of an annual compliance report will not be triggered until 28 March 2023.	Not Triggered	
		a. publish each compliance report on a website within 3 months following the relevant 12 month period,					Not Triggered	
7	Annual Compliance Reporting	b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication				The requirement for the preparation of an annual compliance report will not be triggered until 28 March 2023.	Not Triggered	
		c. keep all compliance reports publicly available on the website until this approval expires				The requirement for the preparation of an annual compliance report will not be triggered until 28 March 2023.	Not Triggered	
		d. exclude or redact sensitive ecological data from compliance reports published on the website				The requirement for the preparation of an annual compliance report will not be triggered until 28 March 2023.	Not Triggered	
		e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.				The requirement for the preparation of an annual compliance report will not be triggered until 28 March 2023.	Not Triggered	
8	Reporting Non-compliance	The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify:		Principal Environmental Planning and Management (Jacobs) – SHL is not aware of any non-compliances against the EPBC Approval during the audit period. Health, Safety and Environment Lead – An incident threatening material harm hasn't occurred during the course of the Project.		Four environmental incidents were recorded during the audit period. Please refer to Section 7.1 for details of those incidents. None of the incidents recorded in the audit period triggered the criteria as "reportable incidents", i.e. incidents that have caused or had the potential to cause material environmental harm.	Not Triggered	
		a. any condition which is or may be in breach		Principal Environmental Planning and Management (Jacobs) – SHL is not aware of any non-compliances against the EPBC Approval during the audit period.		SHL was not aware of any non-compliances against the EPBC Approval during the audit period.	Not Triggered	
		b. a short description of the incident and/or non-compliance		Principal Environmental Planning and Management (Jacobs) – SHL is not aware of any non-compliances against the EPBC Approval during the audit period.		SHL was not aware of any non-compliances against the EPBC Approval during the audit period.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
8	Reporting Non-compliance	c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.		Principal Environmental Planning and Management (Jacobs) – SHL is not aware of any non-compliances against the EPBC Approval during the audit period.		SHL was not aware of any non-compliances against the EPBC Approval during the audit period.	Not Triggered	
9	Reporting Non-compliance	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:	Incident Register	Principal Environmental Planning and Management (Jacobs) – SHL is not aware of any non-compliances against the EPBC Approval during the audit period. Health, Safety and Environment Lead – An incident threatening material harm hasn't occurred during the course of the Project.		Four environmental incidents were recorded during the audit period. Please refer to Section 7.1 for details of those incidents. None of the incidents recorded in the audit period triggered the criteria as "reportable incidents", i.e. incidents that have caused or had the potential to cause material environmental harm.	Noted	
9	Reporting Non-compliance	a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future				SHL was not aware of any non-compliances against the EPBC Approval during the audit period.	Not Triggered	
		b. the potential impacts of the incident or non-compliance				SHL was not aware of any non-compliances against the EPBC Approval during the audit period.	Not Triggered	
		c. the method and timing of any remedial action that will be undertaken by the approval holder.				SHL was not aware of any non-compliances against the EPBC Approval during the audit period.	Not Triggered	
10	Independent Audit	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.		Principal Environmental Planning and Management (Jacobs) – SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.		SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.	Not Triggered	
11	Independent Audit	For each independent audit, the approval holder must:				SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.	Not Triggered	
		a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department				SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.	Not Triggered	
		b. only commence the independent audit once the audit criteria have been approved in writing by the Department				SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.	Not Triggered	
		c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.				SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.	Not Triggered	
12	Independent Audit	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.		Principal Environmental Planning and Management (Jacobs) – SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.		SHL was not requested (by DAWE / DCCEEW to commission an independent audit during the audit period.	Not Triggered	
13	Completion of Action	Within 30 days after the completion of the Action the approval holder must notify the Department in writing and provide completion data.				The Action was being undertaken during the audit period.	Not Triggered	

