

EPBC Compliance Report 2025 – Bayswater Power Station Upgrades

EPBC Approval 2020/8623





Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

A handwritten signature in black ink, appearing to read 'LMC', written over a light grey signature line.

Signed _____

Full name (please print) Leonard McLachlan

Position (please print) General Manager Bayswater

Organisation (please print including ABN/ACN if applicable): ACN 167 859 494

Date 31/01/2025

Document Revision History

Date	Version	Author	Comments
24 January 2025	01	M Nettlefold	Draft for Review
30 January 2025	02	S Dekker	Review & Updates
31 January 2025	03	M Nettlefold	Final for Endorsement



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1. Introduction

1.1. Purpose of Report

This report details the compliance conditions required within EPBC 2020/8623 (the Approval) and provides an assessment of compliance against those conditions for the period commencing 22 August 2022 to 21 January 2025.

The purpose of the report is to:

- satisfy condition 14 of the Approval - Reporting Non-Compliance, outlining additional detail of the administrative non-compliances identified and reported to the Department of Climate Change Energy the Environment and Water (DCCEEW) on the 21 January 2025; and
- satisfy condition 12 - Annual Reporting Requirements, in accordance with the Annual Compliance Report Guidelines (DEPA, 2014)

The report provides a complete overview of a recent review of compliance with the Approval, and where necessary, summarises any corrective measures undertaken to address non-compliance(s) identified.

2. Description of Activities

2.1. Overview of Project

AGL Macquarie (AGLM) as a subsidiary of AGL Energy Limited (AGL) owns and operates the Bayswater Power Station (Bayswater), located south-east of Muswellbrook in the Local Government Areas (LGA) of Muswellbrook and Singleton. AGLM is undertaking a range of upgrades to Bayswater aimed at improving the environmental performance of ash, salt and water management infrastructure and associated rehabilitation outcomes referred to as the Bayswater Water and Other Associated Operational Works (WOAOW) Project (the Project).

The purpose of the Project is to improve the management of Bayswater's ancillary processes for handling process water and ash over the remaining operating life of Bayswater and to facilitate an improved rehabilitation outcome for the ash disposal area. This involves:

- Optimising and improving ash management including expanding the Bayswater Ash Dam (BWAD) and recycling operations
- Creating a salt cake disposal landfill
- Improvements to water management around the Coal Handling Plant (CHP) area
- Creating clay borrow-pits to supply the materials for Project components and closure
- Routine clearing of vegetation, maintenance and management of specified ancillary water management infrastructure
- Voluntary surrender and consolidation into the development application of a range of existing development approvals.

An overview of the key elements of the project is provided in **Figure 1**.

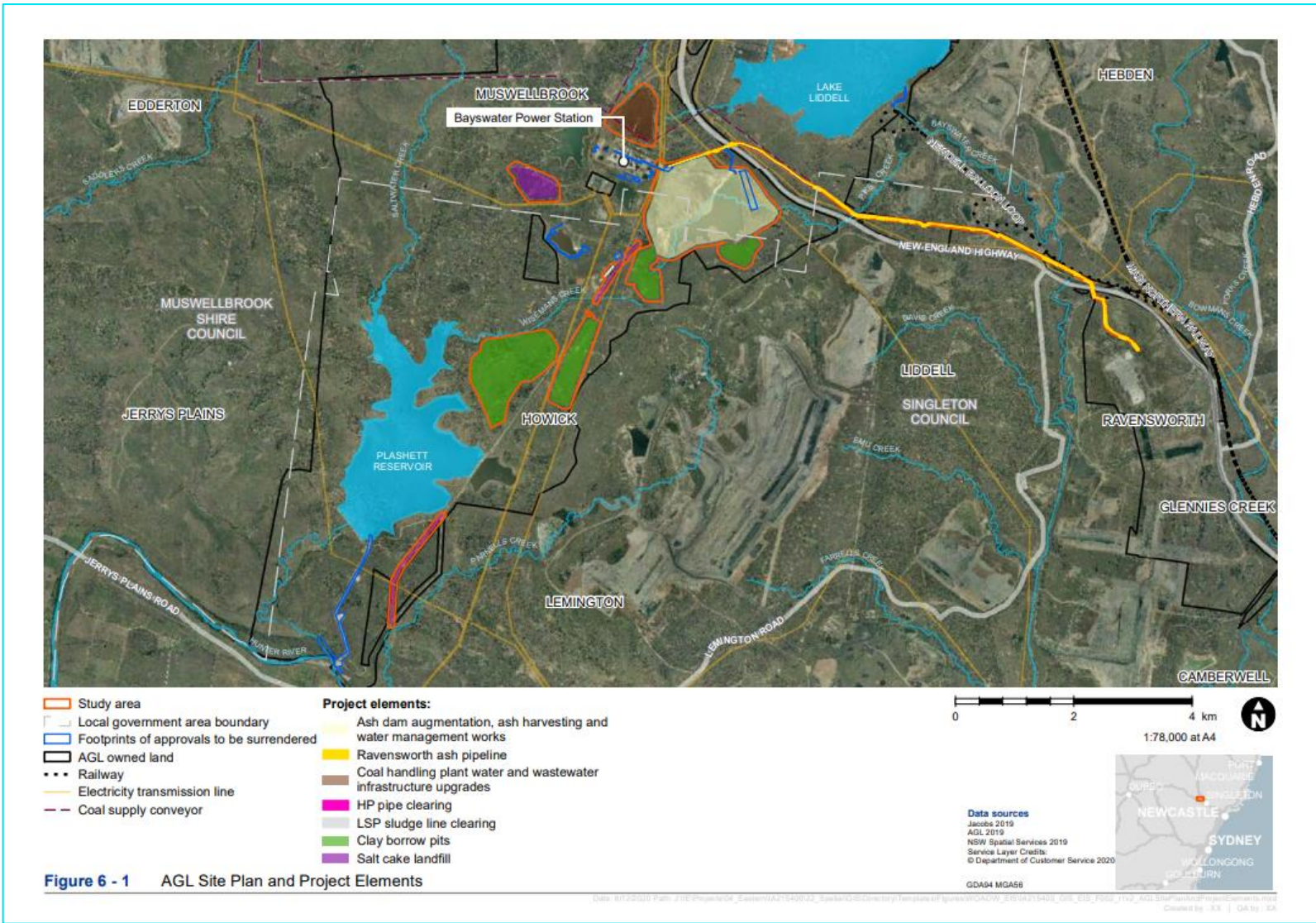


Figure 1 - Overview of Project Elements (Jacobs, 2020)

EPBC 2020/8623 was issued on 14 April 2022. Together with the New South Wales (NSW) State Significant Development Consent (SSD 9697) issued on 18 February 2022, they provide consent for upgrades at Bayswater Power Station in Muswellbrook, NSW.

