



xenith

Independent Environmental Audit

Liddell Battery and Bayswater Ancillary Works Project
AGL Macquarie Pty Limited
March 2025

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Prepared by	TB	Senior Environmental Scientist		10/03/25
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1. INTRODUCTION

1.1 Background

Xenith has been commissioned by AGL Macquarie Pty Limited (AGLM) to conduct the fourth construction phase Independent Environmental Audit (IEA) for the Liddell Battery and Bayswater Ancillary Works Project (SSD 8889679).

AGLM owns and operates the Bayswater Power Station (Bayswater), Liddell Power Station (Liddell), Hunter Valley Gas Turbines and associated ancillary infrastructure systems. Liddell and Bayswater are located approximately 25 kilometres (km) north-west of Singleton, 15 km south-east of Muswellbrook and 165 km north west of Sydney. The Project is located within the Singleton and Muswellbrook Local Government Areas (LGAs) and located within an area dominated by mining and power generation.

State Significant Development (SSD) 8889679 provides for the following activities:

- › Construction and operation of a Battery Energy Storage System with a capacity of up to 500 MW and 2 GWh;
- › Decoupling works to facilitate the separation of the Bayswater Power Station from the Liddell Power Station; and
- › Upgrades to ancillary infrastructure required for the ongoing operation of the Bayswater Power Station.

SSD 889679 was approved subject to conditions on the 8 March 2022 by the Director Resources Assessments in accordance with Section 4.38 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Figure 1 and **Figure 2** shows the layout of the Project as approved under SSD 8889679.

The IEA has been conducted generally in accordance with the NSW DPIE 'Independent Audit Post Approval Requirements May 2020' (IEA Guidelines).

1.2 Audit Team

The IEA was completed by Dorian Walsh (Certified Auditor Certificate Number: 201881) and Tegan Brown of Xenith.

1.3 Audit Objectives

The IEA assesses the Project activities during the audit period (see **Section 3**) and compliance with key regulatory approvals for the Project. The IEA assessed the status of conditions and commitments from:

- › SSD 8889679; and
- › SSD 8889679 management plans, strategies and programs.

1.4 Audit Scope

The IEA scope is defined under Schedule 2, Conditions C13 - 18 of SSD 8889679 which is reproduced below in **Table 1**.

1.5 Audit Period

The IEA covers the period from 24 August 2024 to 15 January 2025 (the day of the IEA site visit).

Table 1 SSD 8889679 IEA Requirements

Condition	Requirement	Report Section
Schedule 2 Condition C13	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020, or its latest version).	This IEA report
Schedule 2 Condition C14	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Appendix A
Schedule 2 Condition C15	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Compliance Reporting Post Approval Requirements (2020, or its latest version), upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	N/A; No requests made by DPHI to change IEA frequency
Schedule 2 Condition C16	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020, or its latest version), the Applicant must:	Note only
Schedule 2 Condition C16 (a)	review and respond to each Independent Audit Report prepared under condition C13 of this approval, or condition C15 where notice is given by the Planning Secretary;	This IEA report; AGLM to complete response to DPHI
Schedule 2 Condition C16 (b)	submit the response to the Planning Secretary; and	N/A; AGLM to complete
Schedule 2 Condition C16 (c)	make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	N/A; AGLM to complete
Schedule 2 Condition C17	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection, as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	N/A; AGLM to complete

Condition	Requirement	Report Section
Schedule 2 Condition C18	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020, or its latest version), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.	N/A



Figure 2 - 3 The Battery and Decoupling layout

Figure 1 Decoupling Works and BESS (Stage 2) Development Layout



Figure 2 Bayswater Ancillary Works (Stage 3) Development Layout

2. AUDIT METHODOLOGY

2.1 Overview

This IEA was undertaken in accordance with the requirements of SSD 8889679 (see **Section 1.4**) and the IEA Guidelines. **Appendix A** includes a copy of DPHI endorsement for the IEA team (see **Section 1.2**) and confirmation over audit requirements.

The compliance status of Project activities during the audit period was determined by assessment of key approval documents regulating site activities (see **Section 3.3**) and a desktop review of all plans, strategies, programs, monitoring data and correspondence relevant to the audit period. The desktop review was used as a basis for this IEA report and identified potential compliance issues that were verified during the Project site inspection and in interviews with key AGLM personnel.

The audit methodology also included consultation with NSW DPHI, Environment Protection Authority (EPA), and Muswellbrook Shire Council (MSC) and Singleton Council to seek any specific environmental issues that should be a focus of the IEA (see **Section 2.5**).

2.2 IEA Preparation

Preparation of the IEA involved:

- › Submission of an information request to the Client for the provision of evidence to verify the compliance status of AGLM project activities during the audit period;
- › Engagement with key regulatory agencies for the Project regarding any specific issues that should be a particular focus of the IEA;
- › Submission of an audit agenda (see **Appendix E**) and confirmation over the scope of the Xenith site inspection component of the IEA;
- › Desktop review of documentation provided by the Client to determine the compliance status of approval and licencing conditions, identify good site practice and opportunities for improvement, in accordance with the requirements of the IEA Guidelines; and
- › Preparation of compliance tables and protocols for the site inspection, including a checklist of specific regulatory requirements obtained from documents provided.

2.3 Compliance Evaluation

The IEA consisted of a detailed desktop review of approval documentation and a site inspection. The findings of this IEA were based on verifiable evidence collected by:

- › Review of Project documentation (including document reference, revision numbers, dates and authors) by Xenith;
- › Interviews with key site personnel completed by Xenith; and
- › Inspections of the Liddell Battery and Bayswater Ancillary Works site, activities and processes. Selected images taken during the site inspections are included in **Appendix F**.

James McNamara (Manager Environment Construction) and Keith Simkin (Advisor Environment (Contractor)) were the primary AGLM contacts for the audit and were present during the audit site inspection and interviews.

A list of the key documentation reviewed for the IEA is found in **Section 3.1**. The evidence that was used to determine the compliance status with respect to each condition has been documented in the tables provided in **Appendix C**, along with relevant observations, notes and recommended opportunities for improvement.

2.4 Site Inspection

A site inspection of the SSD 8889679 development site was conducted by Xenith on 15 January 2025 and undertaken to ensure that all aspects of environmental management and performance of the Project were reviewed.

At the time of audit, AGLM had:

- › Completed construction of the Transformer Yard for the Liddell Power Station Decoupling Works (SSD 8889679 Stage 1) (see Plate 18 in **Appendix F**);
- › Completed demolition of the existing solar array site which is required prior to the development the Battery Energy Storage System (BESS) (SSD 8889679 Stage 2);
- › Commenced clearing and construction works for the BESS facility (SSD 8889679 Stage 2); and
- › Completed the shortening of the existing Liddell M1 conveyor for the Baywater Ancillary Works component of the Project (SSD 8889679 Stage 3).

Development of the other activities approved under SSD 8889679 had not commenced during the audit period.

2.4.1 Opening Meeting

The IEA site inspection completed by Xenith commenced with an opening meeting; attendees included Dorian Walsh (Xenith), Tegan Brown (Xenith), James McNamara (AGLM Manager Environment Construction), Chirag Kakadiya (AGLM Senior Project Manager – Major Projects), Sean Barton (Project Coordinator, Project Construction), Keith Simkin (AGLM Advisor Environment (Contractor)). The briefing included clarification of the audit objectives, scope, resources required and the methodology of the IEA, including the input that would be provided by the technical experts endorsed by DPHI.

2.4.2 Site Overview and Orientation Session

A site overview was conducted by AGLM site personnel to provide Xenith with a general overview of the Project during the audit period, an indication of the environmental setting, near neighbours, safety and emergency requirements and known environmental issues.

2.4.3 IEA Interviews

The IEA included interviews with key AGLM personnel involved with the management and operation of the Project. The IEA interviews during the Xenith site inspection we conducted to assist with verifying the compliance status of the Project. AGLM personnel interviewed by Xenith during the audit process included:

- › James McNamara (Manager Environment Construction);
- › Chirag Kakadiya (Senior Project Manager – Major Projects);
- › Keith Simkin (Advisor Environment (Contractor));
- › Sean Barton (Project Coordinator, Project Construction);
- › John Moore (AGLM Site Manager, Energy Hubs); and
- › Sam Magennis (Environment Advisor – Enerven).

2.4.4 Focused Site Inspection

A focused site inspection was conducted on 15 January 2025 by Xenith following the initial site overview. The purpose of the site inspection was to review specific operation and environmental aspects of the Project that were completed during the audit period and to assess Project environmental management systems and performance in detail.

2.4.5 Site Documentation Review

Relevant site documentation was reviewed with AGLM personnel to verify compliance information. Key documents reviewed included SSD 8889679 environmental assessments, correspondence with regulatory agencies, Environmental Management Plans and procedures.

2.4.6 Follow Up Auditing

Follow up interviews and document reviews were conducted by Xenith to clarify any outstanding compliance issues to be resolved prior to inclusion in the final IEA report.

2.4.7 Exiting Briefing

Attendees of the exit briefing included Dorian Walsh, Tegan Brown, James McNamara and Keith Simkin. The exit meeting included the discussion of preliminary audit findings, recommendations and explanation of actions required by AGLM and by Xenith to complete the audit process required under the IEA Guidelines.

2.5 Audit Consultation

Correspondence was sent to the DPHI, EPA, MSC and Singleton Council, requesting their input into the scope of the IEA. Responses were received from MSC during the audit process and in response to the IEA report (see **Appendix D**), with comments provided in **Table 2**. No response was received from the NSW EPA or DPHI.

Table 2 Feedback received from IEA consultation

Comment	Response
MSC	
<p>I think our primary concern at this stage is that adequate erosion and sediment controls have been established on site for the construction phase (these were probably tested in the recent rainfall), and that measures have been put in place to control stormwater/pollution runoff from locations where the batteries are stored to be able to manage firefighting materials and chemicals from the batteries in case of a runaway battery fire. Also that there are hazard management plans in place for the possibility of battery fires, with plans located on site for reference by workers/employees and fire fighters.</p>	<p>Erosion and sediment controls were sighted during the IEA site inspection and deemed adequate at the time of the audit (see Section 3.7.4). AGLM are in the process of developing a Fire Safety Study and hazard management plans for the BESS prior to the facility being commissioned (see Section 3.7.12 and Appendix C).</p>

3. AUDIT FINDINGS

3.1 Approval and Document List

AGLM documentation for the IEA was sighted during a detailed desktop review and the audit site inspection of 15 January 2025. Approvals and documents assessed during the audit were related to:

- › SSD 8889679 approval conditions;
- › SSD 8889679 Statement of Commitments;
- › SSD 8889679 Environmental Management Plans and procedures;
- › AGLM environmental monitoring data;
- › AGLM correspondence with regulatory agencies and other records of consultation; and
- › AGLM response to the findings and recommendations in the previous IEA.

The tables included within **Appendix C** discuss the documentation that was used to determine compliance with the conditions of SSD 8889679 assessed during the IEA.

3.2 Compliance Status Descriptors

The compliance status of each condition reviewed during the IEA was assessed based on evidence provided and determined in accordance with the descriptors provided in the IEA Guidelines. No other terms have been used to describe the compliance status of conditions within this IEA.

3.3 Compliance Performance

Table 3 provides a summary of compliance for key AGLM approvals and licensing during the audit period. A description of each identified non-compliance is provided in **Section 3.6** and **Appendix C**.

Table 3 Summary of Compliance

Document	C	NC	NT	Note	Total
SSD 8889679	34	7	23	5	69
SSD 8889679 Statement of Commitments	53	1	14	-	68

3.4 Summary of Agency Notices and Orders

No notices or orders regarding the Project were issued to SSD 8889679 were issued to AGLM during the audit period.

3.5 Actions from Previous Audit

A summary of the actions arising from the previous SSD 8889679 IEA (JBA, November 2024) is provided in **Table 4**.

Actions that have not been completed by AGLM at the time of this audit have been retained in **Section 3.5** and **Section 4** below. Further detail on each condition is provided in **Appendix C**.

Table 4 Status of Actions Arising from Previous IEA

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
SSD 8889679 Non-Compliances & Recommendations			
Schedule 2, Condition A7	It is recommended that the revised EMS and sub-plans approved in June 2024 are made available on the AGLM website.	17/12/24	Compliant. The revised (Stage 2) EMS was available on the AGLM website at the time of audit.
Schedule 2, Condition A10	It is recommended that evidence is retained to demonstrate that all project demolition work is carried out in accordance with AS 2601-2001.	March 2025	Not triggered. AGLM to compile evidence by the end of March 2025.
Schedule 2, Condition B4	It is recommended that a suitable refuelling area for project equipment is delineated and communicated to the Stage 2 project contractors.	17/12/24	Compliant. The designated refuelling area for Stage 2 was set up and procedures communicated to the Project workforce during the audit period.
Schedule 2, Condition B8	It is recommended that AGLM seek DPHI approval of the May 2024 BMP (or latest version).	June 2025	Not triggered. AGLM are required to submit the BMP for DPHI approval within three months of the date of this IEA report.
Schedule 2, Condition B12	It is recommended that monitoring is completed to confirm that construction noise is consistent with Environmental Assessment predictions.	17/12/24	Compliant. Viewed Jacobs (2023) report that considers construction noise impacts for Project work to the nearest sensitive receivers.
Schedule 2, Condition B15	It is recommended that a water cart is retained to assist with dust suppression from exposed areas during future clearing and construction work.	17/12/24	Compliant. Observed water cart operating during the audit site inspection and viewed example monthly records for Project water cart use retained by AGLM.
Schedule 2, Condition B26	It is recommended that stockpile locations and dates of establishment	Ongoing	Compliant. Stage 2 stockpiles viewed during the audit site inspection were delineated in the

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
	for each stockpile are recorded in an updated ESCP for Stage 1.		field and in contractor documentation.
Schedule 2, Condition B27	It is recommended that waste classification and tracking information for Project construction work is documented and retained in accordance with the approved Waste Management Plans and EPA guidelines.	17/12/24	Compliant. Viewed examples of waste tracking records retained by AGLM for Project works during the audit period.
Schedule 2, Condition B27	It is recommended that AGLM maintain records for the monitoring and management of potentially contaminated waste material, in accordance with EPA requirements and the AGLM site procedure.	17/12/24	Compliant. Viewed examples of potentially contaminated materials being tested and managed in accordance with Project documentation and AGLM procedures.
Schedule 2, Condition C1	It is recommended that plans showing all monitoring locations representative of SSD 8889679 are added to the Stage 1 and Stage 2 EMS documents.	June 2025	Not triggered. AGLM are required to submit a revised EMS for DPHI approval within three months of the date of this IEA report.
Schedule 2, Condition C17	It is recommended that the AGLM response to the findings of this IEA provides comment on all identified non-compliances and improvement recommendations.	17/12/24	Compliant. Viewed AGLM letter to DPHI dated 17/12/24 providing a response to the previous IEA report.
Schedule 2, Condition C19	It is recommended that the complaints register is updated on a monthly basis and published on the project website.	Ongoing	Compliant. The AGLM complaints register was up to date at the time of audit.
Schedule 2, Condition D3	It is recommended that AGLM retains evidence that confirms that the development of the Ravensworth Coal Unloader Facility has been carried out in accordance with the HLA Envirosciences <i>Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement</i> prior to surrender of the DA 20_98	17/12/24	Compliant. DA 20_98 was surrendered to Singleton Council during the audit period.

