



**Register:**

Compliance Management

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<b>Amendment Record</b>				
<i>Revision</i>	<i>Date</i>	<i>Author</i>	<i>Approver</i>	<i>Reason for Issue</i>
001	7-Oct-2022	Charlie Perry	Thomas Ho	Initial Issue

**Ferguson Wind Farm – Compliance Register**

#	Source	Date	Regulatory Obligation	Key Action/s for Compliance	Personnel Responsible for Monitoring Compliance	Related Parties (who partake in compliance)	Related Documents
1	Electricity Safety Act 1998 (Vic) and related Regulations	1998	- To ensure the electrical safety of electrical generation, transmission and distribution systems, electrical installations and electrical equipment; - To ensure electrical works are in accordance with electrical safety standards and carried out by electrical workers;	Ensure the electrical works are safe by: - utilising appropriately qualified persons (i.e. registered and licenced) to design, install, commission and operate electrical apparatus; - implementing robust supervisory arrangement and access authority systems; - Monitoring the safe operation of the by undertaking regular inspections and audits of persons engaged to operate and maintain the systems; and - ensure equipment is designed and installed in accordance with relevant bushfire mitigation requirements. (and where required engaging competent persons to undertake the above).	Asset Manager, Head of Grid, Managing Director	Vestas (WOM Contract)	-
2	Electricity Industry Act (Vic) 2000		Compliance with the regulation of electricity supply.	- Ensure compliance with the obligations of the Negotiated Connection Contract, Generator Deeds including the Generator Performance Standards and Interface Requirements. - Ensure compliance with the directions of the Distribution Network Operator (Powercor) and the operator of the National Electricity Market (AEMO).	Head of Grid, Head of Commercial, Managing Director	-	Market Operations Management Plan (Non-scheduled) [BayWa- AUS-MP-MarketOperationsNS-001]
3	The Blue Book (The Code of Practice on Electrical Safety for Work on or Near High Voltage Electrical Apparatus);	2017 + 2022 Draft	The Code of Practice sets out: a) key safety principles; and b) minimum electrical safety requirements required to comply with those principles in respect of the Wind and Solar Farms (i.e. a high voltage electrical installation or complex electrical installation. It also sets minimum requirements that should inform approved workplace procedures. These approved procedures may utilise other published standards and guidelines to enhance the level of safety.	- Implement system for Hazard identification, risk assessment and control. In order to comply with the electrical safety requirements of this Code, an organisation shall either: a) apply the requirements contained within this Code; or b) vary the requirements by: 1. completing a hazard identification and risk assessment, and 2. ensure the varied requirements are equal to or better than the minimum requirements of this Code, and 3. document the process, and 4. advise ESV in writing of the outcomes and reasons for variation(s) at least 14 days before implementing the variation.	Asset Manager, Head of Grid, Managing Director	Vestas (WOM Contract)	-
4	Energy Safe Victoria Act 2005	2005	Refer obligations in relation to the Electricity Safety Act	Refer obligations in relation to the Electricity Safety Act	Asset Manager, Head of Grid,	Asset Manager, Head of Grid,	-

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5	Essential Services Commission Act (Vic) (2001)	2001	Obtain relevant licence or exemption from in relation to each renewable energy project.	Obtain relevant licence or exemption from in relation to each renewable energy project. Monitor and maintain compliance with the obligations that are associated with such a license including: - AEMO Registration - Risk management - Electrical Safety - Financial Viability - Engagement with Energy Safe Victoria	Asset Manager, Head of Grid, Managing Director		Regulatory Compliance Policy [Australia] [BayWa-AUS-PO-RegulatoryCompliance-001]
6	Electricity Industry Guideline No. 15 Connection of Embedded Generation	2004	The details of the arrangements between embedded generators and distributors in connecting to the distribution system.	Ensure that Ferguson Wind Farm: - is party to a connection agreement with the distributor and this is negotiated in accordance with Section 2 of the guideline; - pays when due the charges under, and other terms and conditions of, connection agreements - pays when due Ferguson Wind Farm's share of distributors' avoided distribution system costs and avoided TUOS usage charges.	Asset Manager, Head of Grid, Managing Director		Regulatory Compliance Policy [Australia] [BayWa-AUS-PO-RegulatoryCompliance-001]
7	Australian Standards including AS3000 Electrical Installations (Wiring Rules), 3010 – Electrical Installations – Generating Sets, 3017 – Testing Guidelines	2017	To know and comply with the Australian Standards relevant to the development, construction, and operation of renewable energy projects.	Ensure works designed, built, and operated by BayWa are done so in accordance with relevant Australian Standards.	Engineering Manager, Head of Grid, Project Manager, Asset Manager	Vestas (WOM Contract)	-
8	National Electricity Rules (NER)	2017	Comply with the Connection Contracts and Generator Deeds	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid	Vestas (WOM Contract)	- Plant Operation Management Plan [BayWa-AUS-MP-PlantOperation-001] and - Market Operations Management Plan (Non-scheduled) [BayWa- AUS-MP-MarketOperationsNS-001]
9	National Electricity Law i.e. National Electricity (Victoria) Act (Vic) 2005 Section 6	2017	Comply with the Connection Contracts and Generator Deeds	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid	Vestas (WOM Contract)	"
10	Ferguson North Negotiated Connection Contract	2019	Comply with the terms of the Negotiated Connection Contract (including the Powercor Interface Requirements within this) and the in the export electricity to the Distributor's distribution system.	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid, Asset Manager	Vestas (WOM Contract)	"
11	Ferguson North Generator Deed vB	2021	Comply with the terms of the Generator Deed (including the Generator Performance Standards within this) in in the export electricity to the Distributor's distribution system.	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid, Asset Manager	Vestas (WOM Contract)	"