The upgrades proposed under these consents include several projects to be delivered in five (5) stages, as outlined below in **Figure 2**. Each stage has specific impacts on threatened communities and species, which must be offset before the commencement of the relevant stage.

Table 3: Timetable for retirement of biodiversity credits

Disturbance Phase	Retirement Required Prior to Commencement of:
Stage 1	Ravensworth Ash Pipeline
Stage 2	HP Pipeline and LSP Sludge Line works
Stage 3	Coal handling plant area upgrades
Stage 4	Borrow pits and salt cake landfill
Stage 5	Ash dam augmentation and seepage collection upgrades which would be subject to further approval from the Minister.

Figure 2 – extract SSD 9697 Consent Condition B11

All conditions of SSD 9697 have been complied with, including offset and management plan requirements. This compliance has been demonstrated through Independent Environment Audits, which are publicly available at: AGL in the Hunter Region at <https://www.agl.com.au/about-agl/operations/agl-in-the-hunter>

2.2. Works undertaken to date

The following works have been completed to date:

Stage 1 – Ravensworth Ash Pipeline

Work commenced in August 2022 and was completed in September 2023. This stage involved the replacement of the Ravensworth fly ash transfer pipeline, which transports ash from the Ravensworth Fly Ash Plant at Bayswater to Ravensworth’s Voids. The scope of work included:

- Vegetation clearance along the pipeline alignments.
- Laying above ground pipelines onto concrete plinths
- Trenching or under boring below ground sections of the pipelines.
- Depending on the trench depths, shoring or benching the trench may be required.
- Removal of any disused pipelines as required.

AGLM committed to replacing the Ravensworth Ash Line in a timely manner to reduce the risk of any potential failure of the system.

No works have been undertaken for any other stages (i.e. stages 2 – 5).

3. Compliance Assessment

The current compliance status is outlined in **Table 1** below. The terminology used, including "compliant," "non-compliant," and "not applicable," aligns with the definitions provided in the Annual Compliance Report Guidelines (DEPA, 2014).

Table 1 – Compliance Assessment

EPBC CONDITION NUMBER	EPBC CONDITION	COMPLIANCE STATUS	EXPLANATION
PART A - CONDITIONS SPECIFIC TO THE ACTION			
1	1. To minimise the impacts of the action on protected matters, within the development layout the approval holder must not clear more than: <ul style="list-style-type: none"> a. 13.72 ha of Central Hunter Valley Eucalypt Forest and Woodland b. 116.74 ha of Striped Legless Lizard (<i>Delma impar</i>) habitat c. 14.64 ha of foraging habitat for Swift Parrot (<i>Lathamus discolor</i>) d. 14.64 ha of foraging habitat for Regent Honeyeater (<i>Anthochaera phrygia</i>). 	Compliant	<p>There have been no exceedances above the amount provided for in the approval.</p> <p>An environmental due diligence process (referred to as a Ground and Vegetation Disturbance Approval process) (GVDA) was completed prior to the works commencing to ensure all works were approved and planned within the approved areas of disturbance. A pre-clearance survey was also undertaken by an ecologist to ensure areas that were approved for clearing were clearly delineated on site. A copy of the GVDA and the pre-clearance survey are provided in Attachment A.</p>
2	The approval holder must not clear outside the development layout.	Compliant	<p>No areas have been cleared outside the approved development layout.</p> <p>See Sections 1.3, 3.1.2, 3.2.2, and 3.3.2 of the endorsed Biodiversity Management Plan (BMP), which outline the measures implemented to ensure that clearing occurred only within the development layout.</p> <p>In addition, independent environmental audits (IEA) have been undertaken in accordance with condition D12 of the NSW State approval (SSD 9697). Of relevance, the audit determined compliance with SSD 9697 conditions B 12 (e) (iii) which requires the protection of vegetation and fauna habitat outside of approved disturbance areas. (see Section page C24 of the IEA dated 7 July 2023).</p> <p>Link to BMP: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/d18aiii-biodiversity-management-plan-bmp.pdf</p> <p>Link to audit report: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/250107-230707-ssd9697-bayswater-power-station-upgrade-iea-2-0.pdf</p>

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
3a	For the protection of protected matters the approval holder must: Implement conditions B10 – B13 and C1 – C3, Schedule 2 of the State Development Consent.	B10	Unless otherwise agreed by the Planning Secretary, the Applicant must retire the biodiversity credits for Offset Stages 1, 2, 3, 4 and 5, as specified in Table 2 below, prior to commencing vegetation clearing in those stages. The retirement of credits must be carried out in consultation with BCS and in accordance with the Biodiversity Offsets Scheme of the BC Act.	Compliant	<p>The Biodiversity Offsets for the Ravensworth Ash Line Replacement Development Site (Stage 1) have been retired.</p> <p>See Attachment B Section 6.33 Statement confirming payment into the offset scheme consistent with Stage 1 requirements of the SSD 9697.</p> <p>No works have been undertaken for any other stages (i.e. stages 2 – 5).</p>
3a		B11	<p>The Applicant may review and update the ecosystem and species credit requirements in Table 2 to reflect the final construction footprint and resulting extent and type of plant community types to be cleared. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with BCS and DAWE and approved by the Planning Secretary prior to the commencement of construction of the relevant offset stage. Table 2: Biodiversity credit requirement.</p> <p><i>Note, refer to of the SSD 9697 approval for Table 2 Biodiversity Credit Requirements of B11. See Appendix X.</i></p>	Not Applicable	There have been no amendments to the ecosystem and species credit requirements to date.