Cond.	Title	Condition	Documents Reviewed	Interviews / Conversations	Inspections / Observations	Assessment	Compliance Finding	Recommendation
14	Changes to Development Consent	The approval holder must notify the Department in writing of any proposed change to the State development consent that may relate to environment within 2 business days of formally proposing a change or within 5 business days of becoming aware of any proposed change.		Principal Environmental Planning and Management (Jacobs) – no modifications to the Approval have been Approved during the audit period.		No modifications to the Approval have been Approved during the audit period.	Not Triggered	
15	Changes to Development Consent	The approval holder must notify the Department in writing of any change to the State development consent conditions that may relate to environment, within 10 business days of a change to conditions being finalised.		Principal Environmental Planning and Management (Jacobs) – no modifications to the Approval have been Approved during the audit period.		No modifications to the Approval have been Approved during the audit period.	Not Triggered	

Audit Photos



Appendix B



Photograph 1 - Water cart in operation



Photograph 2 - Excavated Material Stockpile



Photograph 3 - Rumble Grid at site entrance



Photograph 4 - Site Speed Limit



Photograph 6 - Site boundary contouring to divert run off into sediment pond.



Photograph 5 - Lined discharge channel from sediment pond (and WWTP)



Photograph 7 - Wastewater Treatment Plant



Photograph 8 - Self Bunded Fuel and Chemical Storage Container

Consistency Assessment

Appendix C

Hunter Power Project

Land Use Consistency Assessment

Licencing of Land for parking and
laydown of materials

June 2022

Revision	Date	Prepared by	Reviewed by	Endorsed by Snowy Hydro
Draft	24/06/2022	T Colman/ M Luger	M Luger	I Strachan P Hill
Revision A	15/07/2022	M Luger	I Strachan	P Hill

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1 Introduction

1.1 Existing Project Approval and Authorisation

The Hunter Power Project (the Project) was approved as SSI-12590060 by the then Minister for Planning and Public Spaces on 17 December 2021. The approved Project involves the development of a gas-fired power station comprising two open cycle gas turbine (OCGT) generators with a nominal capacity of up to 750 megawatts (MW), an electrical switchyard and associated supporting infrastructure. Snowy Hydro have also engaged with APA Group (APA) who will build and operate the Kurri Kurri Lateral Pipeline which will supply the power station with gas via a new transmission pipeline and storage facility, fed from the Sydney to Newcastle pipeline near Hexham.

The purpose of this Consistency Assessment is to explore potential environmental impacts that may occur due to the proposed use of a vacant block of land located between the Snowy Hydro Project Office and the Construction Site. Snowy Hydro has identified the need for additional space close to the power station site for vehicle parking, equipment laydown and heavy vehicle staging.

A block of vacant land known as Precinct 3B, pictured below in Figure 1.1, has been identified as a suitable site to utilise due to its proximity to the Construction Site and being located away from publicly utilised roads and street networks. Snowy Hydro is contemplating entering into a licence agreement with the land developer, Regrowth and Hydro Aluminium who are the former operator at this site.

Snowy Hydro has engaged the Environmental Representative (ER) to undertake a review of this Consistency Assessment (CA) Licencing of Land for parking and laydown of materials (June 2022) to determine if the proposed temporary use of Precinct 3B will cause any additional environmental impact to those already determined in the project EIS. If the ER determines the impacts to be consistent with the EIS and adequately managed by the Project Construction Environmental Management Strategy an endorsement will be provided in Section 4 of this document.

Snowy Hydro Limited has also undertaken a review to ensure this CA examines and considers the fullest extent possible all matters affecting or likely to affect the environment as a result of the activities associated with the proposed use of Precinct 3B and their endorsement is provided in Section 4 of this document.

Following Endorsement by both the ER and Snowy Hydro Limited this CA will be provided to the Department of Planning and Environment (DPE) for information.

1.2 Existing and Proposed Environmental Controls

The Hunter Power Project is implementing controls stipulated in the Conditions of Approval, as well as managing environmental impacts through the implementation of the Construction Environmental Management Strategy and Approved Management Plans, including:

- Cultural Heritage Management Plan
- Biodiversity Management Plan
- Air Quality Management Plan
- Traffic Management Plan
- Construction Noise and Vibration Management Plan
- Water Management Plan
- Waste management Plan

Snowy Hydro have assessed that there will be minor variance from the approved management plans or strategy for managing environmental risk during the Hunter Power Project. It is anticipated that minor amendments will be required to the Traffic Management Plan and Construction Environmental Management Strategy, namely the inclusion of carparking and laydown locations as outlined in this document.