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12	Ferguson South Negotiated Connection Contract	2019	Comply with the terms of the Negotiated Connection Contract (including the Powercor Interface Requirements within this) and the in the export electricity to the Distributor's distribution system.	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid, Asset Manager	Vestas (WOM Contract)	"
13	Ferguson South Generator Deed vB	2021	Comply with the terms of the Generator Deed (including the Generator Performance Standards within this) in in the export electricity to the Distributor's distribution system.	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid, Asset Manager	Vestas (WOM Contract)	"
14	Citipower Powercor CUSTOMER GUIDELINE - High Voltage Distribution Connected Embedded Generation (Version 4)	2018	Comply with the terms of the Generator Deed (including the Generator Performance Standards within this) in in the export electricity to the Distributor's distribution system.	Implementation and monitoring of Power Plant Controller and SCADA settings that enable autonomous compliance with the GPS.	Head of Grid, Asset Manager		"
15							
16	OHS Act (2004) Victoria	2004	Employers and employees duties in respect of maintaining a safe workplace.	The employer has a primary duty to manage risks to health and safety.	WHS Manager/Lead	All staff and contractors.	Cyber Security Management Plan [BayWa-AUS-MP-CyberSecurity-001]
17	OHS Regulations (2017) Victoria	2017	Employers and employees duties in respect of maintaining a safe workplace.	The employer has a primary duty to manage risks to health and safety.	WHS Manager/Lead	All staff and contractors.	-
18	Victoria Planning Provisions and the Development of Wind Energy Facilities in Victoria – Policy and Planning Guidelines	2021	Proponents should also determine how the proposed projects triggers planning permit approval. Pre-application consultation with DELWP and other stakeholders is encouraged. It provides an opportunity for information gathering and exchange. Proponents should also consider engaging with the community where the wind energy facility is proposed. At a pre-application meeting you can discuss: - the planning application process; - the EES process; - the EPBC process; and - information requirements for fauna (including avifauna and bats), native vegetation removal.	Prepare, where required with the help of suitably qualified experts, impact assessment and management plans to understand and control the impacts of the project including the following: - Noise Management Plan (and associated pre and post construction assessments) - Bat and Avifauna Management Plan - Construction Environmental management Plan - Shadow Flicker Assessment - Flora and fauna impacts assessment - Aircraft safety issues - Community and Stakeholder Management Plan  Gain endorsement of DELWP of the impact assessments and proposed Management Plans in the form of a Planning Permit.	Development Manager, Project Manager, Asset Manager, Managing Director	Vestas (TSA & WOM Contract)	-