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
3a		B12	Prior to the commencement of construction of the development, the Applicant must prepare a Biodiversity Management Plan (BMP) to the satisfaction of the Planning Secretary. The BMP must:	Compliant	<p>A Biodiversity Management Plan (BMP) was completed and endorsed on 17 August 2022.</p> <p>Link to BMP: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/d18aiii-biodiversity-management-plan-bmp.pdf</p>
3a		B13	The Applicant must implement the Biodiversity Management Plan as approved by the Planning Secretary.	Compliant	<p>AGLM has implemented the approved BMP for Stage 1 Ravensworth pipeline.</p> <p>A review of the implementation of the BMP is provided by the IEA. There was one minor non-compliance identified in relation to the management of seed collection and propagation as outlined in the BMP (See page C26 of the Independent Audit).</p> <p>AGLM has provided responses to all IEA recommendations including a commitment to update the BMP prior to any further stages commencing on site.</p> <p>Link to IEA: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/250107-230707-ssd9697-bayswater-power-station-upgrade-iea-2-0.pdf</p> <p>Link to AGLM's response to IEA: 250107-ssd9697-iea-2-0-response-letter-final.pdf</p>

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
3a		C1	<p>The Applicant must prepare a Construction Environmental Management Plan for construction works to the satisfaction of the Planning Secretary. This plan must be prepared in consultation with the EPA, MSC and SC and include:</p> <p>Note, refer to the SSD 9697 approval condition C1 for the requirements of CEMP.</p>	Compliant	<p>A Construction and Environmental Management Plan (CEMP) for Stage 1 Ravensworth Pipeline works was completed and endorsed on 16 August 2022.</p> <p>The approved CEMP can be found here: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/d18aiii-construction-environmental-management-plan-cemp.pdf</p>
3a		C2	<p>The Applicant must not commence construction until the Construction Environmental Management Plan is approved by the Planning Secretary.</p>	Compliant	<p>Work began on 22 August 2022, following the approval of all required environmental management plans.</p> <p>See notification of commencement at: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/d18aiii-ssd-9697-a8-notice-of-commencement-20220722.pdf</p> <p>and further confirmation in the IEA at page C50: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/250107-230707-ssd9697-bayswater-power-station-upgrade-iea-2-0.pdf</p>

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
3a		C3	The Applicant must implement the Construction Environmental Management Plan as approved by the Planning Secretary.	Compliant	<p>The CEMP has been implemented as required.</p> <p>The IEA identified two non-compliances including; the need to include heavy vehicle movements into the Traffic Management Plan and the inclusion of water use records.</p> <p>The auditor considered these to be ‘minor non compliances’, see section 3.6.2, Table 16 page 18 and page C50 of the IEA.</p> <p>AGLM has responded to all IEA recommendations and have made these responses publicly available. See the IEA at:</p> <p>https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/250107-230707-ssd9697-bayswater-power-station-upgrade-iea-2-0.pdf</p> <p>A copy of AGLM responses to all IEA recommendations is located here: 250107-ssd9697-iea-2-0-response-letter-final.pdf</p>

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
3b	Notify the Department in writing within 2 business days of formally proposing any change to the conditions of the State Development Consent for which condition 3.a. applies, and within 5 business days of becoming aware of the NSW Government proposing any change to the conditions of the State Development Consent for which condition 3.a. applies.			Not Applicable	AGLM has not formally proposed any changes to the NSW State Development Consent (SSD9697) at this time.

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
3c	Notify the Department in writing of any change to the State Development Consent for which conditions 3.a. apply, within 5 business days of a change to the State Development Consent being finalised.			Not applicable	AGLM has not written to the NSW State Department in relation to any proposed change which may affect conditions to which 3a apply at this time.
4	To compensate for impacts on threatened species and communities listed in condition 1, the approval holder must comply with State development consent conditions B10 and must retire the biodiversity credits specified in table 2 of State development consent condition B11.	B11	<p>The Applicant may review and update the ecosystem and species credit requirements in Table 2 to reflect the final construction footprint and resulting extent and type of plant community types to be cleared. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with BCS and DAWE and approved by the Planning Secretary prior to the commencement of construction of the relevant offset stage. Table 2: Biodiversity credit requirement.</p> <p>Note, refer to of the SSD 9697 approval for Table 2 Biodiversity Credit Requirements of B11. See Appendix A.</p>	Compliant	<p>The Biodiversity Offsets for the Ravensworth Ash Line Replacement Development Site (Stage 1) have been retired.</p> <p>See Attachment B Section 6.33 Statement confirming payment into the offset scheme consistent with Stage 1 requirements of the State approval.</p>

EPBC CONDITION NUMBER	EPBC CONDITION	SSD	RELEVANT SSI 7474 CONDITION	COMPLIANCE STATUS	EXPLANATION
5	The approval holder must submit a credit retirement report for each offset stage for the relevant Disturbance Phases (as specified in Table 3 in condition B11 of the State Development Consent) to the Department within 10 business days of retiring the credits.			Non-Compliant	<p>Although all required offsets were retired prior to commencement of the Stage 1 works – the Department was not provided with a copy of the credit retirement report within the required 10 business days.</p> <p>A copy of the Section 6.33 Statement confirming payment into the offset scheme is provided in Attachment B.</p>

EPBC CONDITION NUMBER	EPBC CONDITION	COMPLIANCE STATUS	EXPLANATION
PART B – STANDARD ADMINISTRATIONAL CONDITIONS			
6	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.	Non-Compliant	The NSW State Department was notified of commencement on the 22 July 2022, however, the Commonwealth Department was not provided with written notification within 10 days after the date of commencement.
7	The approval holder must notify the Department in writing, within 10 business days after commencing any Disturbance Phase (as specified in Table 3 in condition B11 of the State Development Consent) of the action, of the date of commencement of that Disturbance Phase.	Non-Compliant	The NSW State Department was notified of commencement on the 22 July 2022, however the Commonwealth Department was not provided with written notification within 10 days after the date of commencement.
8	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.	Not Applicable	The action commenced on 22 August 2022.
9	The approval holder must maintain accurate and complete compliance records.	Compliant	<p>AGLM maintains accurate and complete compliance records in accordance with this condition.</p> <p>Section 7.7.2 of the approved Environment Management Strategy (EMS) describes compliance management. The IEA further reviews compliance management at page C53. Recommendations were provided to improve performance however no non compliances were identified.</p> <p>A copy of the IEA is located here: https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/250107-230707-ssd9697-bayswater-power-station-upgrade-iea-2-0.pdf</p>

EPBC CONDITION NUMBER	EPBC CONDITION	COMPLIANCE STATUS	EXPLANATION
10	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.	Not Applicable	To date, there have been no requests from the Department for electronic copies of compliance records.
11a	The approval holder must: a. submit plans electronically to the Department.	Non-Compliant	All required plans have been submitted and endorsed through the NSW State Department and are available on AGLM's website, however they have not been submitted directly to the Department.
11b	b. publish each plan on the website within 20 business days of the date the plan is approved by the NSW Planning Secretary, unless otherwise agreed to in writing by the Minister.	Compliant	All plans have been published on the AGLM website and can be found here: https://www.agl.com.au/about-agl/operations/agl-in-the-hunter?cidi=AGL%7CB1002016#accordion-645aab6043-item-ddb632c397
11c	c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public.	Compliant	No sensitive information is included on the website.
11d	d. keep plans published on the website until the end date of this approval.	Compliant	All plans have been published on the AGLM website and can be found here: https://www.agl.com.au/about-agl/operations/agl-in-the-hunter?cidi=AGL%7CB1002016#accordion-645aab6043-item-ddb632c397
12a	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must: a. publish each compliance report on the website within 60 business days following the relevant 12 month period.	Non-Compliant	A compliance report has not been completed and published on the website within the time frame required. This document will serve as the first compliance report for the period from commencement on the 22 August 2022 until 21 January 2025.
12b	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.	Non-Compliant	A compliance report has not been completed and published on the website within the time frame required.