1.3 Description of proposed activities on Precinct 3B

The green outlined area in figure 1.1 (4) illustrates the proposed area on Precinct 3B would be made available to the power station construction contractor for carparking, laydown areas and hard-standing for heavy vehicles. This will enable trucks to be taken off Public Roads (Hart Rd and Dixon Rd) to be reconfigured for delivery of goods to the Power Station site. There will be the ability to utilise this area to reconfigure Oversize and Overmass (OSOM) trucks which will be up to 120m in length during deliveries.

The area directly west of outlined box 4 in figure 1.1 is currently used by Hydro Aluminium for their soil stockpile and management of other earthworks materials accumulated from the broader Hydro Aluminium site. Once this stockpile is relocated to the permanent containment cell, it is anticipated that the area will become available to APA, who have included this area in the APA Gas Lateral EIS.



Figure 1-1: HPP Construction(red) Site and Precinct 3B (green)

Figure 1.1 Legend

1. Kurri Kurri North Switching Station
2. Power Station
3. APA Compressor and Construction Contractor Compound
4. Precinct 3B – Proposed carparking, laydown and OSOM staging



Figure 1-2: Approved Project EIS boundary (red line) and overlay of Power Station Infrastructure

Figure 1.2 Legend

1. Kurri Kurri North Switching Station
2. Power Station
3. APA Compressor and Construction Contractor Compound

1.4 Justification for proposal to utilise Precinct 3B

Snowy Hydro have identified that the construction of the Hunter Power Project will require an area to provide for the following:

- additional construction worker carparking due to lack of public transport servicing the area
- laydown area for construction materials and equipment deliveries
- staging of heavy vehicles entering site to undertake foundation and piling related works
- Reconfiguring Over Sized Over Mass trucks during gas turbine and generator deliveries

The Hunter Power Project EIS (the EIS) assumed that the buffer land (illustrated as 3 in figure 1.1) would be used as laydown area during construction of the power station. It has since been determined that much of the buffer land is required for APA to construct their gas infrastructure, and that a larger area is required for laydown.

In table 4.1 of the approved Traffic Management Plan referenced in the EIS, it was assumed that there would need to be parking for approximately 200 light vehicles during construction. This has increased to some 400 light vehicles (including additional light vehicles associated with the APA Gas Lateral and compressor station project). There is therefore the need for an additional car parking area close to the Construction Site. The EIS noted in section 17.3.1- **Construction Traffic** that 'parking would be on the power station site or on adjacent properties by agreement with the current landowner, Hydro Aluminium and Industrial Estate developer'. This is also reflected in the approved Hunter Power Project Traffic Management Plan.

Snowy Hydro intent to utilise this land during the Construction Project for a period of twelve (12) months with an option to extend for a further 12 months, under a licence agreement with Regrowth. In order to safely and sustainably utilise this land, minor surface preparation work will be required to create erosion and sediment controls for water management and to create suitable working platform for laying equipment down in the event that there are constraints to the equipment being delivered to site. There will be no negative impacts to nearby sensitive receivers as a result of this land being utilised.

By utilising this land adjacent to the construction site, there will be a reduction in double handling during delivery times, which will in turn reduce the number of trucks utilising the public road network to deliver to the site. This provides a positive outcome for local communities and road users, as deliveries will be streamlined from Supplier to Site with no offsite storage and handling required.

Link to Hunter Power Project EIS

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSI-12590080%2120210427T001516.283%20GMT>

1.5 Description of Existing Environment – Precinct 3B

The existing condition of Precinct 3B (pictured below as figure 1.3) is a cleared, flat site with no structures in place. The site was occupied by Hydro Aluminium for Aluminium smelting operations between the 1969 and 2012. The former smelting operations included the use of building with 3 potlines and a number of ancillary buildings and structures as expressed in figure 1.4 below. Post demolition of the Hydro Aluminium structures, some weeds and shrubs have grown, which will be assessed by an appropriately qualified Ecologist prior to removal.

During the proposed use of Precinct 3B, Snowy Hydro expects there to be no negative environmental impacts as a result of establishing carparking, laydown and staging areas on a hardstand. The use of the land will be monitored by the Snowy Hydro Health, Safety and Environment team to ensure environmental controls stipulated in the CEMS are implemented, namely traffic management and water management.