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19	Noise - Environment Protection Regulations 2021 (EP Regulations) Division 5 of Part 5.3 - Public Health and Wellbeing Act 2008 - <i>clause 52–32 of the Victoria Planning Provisions and the Development of Wind Energy Facilities in Victoria – Policy and Planning Guidelines</i>	2021	- Wind Farm noise must be assessed as part of the planning and approval process for WEF developments. For information about the planning approval process (Department of Environment, Land, Water and Planning, July 2021). - general environmental duty in Victoria which requires operators to minimise risks of harm to human health or the environment from noise so far as reasonably practicable.	For the EP Regulations: - Complying in an ongoing manner with the relevant noise standard - Implementing a noise management plan, including a complaints management plan - Providing an annual statement of actions taken to ensure compliance - Completing a post-construction noise assessment - Undertaking noise monitoring every five years.	Asset Manager, Project Manager, Head of Engineering, Managing Director	Vestas (TSA and WOM Contracts), Planning Consultants	-
20	Flora & Fauna Guarantee (Vic)	1998	The Flora and Fauna Guarantee Act 1988 (the FFG Act) provides for the listing of taxa (genera, species, subspecies and varieties), threatened communities of flora and fauna and potentially threatening processes.	Determine, with the assistance of suitably qualified experts, any impact to threatened species of flora and fauna. Where there is some impact to threatened species implement systems, processes and plans to mitigate this impact (include amending project scope as required).	Project / Development Manager	Planning Consultants	-
21	Environment Protection and Biodiversity Conservation Act 1999		To ensure our business activities provide for the protection of the environment, especially matters of national environmental significance. conserve Australia's biodiversity. protect biodiversity internationally by controlling the international movement of wildlife	Consider EPBC approvals required in developing renewable energy projects (and submit applications in accordance with these requirements).	Project / Development Manager	Planning Consultants	-
22	Workers Compensation	1958	To ensure the action is taken to reduce the incidence of accidents and diseases in the workplace and make provision for the effective occupational rehabilitation of injured workers and their early return to work.	BayWa r.e. needs to maintain workers compensation insurance for its staff and needs to comply with requirements for injury management, return to work and employee rehabilitation.	People & Culture Manager, Head of Commercial	All staff	-
23	Sex Discrimination Act 1984	1984	It is unlawful to: - discriminate against an employee because of an employee's sex, marital status, pregnancy or potential to become pregnant - dismiss an employee from an employer job because of an employer family responsibilities, or - sexually harass an employee.	Implement systems, policies and procedures that: - educates all your workers about discrimination; - encourage workers to respect each other's differences; - respond to any evidence or complaints of inappropriate behaviour; - deal with any complaints of discrimination promptly and confidentially; - develop a workplace policy that prohibits discrimination; - train supervisors and managers on how to respond to discrimination in the workplace; - make sure the workplace policy is properly enforced; and review the policy regularly to ensure that its effectiveness is maintained.	People & Culture Manager	All staff	-
24	Racial Discrimination Act 1975	1975	It is unlawful to discriminate against people on the basis of race, colour, descent or national or ethnic origin.	As above in respect of race, colour, descent or national or ethnic origin.	People & Culture Manager	All staff	-

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25	Disability Discrimination Act	1992	It is unlawful to discriminate against a person, in many areas of public life, including employment, education, using services, renting or buying a property, and accessing public places, because of their disability.	As per measures detailed in line 23 but in respect of disability.	People & Culture Manager	All staff	-
26	Age Discrimination Act	2004	Discrimination in employment on the basis of age is prohibited	As per measures detailed in line 23 but in respect of age.	People & Culture Manager	All staff	-
27	Fair Work Act (Cth) and Fair Work Regulations 2009	2009	Protection of certain rights, including: workplace rights, the right to engage in industrial activities and the right to be free from unlawful discrimination.	<ul style="list-style-type: none"> <li>- Implement, monitor and audit all workplace policies and procedures</li> <li>- Understand your responsibilities and obligations as an employer including: <ul style="list-style-type: none"> <li>- Assessing all workplace health and safety risks and putting measures in place to address and control them.</li> <li>- Provide and maintain safe machinery, tools, equipment, materials, etc for your employees to use.</li> <li>- Provide and ensure a suitable working environment is maintained (heating, cooling, ventilation, and layout)</li> <li>- Ensure you have Workers' Compensation Insurance.</li> <li>- Provide training and education for employees to understand their workplace obligations to health and safety of their own and other employees.</li> <li>- Implement workplace safety management systems and accreditations.</li> </ul> </li> <li>- Create a positive working environment where employees feel confident to be themselves and are willing to raise any concerns.</li> </ul>	People & Culture Manager	All staff	-
28	Privacy and Personal Information Protection Act 1998	1998	protecting the handling of personal information about individuals. This includes the collection, use, storage and disclosure of personal information in the federal public sector and in the private sector	<ul style="list-style-type: none"> <li>- Create Privacy Policy (with the assistance of a suitably qualified expert) – this document sets out protocols for the receives or handling of personal information.</li> <li>- Train staff and inform customers of the Privacy Policy.</li> </ul>	IT & Cyber Security Manager, Legal Counsel	-	-
29	Foreign Acquisitions and Takeovers Act 1975, Foreign Acquisitions and Takeovers Regulation 2015	1975, 2015	To ensure BayWa provides notice under the Foreign Acquisitions and Takeovers Act 1975 (the Act) before taking any notifiable action or notifiable national security action.	Ensuring any acquisition of land (including via lease or option to lease) or sale transaction is assessed as to whether FIRB review is required.	Head of Commercial, Legal Counsel, Development Managers	-	-
30	-	-	-	-	-	-	-