EPBC CONDITION NUMBER	EPBC CONDITION	COMPLIANCE STATUS	EXPLANATION
12c	keep all compliance reports publicly available on the website until this approval expires.	Non-Compliant	A compliance report has not been completed and published on the website within the time frame required.
12d	exclude or redact sensitive ecological data from compliance reports published on the website.	Not Applicable	As noted, a compliance report has not been completed.
12e	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.	Not Applicable	As noted, a compliance report has not been completed.
13	<p>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:</p> <ul style="list-style-type: none"> a) any condition which is or may be in breach b) a short description of the incident and/or 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. 	Non-Compliant	<p>AGLM did not report the administrative non-compliances outlined in this compliance assessment within the required notification period.</p> <p>AGLM has now reported these non-compliances, to the Commonwealth Department on 17 January 2025.</p> <p>Minor non-compliances with approved plans as identified through the IEA are available publicly here:</p> <p>https://www.agl.com.au/content/dam/digital/agl/documents/about-agl/how-we-source-energy/agl-macquarie/250107-230707-ssd9697-bayswater-power-station-upgrade-iea-2-0.pdf</p>

EPBC CONDITION NUMBER	EPBC CONDITION	COMPLIANCE STATUS	EXPLANATION
14a	<p>The approval holder must provide to the Department the details of any incident or noncompliance 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:</p> <p>a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future</p> <p>b) the potential impacts of the incident or non-compliance</p> <p>c) the method and timing of any remedial action that will be undertaken by the approval holder.</p>	Compliant	<p>AGLM has completed the Compliance Report within the required timeframe, detailing known non-compliances, corrective actions, potential impacts, and, where relevant, remedial actions through the submission of this document.</p>
15	<p>The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>	Not Applicable	<p>To date, there has been no request for independent audits by the Minister, however AGLM notes that they are currently required to undertake independent audits to satisfy condition D12-D17 of SSD 9697.</p> <p>To date two audits have been completed and are publicly available here: https://www.agl.com.au/about-agl/operations/agl-in-the-hunter?cidi=AGL%7CB1002016#accordion-645aab6043-item-ddb632c397</p>
16 a	<p>For each independent audit, the approval holder must:</p> <p>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department</p> <p>b only commence the independent audit once the audit criteria have been approved in writing by the Department</p> <p>c submit an audit report to the Department within the timeframe specified in the approved audit criteria.</p>	Not Applicable	

EPBC CONDITION NUMBER	EPBC CONDITION	COMPLIANCE STATUS	EXPLANATION
17	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.	Not Applicable	
18	Within 30 days after the completion of the action, the approval holder must notify the Department in writing of the date of completion of the action and provide completion data.	Not Applicable	

4. Summary of Compliance Assessment

4.1. Key findings of the compliance assessment

This compliance assessment has identified administrative non-compliances with EPBC Approval 2020/8623. A summary is provided below:

- Condition 5 - administrative non-compliance with an omission to provide copies of the credit retirement report to the Department.
- Condition 6 - administrative non-compliance with an omission to notify the Department of commencement of the action.
- Condition 7 - administrative non-compliance with an omission to notify the Department of the commencement of the disturbance phase.
- Condition 11(a) - administrative non-compliance to omit to submit plans to the Department, although all plans were submitted to the NSW State Department and are published to the AGLM's website.
- Condition 12 - administrative non-compliance to fail to complete the Annual Compliance reporting within the time required.

- Condition 13 – administrative non-compliance to report non compliances in accordance with the condition requirements.

4.2. Corrective Actions

AGLM is aware of the increasing complexity associated with managing and complying with a range of regulatory approvals that apply across the Bayswater Power Station to provide for ongoing operations, remediation and transition requirements to facilitate closure in 2030-2033. To address this identified risk, AGLM has committed to increasing resources to assist in managing all regulatory approvals across the site. Funding for a Land and Approvals Operations team consisting of three additional resources was provided for in 2023/24 budget and all resources are now in place. The Land and Approvals Operations team is responsible for managing current and future regulatory approvals across the site and in conjunction with the site environmental team will increase capability in avoiding future non compliances.

The non-compliances identified in this report were detected during a recent review of all regulatory approvals for the Bayswater Site, conducted by the Site Environment and Land and Approvals – Operations teams in December 2024. All identified non-compliances are administrative in nature and have not resulted in any ecological harm beyond what was considered, assessed, and offset as part of the original approval process. The following actions are therefore considered appropriate to address the identified administrative non-compliances and prevent their recurrence:

- A full review has been undertaken of compliance against the EPBC Approval, and a Compliance Report (this report), has now been completed to provide an accurate overview of the findings.
- The EPBC Approval's compliance requirements will be included in AGLM's Health Safety and Environmental Management compliance management system, which provides automated notifications to ensure compliance actions are assigned to relevant project managers within specified timeframes.
- Introduction of an approvals handover checklist to outline a 'hold point' after approvals are issued and ensure relevant project managers are aware of and understand obligations under the approvals, prior to any works commencing on site.
- Ongoing review and improvement to the site's spatial data to ensure accurate spatial information is collected and retained across disturbance areas associated with regulatory approvals.

5. New environmental risks

No new environmental risks have been identified at this time.

6. References

Jacobs 2020 *Bayswater Water and Other Associated Operational Works Project, Environmental Impact Assessment*, AGL Macquarie Pty Ltd, Jacobs Group Pty Ltd, North Sydney.

Department of Environment and Public Affairs (DEPA) 2014 *Annual Compliance Report Guidelines*, Commonwealth of Australia, Canberra.

