

Department of Planning and Environment

Mr Damien Wagner
13 SANCTUARY AVENUE
Avalon Beach NSW 2107
07/07/2023

Dear Mr Wagner

**Flyers Creek Wind Farm - MP08_0252
Independent Environmental Audit #1**

Reference is made to the Independent Environmental Audit (IEA) report [and Response to Audit Recommendations (RAR)] for the Flyers Creek Wind Farm– **IEA #1** submitted as required by Schedule E, Condition E8 of MP 08_0252 (the approval) to the Department of Planning and Environment (the department) on 29 June 2023.

The department considers the IEA report to generally satisfy the reporting requirements of the approval. Please note that acceptance of this report is not an endorsement of the compliance status of the project. In accordance with Schedule E condition E4 please ensure a copy of the IEA and RAR is uploaded to the project's website, within 14 days from the date of this letter.

The department notes that the IEA identified five (5) non-compliances, with FCWF-IEA1-NC1 already been actioned by the department. The Department has assessed the remaining four (4) non-compliances identified as FCWF-IEA1-NC2, NC3, NC4 and NC5 in accordance with the department's Compliance Policy and in this instance has determined to record the breaches in our system. At this stage, no further enforcement actions are proposed. Please be aware that recording of these breaches does not preclude the department from taking alternative enforcement actions, if it becomes apparent that an alternative response is more appropriate.

Please also note that these non-compliances will be taken into consideration in the assessment of any future breaches of the approval, in accordance with the department's Compliance Policy. A copy of the Compliance Policy is available at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/compliance-and-enforcement-compliance-policy-2018-04.pdf>.

Lastly in accordance with Schedule E Condition E11 (b) of the approval please ensure that you review, and if necessary, revise, the strategies, plans and programs required under this approval to the satisfaction of the Planning Secretary.

Should you wish to discuss the matter further, please contact Michael Wood on 0459890661 or compliance@planning.nsw.gov.au

Yours sincerely



Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary