

# Proponent Response to Audit Findings

## Non-Compliances

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/Response (as applicable)	Proposed Action Due Date
3.27(a) Hazards and Risk Pre-Construction Hazard Studies	Prior to the commencement of construction of the project, other than site preparation works, or as otherwise agreed by the Secretary, the Proponent shall prepare .... a Fire Safety Study for the project, covering relevant aspects detailed in the Department's publication Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Guidelines and the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems. The Study shall include a strict	Correspondence from Fire & Rescue NSW (FRNSW) dated 07 July 2022 raises concerns about the Fire Safety Study and states that the Study did not meet the requirements of NSW Fire Brigades. Internal memo from GECL dated 25 August 2022 in response to EnergyAustralia (EA) letter LET-EA-0044 addressing the FRNSW correspondence commits to working to a satisfactory outcome. The Project is working to achieve a document which meets the requirements of FRNSW.	Fire Safety Study currently does not meet the requirements of Fire & Rescue NSW.	EA & GECL set out a timeline to provide compliance updates to the Fire Safety Study.  FRNSW Letter FRN13/4260 received noting that the revised Fire Safety Study met the requirements.	Non-compliance has been actioned.  Final Fire Safety Study will be submitted to FRNSW by April 2023.

	<p>maintenance schedule for essential services and other safety measures. The Study shall meet the requirements of the NSW Fire Brigades.</p>				

### Observations and Opportunities for Improvement

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3.2 Construction Noise	<p>The hours of construction activities specified under condition 3.1 of this approval may be varied with the prior written approval of the Secretary. Any request to alter the hours of construction specified under condition 3.1 shall be: considered on a case-by-case basis; accompanied by details of the nature</p>	<p>Evidence was found of approved variation in work hours OOHW application permit #003, and: EPA consultation was undertaken then provided to ER as to get the 'DPE' approval. Sighted Sept correspondence for Oct OOHW. GECL to EA to EPA then EPA correspondence went to ER for approval. ER approval provided;</p>	<p>Ensure DPE is notified for low level noise works after the ER's approval and prior to OOHWs occurring as per the NVMP protocol.</p>	<p>DPE have been subsequently notified of OOHW that has been approved by the ER and prior to the OOHWs occurring in October and November 2022.</p>	<p>Completed &amp; closed.</p>

	and need for activities to be conducted during the varied construction hours; and accompanied by written evidence demonstrating consultation with the EPA in relation to the proposed variation in construction times (including the consideration of any comments made by the EPA).	Evidence of the correspondence between EA, the EPA and the ER was sighted as well as the ER provided approval of the Cat 1 OOHV variation in September in accordance with the CNMP. However, there was no subsequent notification provided to the DPE. OOHV was reported by the ER in the September monthly report and noted by DPE as having occurred. DPE should also have been notified subsequent to the ER's approval of the OOHV variation.			
3.3(a) Construction Noise	The Proponent shall implement all reasonable and feasible mitigation measures with the aim of achieving the following construction noise and vibration goals:	Requirements set out in Table 5-1: Consolidated conditions, commitments, safeguards and management measures of Project number MP 07_0124 File NAQMP-Tallawarra-B-	Reviewed the September noise monitoring report, which has typo's so it does not properly report the monitoring recorded during September - Error in report to be fixed.	September 2022 modelling report and typo's have been corrected.	Completed & closed.

	<p>where audible at any sensitive receivers, the LAeq (15minute) noise level from construction activities should not exceed the rating background level by more than 10 dB</p>	<p>Revision-2.3 clean, 2022-02-03 Revision 2.3 21</p> <p>Section 6 of AQB070-0010 - Noise and Air Quality Management Sub-Plan contains measures to monitor noise. Table 5.1 gives a Consolidated conditions, commitments, safeguards and management measures which includes noise management.</p> <p>EPA advised there had been no environmental issues affecting the EPL.</p> <p>The measurement results indicate that the noise emissions from the site at the nearest residential receivers were inaudible and compliant with the Noise Management Level during the daytime period.</p> <p>Note that Loc 1 NML</p>			
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		<p>should be 45dba. EA advised that even though there were OOHWs this was only concrete troweling, not the noisier works and no further modelling needed to be undertaken. No time, date given in the September report, as it is still reporting August details.</p>			
<p>3.44 Flora and Fauna Impact</p>	<p>The Proponent shall monitor all rehabilitated areas, offset areas, and riparian zones for weed infestation. Any infestations shall be actively managed to remove or minimise their spread.</p>	<p>During site inspection, it was noted that there was a significant weed issue, particularly lantana in the offset areas, and riparian zones. At present, the areas are not being actively managed. This is in part due to the ongoing adverse climatic conditions. Sighted emails of 26/10/2022 and 2/11/22, where the Biosecurity Weeds Inspector, Tony</p>	<p>Explore the option of further extending and adjusting weed control program to include further control works on the riparian and EEC areas to provide active management to remove or minimise weed infestations.</p>	<p>Weed control program has been adjusted in collaboration with Biosecurity Weeds inspector to include the control works that were not possible due to weather, and to incorporate the riparian and EEC areas. Weed spraying has commenced in the areas identified where additional management was identified.</p>	<p>Completed &amp; closed and ongoing monitoring included in audit schedule.</p>

		<p>Martin had indicated some works which had been scheduled for this year were postponed due to the ongoing wet weather. The possibility of extending and adjusting weed control program to include further control works and incorporate other riparian or EEC areas for some weeds such as Lantana was raised. Also noted that other areas may require more intensive bush regeneration to control a variety of weed issues and to regenerate native plant species.</p>			
7.2(h) Construction Environment Management Plan	The Proponent must implement the approved CEMP for the project.	Noted during the site inspection that there were materials being stored adjacent to but outside of	Ensure materials are being stored in designated laydown areas in accordance with the approved CEMP for the project.	Laydown area has been clearly identified and separated from delivery drop off area	Completed & closed.

		designated laydown areas.			
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