Attachment 1

26 September 2022

NCA22R145520

Monadelphous Engineering Pty Ltd

19 Lang Parade
Milton
QLD 4064

Attention: George Solesbury

Subject: Ravensworth Ash Line Pre-construction Inspection

This letter provides confirmation and details the outcomes of a pre-construction site inspection that was undertaken for the Ravensworth Ash Line project. The site inspection was undertaken in accordance with the project specific Biodiversity Management Plan (BMP) to ensure appropriate management strategies have been implemented prior to the start of construction works. A Kleinfelder ecologist attended site on 14 September 2022 to undertake the inspection.

All trees to be removed during the construction phase had been identified and demarcated with pink flagging tape (**Plate 1**). All protected vegetation (vegetation commensurate with a threatened/endangered ecological community under NSW and/or Federal legislation) was confirmed on project drawings and these areas were delineated by barrier tape (or similar) during the site inspection to minimise the risk of impacts from construction activities (**Plate 2**). It was noted that laydown areas had been tentatively located on the drawing plans, these areas were observed to be sufficiently away from any biodiversity values and were generally positioned in areas dominated by exotic plants.

All vegetation to be cleared was inspected on the day for any evidence of animal breeding places such as hollow-bearing trees or nests/dreys, as well as signs of residential fauna including roost sites. This habitat assessment included all potential terrestrial habitat. One habitat feature, a hollow-bearing tree, was identified within the construction footprint however it was concluded that this feature could be avoided through micro-siting of the access track, thus avoiding any impacts to this feature. No other habitat features were recorded.

Vegetation clearing was scheduled to begin in the days following the site inspection allowing for sufficient time to complete these works prior to the breeding season of the Striped Legless Lizard¹ (*Delma impar*). No animal breeding places or residential or roost sites will be impacted by the clearing activities therefore an ecologist / fauna spotter catcher is not considered necessary to be present during the clearing works.

It is a recommendation that relevant persons of the project and clearing teams be aware that avian nests may be constructed during the clearing timeframe (spring); any vegetation requiring removal with a nest should be avoided and an ecologist contacted to provide relevant direction. Further, any fauna interactions that occur from transient species coming into the work zone, should be avoided and these animals allowed to move away by their own volition. Additionally, the integrity of the barrier tape delineating the protected vegetation should be periodically checked to ensure it remains in place for the duration of the works.

¹ The Hunter Valley *Delma*, *Delma vescolineata*, is a new species recently described in the area. Both species will be considered equally until further listing advice is provided by Government regulators.



Plate 1: Demarcated trees to be removed next to the existing ash line



Plate 2: Delineation of protected vegetation within the construction corridor

Sincerely,

Kleinfelder Australia Pty Ltd

Dallas Milburn

Ecology Lead NSW QLD
dmilburn@kleinfelder.com



Ground and Vegetation Disturbance Approval - Application Form

Attach to the JSEA for each Project.

GVDA Register will be maintained on the Environment Sharepoint.


The following will require Approval from the Environment Team prior to work commencing:

- Land disturbance (includes excavations, scrub or grass clearing)
- Tree trimming or removal
- Work within 40m of a waterway or waterbody (installation, development or disturbance works)
- Changes to infrastructure (buildings, utilities etc)

SUBMISSION (to be completed by the GVDA applicant)	
GVDA Applicant: ██████████	Date: 09/08/22
Recipient In Charge: Monadelphous Supervisor	Signature: N/A
Position: Supervisor	Contact No: N/A
Description of works (start date, location): Ravensworth Pipeline Replacement Project – Bayswater Power Station to Void 3.	
Map of area detailing works proposed attached: YES	

Environment and Approvals (to be completed by the Environment Team)	
Is the proposed activity within AGLM land ownership and property boundaries?	Y
Is the proposed activity consistent with:	
- Project approval and Development Consent Approval and Boundaries	Y
- EPA License Conditions and Premise Boundaries	Y
Has a site inspection been completed by a member of the Environment Team?	N
Are there any other approvals or permits required?	N
Are there other known issues within the area:	
- Flora/fauna restriction (listed vegetation, fauna)	Y
- Has an Ecological assessment been undertaken?	Y
- Water management (pipelines, EPL conditions, dams, water license conditions)	Y
- Monitoring Sites (Air quality, ground water, surface water)	N



- Rehabilitation Impacts (Disturbance to rehabilitation areas)	Y
- Services (easements etc)	Y
Has an archaeological survey been conducted over the area?	Y
- Are there any extant archaeological sites in the area?	Y
APPROVAL (to be completed by the Environment Team)	
AGL Macquarie Environment Team Member: [REDACTED]	
Approved: 	Date: 09/08/2022
Comments Must follow conditions in Construction EMP, ACHMP, Biodiversity Management Plan and Erosion and Sediment Plan	