The entire Precinct 3B would continue to operate under Hydro Aluminium's Environmental Protection Licence and the existing stormwater management arrangements would continue.

It is to be noted that there is an Environmental Impact Statement which covers Precinct 3B for future development by Regrowth (<https://regrowthkurrikurri.com.au/files/2021/01/Hydro-Remediation-and-Demolition-EIS-Main-Document.pdf>) which outlines in significant detail the former and proposed future uses for this area.



Figure 1.3: Current Condition of Precinct 3B



Figure 1.4: Precinct 3B prior to demolition in 2019

2 Comparison of Impacts

The assessment table below outlines impacts relative to the use of Precinct 3B for carparking, laydown and staging of heavy vehicles. The assessment considers the use of Precinct 3B to not have any negative impact, whilst also providing positive impacts by utilising land close to the approved Project Site and not double handling equipment from suppliers to a location between the supplier and the Project Site.

Table 2.1 Environmental Impact assessment

Environmental issue	Potential risk or change in impact	Potential environmental risks and impacts relative to the Approved Project	Additional Controls	Change Type
Biodiversity	No	There is no intact topsoil and no native plants visible within the entirety of Precinct 3B and the area proposed to be used by Snowy Hydro. While the proposed change increases the area of land potentially used by the Project there would be no new impacts or changes to the impacts on flora and fauna assessed in the EIS.	Assessment of the area will be undertaken by an ecologist prior to clearing of weeds and grass	Neutral
Aboriginal heritage	No	There are no AHIMS sites within Precinct 3B. The Kurri Kurri Lateral Pipeline Project EIS (APA/Umwelt, March 2022) did not identify any artifacts within their project footprint in the vicinity of Precinct 3B. The Aboriginal heritage investigation undertaken by AECOM in 2015 for the demolition, remediation and waste management of the smelter concluded that the entirety of Precinct 3B had a Nil Aboriginal heritage sensitivity rating. Surveys and test excavations undertaken recently by NSW Archaeology in terms of the CHMP for the Hunter Power Project site immediately to the north of Precinct 3B similarly concluded that the "potential for heritage to be present	During setup of carparking area and laydown, if excavation is undertaken Snowy Hydro will ensure any unexpected finds are reported and work ceased until clearance gained from appropriately qualified cultural heritage team.	Neutral

Environmental issue	Potential risk or change in impact	Potential environmental risks and impacts relative to the Approved Project	Additional Controls	Change Type
		<p>anywhere on the site is very low, if not negligible".</p> <p>While the proposed use of a portion of Precinct 3B by Snowy Hydro increases the area of land potentially impacted by the Project there is highly unlikely to be any no new impacts or changes to the impacts on Aboriginal heritage, archaeological features or cultural values assessed in the EIS.</p>		
Non-Aboriginal heritage	No	<p>The proposed change affects only land that has already undergone widespread repeated and recent disturbance.</p> <p>While the proposed change increases the area of land potentially impacted by the Project there would be no new impacts or changes to the impacts on non-Aboriginal heritage as assessed in the EIS.</p>		Neutral
Soils and contamination	No	<p>The proposed change affects only land that has already undergone widespread repeated and recent disturbance, and which has been subject to comprehensive assessment and remediation in relation to legacy contamination resulting from the historic use of the Project Site.</p> <p>The proposed change would not result in any new impacts, or changes to the impacts assessed in the EIS.</p>	Where excavation and earthworks are required, these will be managed in accordance with the CEMS and the Principal Contractors Construction Environmental Management Plan (CEMP) and Safe Work method Statements (SWMS).	Neutral
Groundwater	No	<p>While the proposed change increases the area of land potentially impacted by the Project, it will not alter or impact the local groundwater quality or quantity.</p> <p>The proposed Snowy Hydro uses of a portion of Precinct 3B will only entail carparking,</p>		Neutral

