



Katrina O'Reilly
Team Leader Compliance
Department of Planning, Industry and Environment
Level 1 11 Farrer Place
Queanbeyan NSW 2620

Dear Katrina,

RE: Infrastructure Approval No. SSI 10034 – Polo Flat 3 month Production Audit & Notification of associated non-compliances

In accordance with Schedule 4 condition 7 Snowy Hydro have completed the 3-month Independent Environmental Audit required after commencing operation. The audit was undertaken by Mott MacDonald; 4 non-compliances have been identified.

Schedule 4, Condition 6 of SSI 10034 requires that within 7 days of becoming aware of any non-compliance with the conditions of this approval, the Proponent must notify the Department via the Major Projects portal of the non-compliance.

Please see attached audit report and associated non-compliance summary table. Included in the table are details of the non-compliances, recommendations, agreed actions and close out dates, forming Snowy Hydro's response and audit action plan.

We look forward to keeping DPIE updated with the progress of the close out of the actions arising from the audit.

Please do not hesitate to contact me if you have any questions regarding the report.

Yours sincerely,

October 6, 2021

Ben Croome
Senior Environmental Advisor

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Non-compliance summary – Snowy Hydro 2.0 Segment Factory CSSI No 10034

No	Condition / requirement Reference	Requirement	Audit Finding	Proposed / Agreed Actions / Recommendations	Finding no. & rating (NC, OBS/ OFI)	Compliance Status
1.	Schedule 2 Condition 9	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 Building Code of Australia.	SHL are negotiating with DPIE to get this condition clarified. On the date of the audit the requirements of the condition have not been achieved	<p>Agreed Action:</p> <p>SHL to continue negotiation with DPIE to resolve the application of this condition to the project</p> <p>Due date: (SHL) 30th November 2021</p>	NC1	Non-compliant
2.	Schedule 4 Condition 2 (b)	The Proponent must: (b) review and, if necessary, revise the strategies, plans or programs required under this approval to the satisfaction of the Planning Secretary within 1 month of the: * submission of an incident report under condition 5 of Schedule 4; * submission of an audit report under condition 7 of Schedule 4; or * any modification to the conditions of this approval.	All plans have been updated for operation in June 2021 and submitted to DPIE. Letter received from DPIE sighted and provided as evidence. However, all four plans were not reviewed following the incident triggered under condition 5 of Schedule 4; on the 7 August 2020	<p>Recommend actions:</p> <p>Review and, if necessary, revise the plans required under this approval based on the 7 August incident actions.</p> <p>Ensure all environment team members from SHL and the FGJV are aware of this process.</p> <p>Due Date: (FGJV) 5th November 2021</p>	NC2	Non-compliant
3.	Schedule 4 Condition 6	Within 7 days of becoming aware of any non-compliance with the conditions of this approval, the Proponent must notify the Department in writing via the Major Projects Portal. The notice must identify	The External Agency Notification Report (S2-FGJV-ENV-FRM-0015 meets the requirements of the condition. However, the Incident occurred on the 5 August 2021 and Notification	<p>Recommended actions:</p> <p>Develop a Regulator notification process for incidents and non-compliances. This process needs to be socialised and</p>	NC3	Non-compliant

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		the development (including the development application number), the relevant condition of approval, the way in which the development does not comply, the reasons for the noncompliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	on the Major Project Portal occurred on the 17 August 2021	include with actions, timelines and responsibilities FGJV to notify DPIE for future non-compliances after reporting to SHL Due Date: When required		
4.	Schedule 4 Condition 8	The Proponent must: (a) make the following information publicly available on its website as relevant to the stage of the development: * the EIS; * the final layout plans for the development; * current statutory approvals for the development. * approved strategies, plans or programs required under the conditions of this approval. * the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged. *how complaints about the development can be made; * a complaints register; *compliance reports; * any	The proponent is Snowy Hydro. Therefore, the SHL website must contain each of the items listed in Schedule 4 condition 8: The complaint register is not on the website therefore a nonconformance has been recorded	Recommended actions: Update the Proponent website with all the information listed in Schedule 4 Condition 8. Undertake regular internal reviews of the Project website to ensure the required information is up to date and accurate. Due Date: SHL – 15th October 2021	NC4	Non-compliant