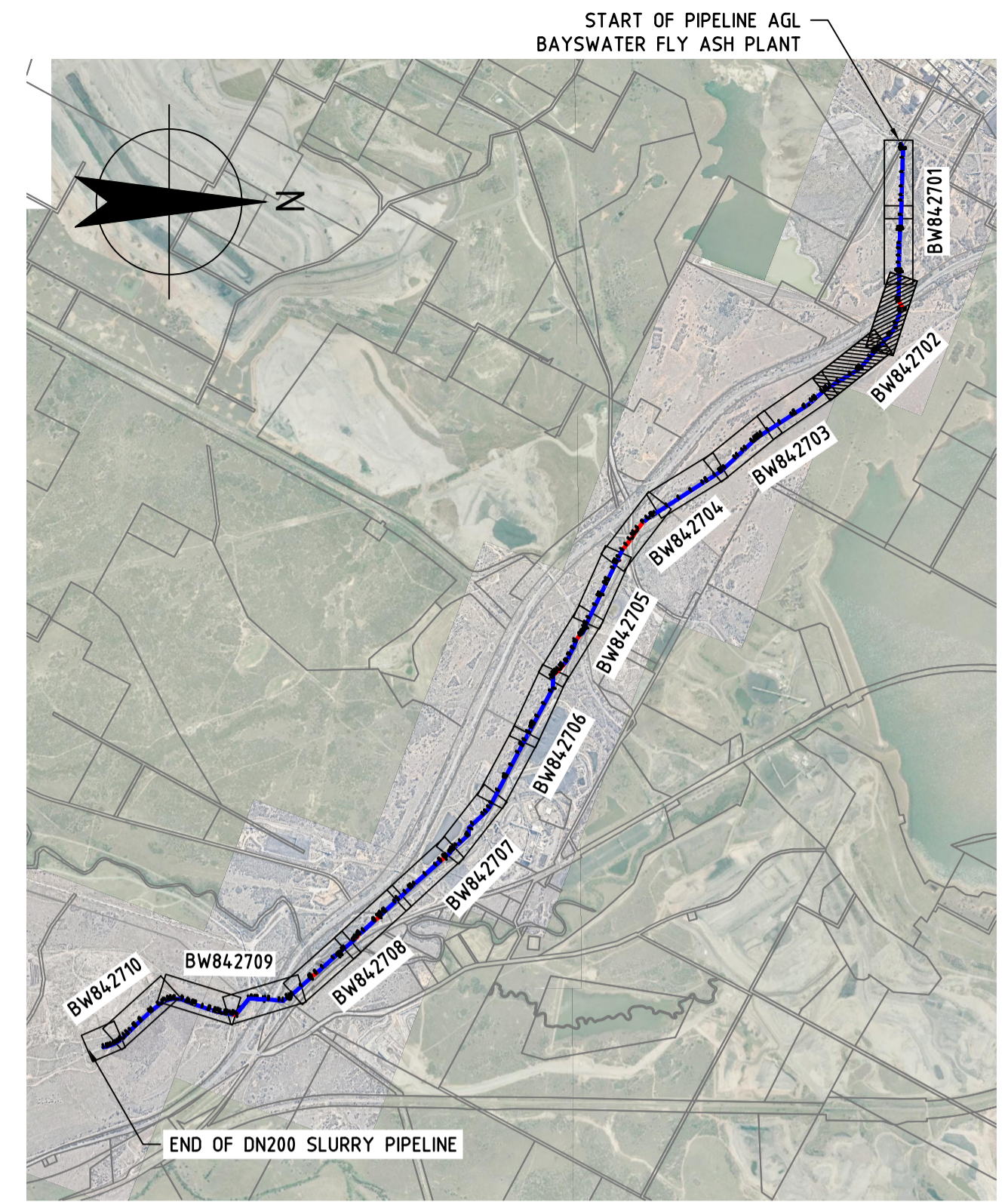
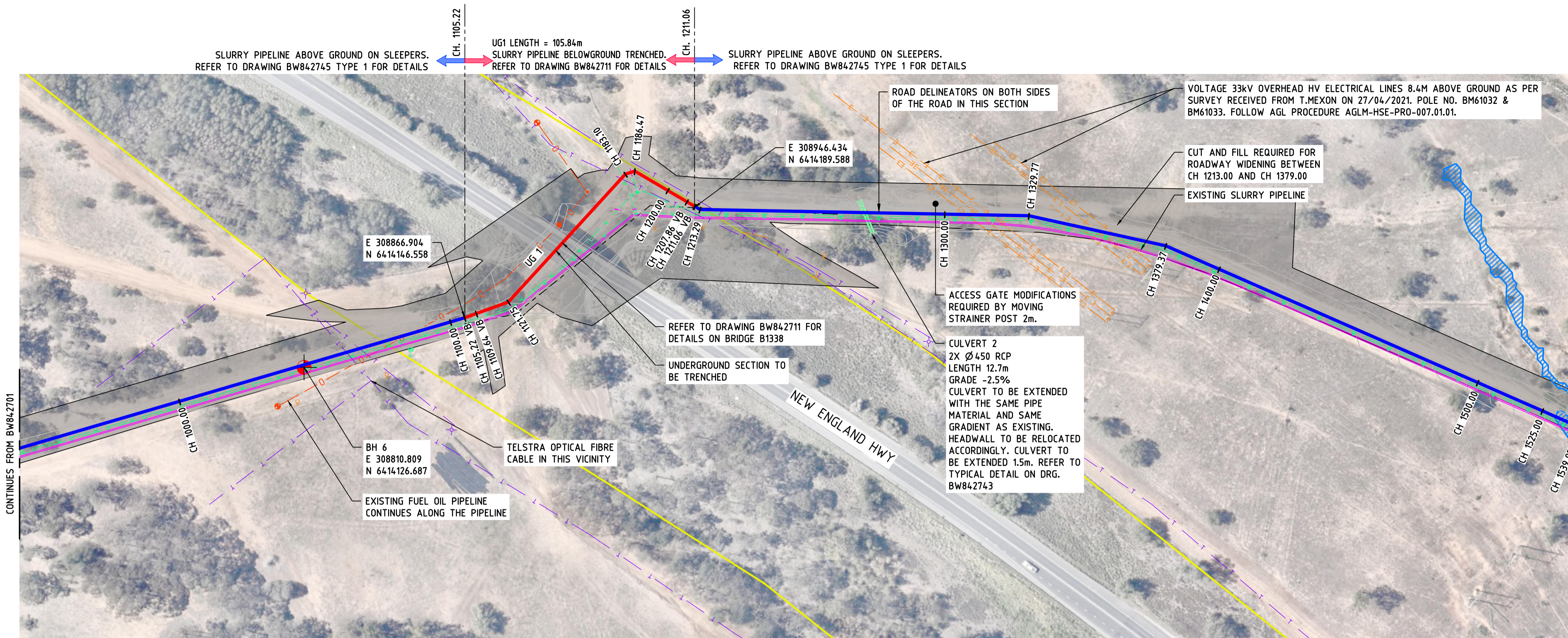
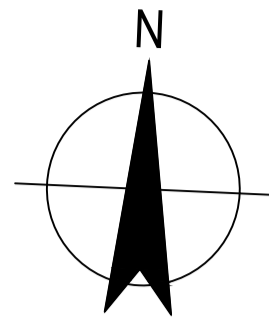
COMPLETION OF WORK (to be completed by GVDA Applicant or Recipient In Charge)	
Name: [REDACTED]	Date:
I declare all work has been completed in line with this GVDP form & procedure and all specified conditions/controls of work have been complied with:	
Signature:	

Attachment A – Site Drawing (add pictures if required)



Please see design drawings:

- **BW842701**
- **BW842702**
- **BW842703**
- **BW842704**
- **BW842705**
- **BW842706**
- **BW842707**
- **BW842708**
- **BW842709**
- **BW842710**
- **BW842711**
- **BW842712**
- **BW842713**
- **BW842714**
- **BW842715**
- **BW842716**
- **BW842718**
- **BW842719**