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
	under Schedule 2, Condition A5 of SSD 8889679.		
Schedule 2, Condition D4	It is recommended that AGLM retain evidence that confirms consultation with Rail Access Corporation to develop and implement operational protocols and train working procedures to expedite push-pull trains onto and off the Main Northern Line prior to surrender of the DA 20_98 under Schedule 2, Condition A5 of SSD 8889679.	June 2025	Not triggered. AGLM is in the process of collating evidence to confirm compliance with his condition.
Schedule 2, Condition D6	It is recommended that AGLM retain evidence that confirms the development of the Coal/Rail Unloader Augmentation is carried out generally in accordance with the development application and accompanying plans prior to surrender of the DA 401_2000 under Schedule 2, Condition A5 of SSD 8889679.	June 2025	Not triggered. AGLM is in the process of collating evidence to confirm compliance with his condition.
SSD 8889679 EIS Commitments			
HR5	It is recommended that a suitable refuelling area for project equipment is delineated and communicated to the Stage 2 project contractors.	17/12/24	Compliant. The designated refuelling area for Stage 2 was set up and procedures communicated to the Project workforce during the audit period.
AQ3, AQ6	It is recommended that a water cart is retained for future stages of the Project involving disturbance and construction work.	17/12/24	Compliant. Observed water cart operating during the audit site inspection and viewed example monthly records for Project water cart use retained by AGLM.
BIO5	It was recommended during the previous IEA that material stockpiled during Stage 1 of the Project is delineated in the field and the location recorded.	17/12/24	Compliant. The Stage 1 stockpile was delineated in the field and communicated to the Project workforce.

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
BIO8	It is recommended that AGLM maintain a register of all weed treatment works undertaken for the Project, including the location, treatment methods and person(s) completing the work.	Ongoing	Compliant. Evidence was available to confirm that AGLM were maintaining weed identification and treatment records during the audit period.
BIO10	It is recommended that treatment of these areas is undertaken and monitored, with evidence of weed treatment and disposal retained.	Ongoing	Compliant. Evidence was available to confirm that AGLM were maintaining weed identification and treatment records during the audit period.
V5	It is recommended that AGLM complete a review of the full footprint and extent of Stage 2 facilities to confirm whether additional mitigation plantings will be required in future prior to the completion of BESS construction.	Ongoing	Compliant. AGLM will consider the requirement for additional mitigation plantings for Stage 2 as construction activities continue.
WR02	It is recommended that all cleared vegetation is either mulched onsite for reuse or used to create habitat piles, with weeds and pathogens managed according to requirements under the <i>NSW Biosecurity Act 2015</i> .	17/12/24	Compliant. Vegetation cleared for Project Stage 2 was found to be mulched and stockpiled within the disturbance footprint, with only limited presence of weeds.
W4	It is recommended that erosion and sediment controls are regularly inspected and maintained if required.	Ongoing	Compliant. AGLM and the Project contractor have implemented a process to regularly review erosion and sediment controls and track maintenance actions to completion.

3.6 Non-Compliances During the Audit Period

Table 5 lists the non-compliances identified during the audit period. Recommendations made in relation to these non-compliances are provided in **Section 4**, with further context provided in **Appendix C**.

Table 5 IEA Non-Compliances

Ref	Non-Compliance
SSD 8889679	
Schedule 2, Condition A2	Non-compliances (NC) with SSD 8889679 conditions were identified during this IEA.
Schedule 2, Condition A8	The AGLM notification period for the intended commencement of SSD 8889679 Stage 3 was less than the two weeks required by Condition A8 of the consent. It is noted that this non-compliance was identified by DPHI and acknowledged by AGLM during the audit period.
Schedule 2, Condition C19	The Stage 3 EMS (April 2024) and CHMP (June 2024) as approved by DPHI were not available on the AGLM website at the time of audit.
Schedule 2, Condition D1	AGLM were not able to verify that the Low Pressure Pump Stabilisation was completed in accordance with the December 2018 BDAR report for the development.
Schedule 2, Condition D3	It was recommended during the previous IEA that AGLM retains evidence that confirms that the development of the Ravensworth Coal Unloader Facility has been carried out in accordance with the HLA Envirosciences Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement prior to surrender of the DA 20_98 under Schedule 2, Condition A5 of SSD 8889679.
Schedule 2, Condition D4	It was recommended during the last IEA that AGLM retain evidence that confirms consultation with Rail Access Corporation to develop and implement operational protocols and train working procedures to expedite push-pull trains onto and off the Main Northern Line prior to surrender of the DA 20_98 under Schedule 2, Condition A5 of SSD 8889679.
Schedule 2, Condition D6	It was recommended during the previous IEA that AGLM retain evidence that confirms the development of the Coal/Rail Unloader Augmentation is carried out generally in accordance with the development application and accompanying plans prior to surrender of the DA 401_2000 under Schedule 2, Condition A5 of SSD 8889679.
SSD 8889679 EIS Commitments	
GHG1	It is recommended that the Stage 3 CEMP includes measures to identify and reduce GHG impacts during the construction phase.