Environmental issue	Potential risk or change in impact	Potential environmental risks and impacts relative to the Approved Project	Additional Controls	Change Type
		laydown and staging of heavy vehicles. There will be no new impacts, or changes to impacts on groundwater.		
Surface water and aquatic ecology	No	The entire Precinct 3B will continue to operate under Hydro Aluminium's Environmental Protection Licence and the existing stormwater management. This site is not currently managed or maintained, so there will be positive impacts by Snowy Hydro occupying this land and ensuring erosion and sediment control is effectively managed	Site occupancy will be managed in accordance with CEMS, Hydro Aluminium EPL and monitored under the Water Management Plan	Positive
Hydrology and flooding	No	Precinct 3B is above the Probable Maximum Flood level. Existing catchments and flow paths will not be altered by the proposed change, however they will be maintained and improved to ensure water is dispersed to the areas stipulated in the Hydro Aluminium EPL	Site occupancy will be managed in accordance with CEMS, Hydro Aluminium EPL and monitored under the Water Management Plan	Positive
Air quality and greenhouse gases	No	While the proposed change increases the area of land potentially impacted by the Project, it will have no effect on air quality impacts as they were assessed in the Project EIS. During construction, the environmental safeguards and management measures discussed in the EIS will be applied.		Neutral
Noise and vibration	No	By utilising this area, deliveries can be optimised to during approved daytime construction hours, minimising out of hours deliveries and double handling. By having a laydown facility on site, delivery and unloading noise will be limited to daytime and will have a positive impact to receivers after hours.	The proposed use of Precinct 3B will be in accordance with the approved construction hours of 0700-1800 Monday to Sunday including public holidays. Where deliveries or other activities outside	Positive

Environmental issue	Potential risk or change in impact	Potential environmental risks and impacts relative to the Approved Project	Additional Controls	Change Type
			these hours are required, the sensitive receptors surrounding the site and nominated in the Noise and Vibration Management Plan will be consulted with.	
Traffic and transport	No	<p>The increase in light vehicles will not have a significant impact on congestion on the surrounding road network and would not change the findings of the traffic impact assessment especially as the shift changes would not align with the morning and evening peak traffic periods.</p> <p>The laydown area would not change the heavy traffic generated by the Project.</p>	<p>Snowy Hydro and the Principal Contractor will monitor vehicle movements and numbers as part of the CEMS and project HSE Assurance process.</p> <p>The Traffic Management Plan will be updated and monitored during the Construction Project.</p>	Neutral
Landscape character and visual impacts	No	<p>The proposed change will result in a minor change to the appearance of a small portion of the former aluminium smelter site during construction.</p> <p>The proposed change will be visible only from the vantage points available off Hart Road, and will therefore only be visible to people visiting the site during construction. Therefore it is considered that the proposed change will have no impact on landscape character and will result in no negative visual impacts.</p>		Neutral
Socio-economic factors	No	Equivalent level of impact. The proposed change will not result in any changes to the Project's impacts on social or community values, access or connectivity.		Neutral
Waste	No	Equivalent level of impact. The proposed change will not result in any changes to the Project's likely generation, handling or		Neutral

Environmental issue	Potential risk or change in impact	Potential environmental risks and impacts relative to the Approved Project	Additional Controls	Change Type
		disposal of waste materials, either during construction or operation.		
Cumulative impacts	No	The EIS found that the Project would have a negligible cumulative impact on surrounding projects or other planned land uses. The proposed change will result in no changes to the overall cumulative impacts.		Neutral


3 Conclusion

This Consistency Assessment has considered the proposed use of a portion of Precinct 3B for a laydown area hardstand and additional light vehicle parking area. Based on the assessment in this report, the proposed change is considered to have negligible environmental risks and no significant impacts. Despite the relatively large increase in the number of light vehicles, this not predicted to change the traffic impacts on the surrounding road network.

4 Certification

1. Author to sign under the following statement:

I certify that to the best of my knowledge this Consistency Assessment examines and takes into account the fullest extent possible all matters affecting or likely to affect the environment as a result of activities associated with the Proposed development/activity/works

Name and Signature	Position	Date
 Mike Luger	Environmental Scientist	21 July 2022

2. Snowy Hydro to acknowledge review

Name and Signature	Position	Date

3. ER to endorse under the following statement;

As an approved ER for the project, I have reviewed the information provided in this assessment. I am satisfied that mitigation measures are adequate to minimise the impact of the proposed development/activity/work

Name and Signature	Position	Date
 Greg Byrnes	Independent Environmental Representative	21 July 2022

Greg Byrnes