KEYPLAN
NTS

SLURRY PIPELINE ABOVE GROUND ON SLEEPERS. REFER TO DRAWING BW842745 TYPE 1 FOR DETAILS
PIPE SLEEPER SPACING REDUCED TO 6m ACROSS FLOOD ZONE. PIPE SUPPORT TYPE 1 TO BE INSTALLED ON TOP OF CONCRETE PADS WITH DIMENSIONS 1,500mm LONG, 800mm WIDE AND 150mm DEEP AND BURIED FLUSH WITH THE GROUND SURFACE. USE SIMILAR REINFORCEMENT AND FOLLOW NOTE 3 ON DRAWING BW842715.
SLURRY PIPELINE ABOVE GROUND ON SLEEPERS. REFER TO DRAWING BW842745 TYPE 1 FOR DETAILS

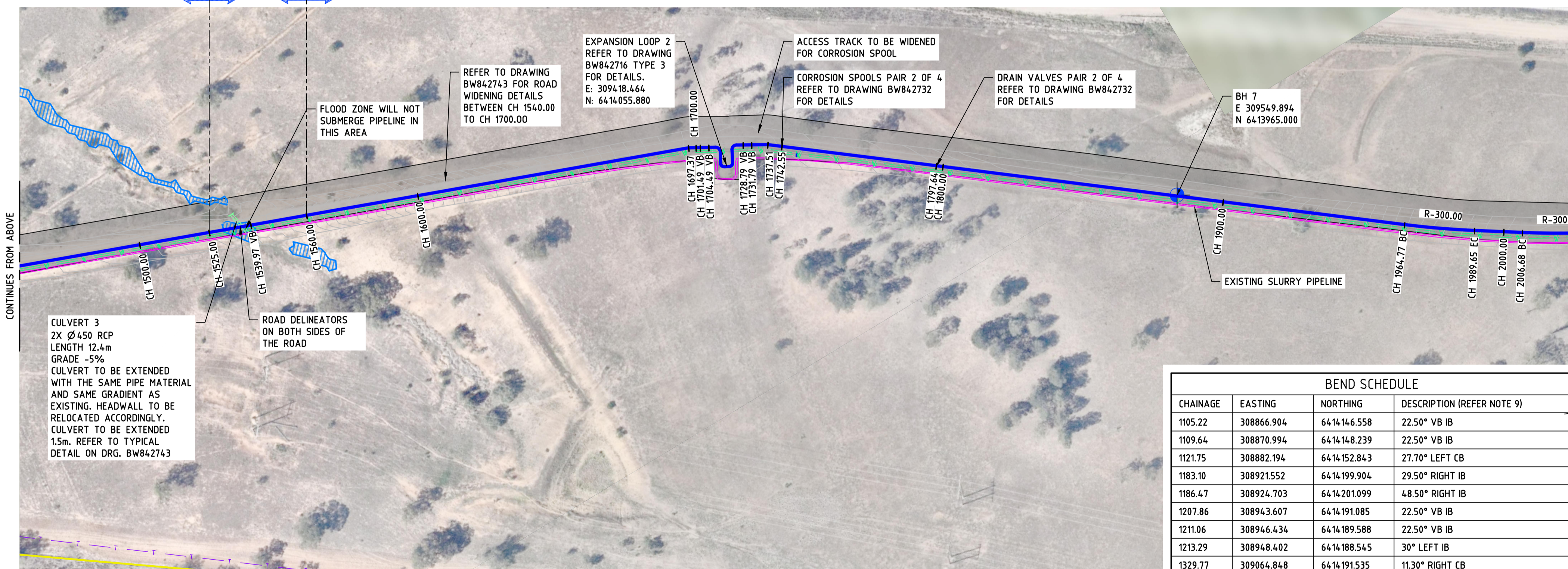
PLAN
SCALE 1:1000

LEGEND:

- NEW ABOVEGROUND SLURRY PIPELINE
- NEW UNDERGROUND SLURRY PIPELINE
- EXISTING SLURRY PIPELINE
- BH FOR UNDERGROUND PIPE
- BH FOR ABOVEGROUND PIPE
- CH CHAINAGE
- EXISTING WATER LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING TELECOM
- EXISTING OIL LINE
- EXISTING STORMWATER CULVERT
- EXISTING CREEK
- AGL BOUNDARY (FINAL)
- AGL BOUNDARY (ESTIMATE)
- AHIMS SITE
- FLOOD BOUNDARIES
- CONSTRUCTION ZONE

NOTES:

1. REFER TO BASIS OF DESIGN DOCUMENT AGLM-CPG-049-RPT-001
2. REFER TO DESIGN REPORT AGLM-CPG-049-RPT-007
3. EXCAVATION TO BE UNDERTAKEN IN ACCORDANCE AGL PROCEDURE (REFER AGLM-HSE-PRO-007.08.01).
4. REFER TO DRAWING BW842715 FOR TYPICAL PIPE TRANSITION DETAILS BETWEEN ABOVEGROUND AND UNDERGROUND SECTIONS.
5. ALL PIPELINE RL VALUES ARE TAKEN FROM THE INVERT LEVEL (IL) OF THE SOUTHERN MOST PIPELINE AND THE DATUM USED IS AHD.
6. ALL SET OUT COORDINATES ARE TAKEN FROM THE CENTRE OF THE SOUTHERN MOST PIPELINE COORDINATES ARE BASED ON MGA94.
7. THE NEW SLURRY PIPELINES ARE OFFSET 600mm NOMINALLY FROM THE EXISTING RETURN WATER PIPELINE UNLESS NOTED OTHERWISE.
8. GENERALLY THE PIPELINE SHALL BE LAID ON CONCRETE SLEEPERS SHOWN ON DRAWING BW842745 TYPE 1 FOLLOWING EXISTING SURFACE LEVELS ALONG THE PIPELINE CORRIDOR AS SHOWN ON THE ALIGNMENT AND DETAILED DRAWINGS
9. THE HORIZONTAL BEND DIRECTION SHOWN IN THE BENDING SCHEDULE (i.e. LEFT OR RIGHT) IS BASED ON THE DIRECTION OF FLOW. VB DENOTES VERTICAL BEND AND IB DENOTES FACTORY MANUFACTURED INDUCTION BEND (1.4m MIN. RADIUS). ALL OTHER BENDS ARE EITHER FIELD COLD BENDS (CB) (8.8m MIN. RADIUS) OR FIELD ROPED BENDS (300m MIN. RADIUS). BC DENOTES BEGINNING OF CURVE AND EC DENOTES END OF CURVE.
10. ACCESS TRACKS TO BE WIDENED TO MAINTAIN EXISTING TRACK WIDTH WHERE REQUIRED. REFER TO DRAWING BW842743 FOR MODIFICATION DETAILS.
11. GRADE AND COMPACT ENTIRE PIPE ROUTE AT 1% CROSSFALL. MIN. BEARING PRESSURE 75 kPa. THE CONTRACTOR SHALL VERIFY THAT SURFACE IRREGULARITIES IN THE PIPELINE CORRIDOR OVER ANY 10m LENGTH DO NOT EXCEED +/- 50mm.
12. STANDARD SPACING OF CONCRETE SLEEPERS AND RAISED PIPE SUPPORTS IS 11m MAXIMUM. SPACING IS TO BE REDUCED ACCORDINGLY IN AREAS WITH POOR BEARING CAPACITY AND OVER OLD MINE WORKINGS AS INDICATED ON THE PIPE ALIGNMENT DRAWINGS.
13. THE ALIGNMENT FOR EXISTING UNDERGROUND SLURRY PIPELINES A & B AND RETURN WATER PIPELINE A IS BASED ON THE ORIGINAL DESIGN DRAWINGS. RETURN WATER PIPELINE B WAS CONSTRUCTED AFTER THE OTHER THREE PIPELINES WERE CONSTRUCTED AND NO INFORMATION HAS BEEN PROVIDED FOR ITS UNDERGROUND SECTIONS. REFER TO DRAWING BW842744 FOR PIPELINE EARTHING DETAILS.
14. CHAINAGES LISTED IN THE BEND SCHEDULE ARE TO BE CONFIRMED ON SITE.
- 15.