3.7 Environmental Performance

3.7.1 Site Inspection Summary

The site inspection of 15 January 2025 included a review of the Project site, focussing on the Stage 2 and Stage 3 development sites, as shown on **Figure 1**. Selected images taken during the site inspection are included as **Appendix F**.

It is noted that Stage 1 of the Project has been completed and commissioned prior to the audit period. A review of existing environmental controls for Stage 1 completed during the site inspection were found to be in place (see Plate 18 and Plate 19 in **Appendix F**), and the residual Stage 1 stockpile had been stabilised in response to a finding of the previous IEA (JBA, 2024).

The site inspection found that the Stage 2 site is being maintained well, with clear delineation of project work areas in the field to ensure disturbance is within approved areas. The site inspection also confirmed that erosion and sediment controls were in place to manage runoff from the site. Documents provided by Project contractors confirmed that a rigorous process has been implemented for the daily review of environmental performance within Stage 2 construction areas. Records maintained by AGLM indicated that maintenance and remedial actions identified during internal environmental inspections were being scheduled and completed in a timely manner.

The site inspection also confirmed that there were low dust emissions from Stage 2 construction activities at the time of the audit and that a water cart is used daily to reduce this risk (see Plate 1 and Plate 10 in **Appendix F**). A dedicated refuelling area for Stage 2 equipment has also been implemented during the audit period.

A review of the initial works undertaken for Stage 3 of the Project (shortening of the existing Liddell M1 conveyor) during the audit period found that the area had been managed to avoid disturbance outside of areas previously developed for Bayswater Power Station activities. No active construction work for Stage 3 was in progress at the time of the audit site inspection,

3.7.2 Environmental Management Documents

The adequacy of AGLM environmental management documents for the Project and the implementation of these plans was reviewed as a component of this IEA. In general, the review of the environmental management documentation found that AGLM is operating in accordance with procedures and systems required under SSD 8889679.

Management plans and strategies reviewed as part of this IEA included the AGLM BESS Environmental Management Strategy (EMS) and the associated sub plans including the Soil and Water Management Sub Plan, Noise Management Sub Plan, Air Quality Management Sub Plan, Contamination Management Sub Plan, Waste Management Sub Plan, Aboriginal Cultural Heritage Management Plan (ACHMP), Biodiversity Management Plan and Traffic Management Sub Plan. The EMS developed for Stage 3 was also reviewed.

Non-compliances identified in relation to Project management plans are listed in **Table 5**.

3.7.3 Waste Management

Schedule 2, Condition C1 (e) of SSD 8889679 requires AGLM to prepare an EMS for the Project, including a sub plan for waste management. The desktop review confirmed that a Stage 1 and Stage 2 Waste Management Plan has been prepared and approved by the DPHI. The desktop review confirmed that the Waste Management Sub Plan dated 14 May 2024 has not been updated to include Stage 3 of the Project, instead being listed within the Stage 3 EMS.

The Waste Management Plan identifies the key waste issues and management controls for the Project. The site inspection confirmed the active construction areas for Stage 2 and Stage 3 were generally well-managed, with waste materials being contained within the designated boundaries of the Project construction area and in available waste bins (see Plate 2 and Plate 3 in **Appendix F**).