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		independent environmental audit, and the Proponent's response to the recommendations in any audit; and * any other matter required by the Planning Secretary; and (b) keep this information up to date.				
5.	S2-FGJV-ENVPLN-006 5-G-Segment Factory Environmental Management Strategy Section 1.7.1	If an incident report under condition 5 of schedule 4 has occurred, the EMS and associated sub plans must be reviewed	All plans have been updated for operation in June 2021 and submitted to DPIE. Letter received from DPIE sighted and provided as evidence. However, the plans were not reviewed following the incident triggered under condition 5 of Schedule 4; on the 7 August 2020.	Review and, if necessary, revise the plans required under this approval based on the 7 August incident actions. Moving forward, develop a management plan review process that includes the triggers for revision of strategies, plans and programs. Document this process in the EMS. Ensure all environment and quality team members from SHL and the FGJV are aware of this process	NC1 Duplicate (See NC2)	Non-compliant
6.	S2-FGJV-ENV-PLN006 5-G-Segment Factory Environmental Management Strategy Section 4.1.7		The FGJV presented an erosion and sediment control plan (ESCP) for the Project, However, it was not a representation of the current site layout and should be updated	Agreed actions: Confirm that all drainage controls are as per the stormwater final design and does not require an updated ESC. Due date: Completed	IO 1	Compliant

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7.	S2-FGJV-ENV-PLN006 5-G-Segment Factory Environmental Management Strategy Section 4.1.7		Environmental risk evolves as the project changes and the risk register should be reviewed to address these changes.	<p>Agreed actions:</p> <p>A schedule of regular reviews should be put in place and documented in the EMS</p> <p>Due date: Completed</p>	IO 2	Compliant
8.	S2-FGJV-ENV-PLN006 5-G-Segment Factory Environmental Management Strategy Section 4.1.7		Redundant erosion and sediment controls on site, especially sed fences.	<p>Agreed actions:</p> <p>Remove redundant erosion and sediment control on site, especially sed fences.</p> <p>Due date: 1 Nov 2021</p>	IO 3	Compliant
9.	EPL L3.1 CoC Schedule 3 Condition 12		The noise monitoring that was undertaken in June 2021 meets the requirements. However, 15-minute measurements can be considered representative if evidence is provided that identifies during the time of measurement, typical site activities were taking place. The site reports do not appear to provide this information.	<p>Proposed actions:</p> <p>In future it is recommended to undertake noise monitoring for longer periods and note what site activities were being undertaken at the time. When the measured noise level is higher the criteria, compliance is difficult to confirm. The FGJV should measure the noise coming from the site and determine what the contribution is at the source. The alternative way is to measure the noise in close proximity to the source and calculate back to the</p>	IO 4	Compliant

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				<p>measurement location. This should then be validated with measurements at the receiver location.</p> <p>Agreed action:</p> <p>FGJV Investigate the requirement to undertake additional 15-minute samples and determine site contribution</p> <p>Due date: Dec 1st 2021 (Next monitoring event)</p>		
10.	EPL E1.1		<p>Wilkinson Murray have been engaged by the FGJV to verify the air quality impacts identified in the modelling undertaken in the Air Quality Impact Assessment. As of the 26/8/2021 the Verification Study has not been completed.</p>	<p>Proposed actions:</p> <p>It is recommended that a letter be issued to the EPA requesting an extension due to the Segment Factory not operating at full capacity and therefore a Verification Study would not be representative.</p> <p>Letter sent to EPA 2nd September 2021 confirming factory commissioning date coinciding with carousel 2 operation commencement</p> <p>Due date: Completed</p>	IO 5	Compliant

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