PLAN
SCALE 1:1000

BEND SCHEDULE			
CHAINAGE	EASTING	NORTHING	DESCRIPTION (REFER NOTE 9)
1105.22	308866.904	641416.558	22.50° VB IB
1109.64	308870.994	641418.239	22.50° VB IB
1121.75	308882.194	6414152.843	27.70° LEFT CB
1183.10	308921.552	6414199.904	29.50° RIGHT IB
1186.47	308924.703	6414201.099	48.50° RIGHT IB
1207.86	308943.607	6414191.085	22.50° VB IB
1211.06	308946.434	6414189.588	22.50° VB IB
1213.29	308948.402	6414188.545	30° LEFT IB
1329.77	309064.848	6414191.535	11.30° RIGHT CB
1379.37	309113.720	6414183.068	11.30° RIGHT CB
1539.97	309263.543	6414125.226	4.60° VB CB
1697.37	309410.376	6414068.539	8.90° RIGHT CB
1701.49	309413.949	6414066.478	14.80° VB CB
1704.49	309416.548	6414064.979	17.30° VB CB
1728.79	309427.420	6414059.442	12° VB CB
1731.79	309430.007	6414057.923	10° VB CB
1737.51	309434.945	6414055.026	7.90° RIGHT CB

AS BUILT DISCLAIMER
GHD HAS PREPARED THESE DRAWINGS ON THE BASIS OF INFORMATION PROVIDED BY:
MONADELPHOUS
WHICH GHD HAS NOT INDEPENDENTLY VERIFIED OR CHECKED ("UNVERIFIED INFORMATION") BEYOND THE AGREED SCOPE OF WORK. GHD EXPRESSLY DISCLAIMS RESPONSIBILITY IN CONNECTION WITH THE UNVERIFIED INFORMATION, INCLUDING (BUT NOT LIMITED TO) ERRORS IN, OR OMISSIONS FROM, THE DRAWINGS, WHICH WERE CAUSED OR CONTRIBUTED BY THE UNVERIFIED INFORMATION.



COORDINATES MGA94



REFERENCE DRAWINGS			DRAWN	JL	JL	24.03.21
BW842700	BW842708	BW842745	DESIGN	MW	MW	24.03.21
BW842701	BW842709	BW842743	CHECKED	DO	DB	12.01.22
BW842703	BW842710		ENG	RR	RR	12.01.22
BW842704	BW842711		PASSED	RC	BC	14.01.22
BW842705	BW842715					
BW842706	BW842716					
BW842707	BW842732					
CONTRACT No.			CW2236665			

KKS CODING		ETK
ORIGINAL DRAWING APPROVED BY		
PROJECT DIRECTOR		
R. COLLEY 14.01.22		
AS BUILT		
DRAWING STATUS		
SCALE	1:1000	

AGL MACQUARIE		
BAYSWATER POWER STATION FLY ASH PLANT UPGRADE ASH TRANSFER PIPELINE ALIGNMENT SHEET 2 OF 10		
A1	BW842702	0
PREFIX	NUMBER	SHEET
		AMDT

AMENDMENTS			
APPROVED AS BUILT	REV	DOWN	KJ
	0	CKD	RC
		DATE	13.05.24

UNLESS NOTED OTHERWISE ALL UNITS ARE IN MM

PROJECT No. 12543143

CONTRACT No. CW2236665

SCALE 1:1000

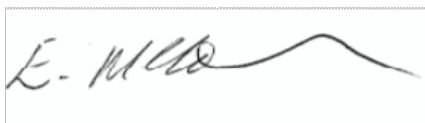
A1 BW842702 0

Attachment 2

Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by		AGL Macquarie Pty Ltd			
Date received		16 May 2022			
NSW statutory obligation reference¹		SSD-9697			
Commonwealth EPBC Act controlled action reference (if applicable)²		N/A			
BCT Reference		BCF356			
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:					
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit (Exc. GST)	Total payment per credit type (Exc. GST)
1691 - Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter	Coastal Valley Grassy Woodlands ≥70% and <90% cleared	N	51	██████████	██████████
1691 - Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter	Central Hunter Grey Box—Ironbark Woodland in the New South Wales North Coast and Sydney Basin Bioregions	N	4	██████████	██████████
1692 - Bull Oak grassy woodland of the central Hunter Valley	Coastal Valley Grassy Woodlands ≥50% and <70%	N	2	██████████	██████████
1731 - Swamp Oak -Weeping Grass grassy riparian forest of the Hunter Valley	Coastal Swamp Forests ≥50% and <70%	N	3	██████████	██████████
10604 - <i>Petaurus norfolcensis</i> (Squirrel Glider)	<i>Petaurus norfolcensis</i> (Squirrel Glider)	N	38	██████████	██████████
10549 - <i>Myotis macropus</i> (Southern Myotis)	<i>Myotis macropus</i> (Southern Myotis)	N	9	██████████	██████████
10211 - <i>Delma impar</i> (StripedLegless Lizard)	<i>Delma impar</i> (StripedLegless Lizard)	N	31	██████████	██████████
Total (Exc. GST)					██████████
GST					██████████
Total (Inc. GST)					██████████



18/05/2022

Emily McCosker
Director Strategy & Finance

¹ This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

² This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.