Discussions with key AGLM personnel confirmed that Project waste is removed from the Project site by contractors and taken to a licenced waste facility. The desktop review confirmed that waste removal is being tracked via a waste register and removal dockets from the AGLM-appointed waste contractor are being retained.

Discussions with AGLM personnel confirmed that a small amount of asbestos was identified in Stage 2 during the audit period and that the area has been sectioned off to prevent personnel entering the area. During the site inspection it was confirmed that the area has been demarcated, with signage installed to prevent entry (see Plate 6 in **Appendix F**). The desktop review confirmed that the Waste Management Sub Plan contains asbestos management procedures for Stage 2 of the Project. Evidence available at the time of audit indicated that the AGLM response to the potentially contaminated material had been undertaken in accordance with the relevant procedures in the Waste Management Sub Plan

3.7.4 Erosion and Sediment Control

Stage 2 of the Project operates in accordance with the Liddell BESS Primary Erosion and Sediment Control Plan (ESCP). The site inspection confirmed that appropriate controls around stockpiles and the perimeter of the Stage 2 disturbance footprint were in place at the time of the audit (see Plate 10 and Plate 11 in **Appendix F**). These controls were being implemented to a high standard at the time of audit and records provided by the Project contractors indicated that erosion and sediment controls are inspected daily, with any maintenance works tracked for action.

Additional erosion and sediment controls were not required for the Stage 3 works undertaken during the audit period as clearance outside of the existing Bayswater Power Station footprint was not required to facilitate the Liddell MA1B conveyor works.

Discussions with key AGLM personnel confirmed that no water pollution incidents were recorded during the audit period as a result of Stage 2 or Stage 3 construction works.

3.7.5 Operation of Plant and Equipment

Schedule 2, Condition A12 of SSD 8889679 requires all plant and equipment used on site, or in connection with the development, to be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Interviews with key AGLM personnel during the site inspection noted that contractors working on Stage 2 and Stage 3 of the Project complete site inductions which cover safe operation of plant and equipment. A desktop review of maintenance reports verified that plant and equipment are appropriately assessed prior to mobilisation to site (including completion of weed / seed inspections during the introduction of equipment to site) and managed during Project operation to ensure they are maintained as required.

Equipment observed during the site inspection was observed to be operating effectively to minimise dust emissions. Plant and equipment was also found to be turned off when not in use.

Discussions with key AGLM staff confirmed that daily prestart checks are completed for plant and equipment. Copies of pre-start documentation were sighted during the IEA desktop review.

3.7.6 Air Quality

No elevated dust was observed from exposed areas of from material stockpiled within the Stage 2 Project construction area (see Plate 1 and Plate 10 in **Appendix F**).

Discussions with key AGLM personnel confirmed that water carts operate on site for dust suppression. Water carts were seen for dust suppression at the Project site during the IEA site inspection.

No offensive odours were detected on the Stage 3 site during the IEA site inspection.

Discussions with AGLM key personnel confirmed that no complaints have been received during the audit period in relation to air quality impacts from Stage 3 Project construction works.

3.7.7 Biodiversity

The desktop review confirmed that Stage 2 of the Project operates in accordance with the BESS Biodiversity Management Plan. As noted above, the disturbance boundary of Stage 2 is clearly delineated and daily inspections are being completed for Stage 2 to verify that environmental controls to minimise and manage biodiversity impacts are being implemented.

Discussions with key AGLM personnel confirmed that there has been no clearing required for Stage 3 of the Project. During the IEA site inspection, it was confirmed that flagging is also being used as delineation of the Stage 3 Project Boundary (see Plate 14 in **Appendix F**).

The Stage 2 Biodiversity Management Sub Plan refers to measures that will be implemented to prevent the introduction and spread of amphibian chytrid fungus, *Phytophthora cinnamomi* and Exotic Rust Fungi. Discussions with key AGLM personnel confirmed that all contractors undertake site introductions that include weed and disease management measures including plant hygiene. Copies of Plant / Equipment Approval Forms which include a weed and seed checklist were sighted during the IEA desktop review. Discussions with key AGLM personnel confirmed that weed spraying is undertaken for the Project on a regular basis. Weed control records were sighted during the IEA desktop review.

3.7.8 Visual Amenity and Lighting

No complaints were received during the audit period in relation to visual amenity or lighting impacts.

Discussions with key AGLM personnel confirmed that Project works are only undertaken during daylight hours. No mobile lighting was sighted during the site inspection.

AGLM maintain a sign in and sign out register for all personnel coming onto the Project site which records working hours. The selected examples of completed sign in and sign out registers sighted during the IEA site inspection indicated that Project works were being completed within approved hours.

3.7.9 Noise

Discussions with key AGLM personnel confirmed that the Project operates in accordance with the Project Noise Management Plan (Stage 2) and the Stage 3 EMS.

A review of the Project complaints register confirmed that no noise complaints were received during the audit period for either Stage 2 or Stage 3.

The desktop review confirmed that site inspections are being completed which includes the consideration of noise and vibration impacts. AGLM employees and contractors also undertake site inductions which includes consideration for noise.

3.7.10 Aboriginal Heritage

The desktop review confirmed that the Project operates in accordance with an ACHMP (Stage 2) and CHMP (Stage 3), which note the procedures to be followed in the event of any unanticipated heritage items being identified during construction. Discussions with key AGLM personnel confirmed that all AGLM staff and contractors complete site inductions which includes information on Aboriginal Heritage.

Discussions with key AGLM personnel confirmed that there were no unanticipated heritage finds during the audit period.

3.7.11 Rehabilitation

No rehabilitation establishment activities were undertaken during the audit period.

The IEA site inspection confirmed that the topsoil stockpile remaining after the completion of Project Stage 1 had been temporarily rehabilitated since the previous IEA (see Plate 19 in **Appendix F**). Vegetation and excavated material from Stage 2 construction was found to be stockpiled within the disturbance footprint and delineated for use in future Project work (see Plate 10 to Plate 12 in **Appendix F**).

3.7.12 Bushfire Management

Discussions with key AGLM personnel confirmed that a Fire Safety Study for the BESS has been developed in consultation with Fire and Rescue NSW and is in the process of regulatory review at the time of audit.

The desktop review also confirmed that there is a hot work management system in place and that personnel carrying out any hot work for the Project are required to complete Hot Works inductions, permits and risk assessments. The site inspection confirmed that portable fire equipment and fire hoses are in place within Stage 2 and Stage 3 construction areas, see Plate 14 in **Appendix F**.

3.7.13 Environmental Incidents

Discussions with key AGLM personnel confirmed that no environmental incidents were recorded during the audit period.

3.7.14 Environmental Complaints

Discussions with key AGLM personnel confirmed that no community complaints were received regarding Project activities during the audit period.

3.7.15 Environmental Impact Comparison

Project activities during the audit period were found to be being undertaken generally in accordance with those described in SSD 8889679 environmental assessment documents.

A detailed review of AGLM compliance with SSD 8889679 conditions and commitments during the audit period is provided in **Appendix C**.

4. Recommendations

A summary of the non-compliances with SSD 8889679 approvals identified during the audit period is provided in **Table 5**. Recommendations made to respond to these non-compliances, as well as opportunities identified to improve AGLM's general environmental performance for the Project are provided in **Table 6**.

Table 6 IEA Recommendations

Ref	Recommendation Description
SSD 8889679	
Schedule 2, Condition A8	It is recommended that AGLM notifies DPHI of commencement of future Project stages at least two weeks prior to the scheduled commencement date.
Schedule 2, Condition B7	It is recommended that the Environmental Inspection Checklist for Stage 3 is reviewed prior to any disturbance for that component of the Project and updated to include checks to confirm compliance with approved disturbance areas.
Schedule 2, Condition C1	It is recommended that revised Stage 2 EMS document (see Schedule 2, Condition C3 below) includes a plan that shows locations of environmental monitoring to be carried out for the Project.
Schedule 2, Condition C19	It is recommended that AGLM make all strategies, plans, or programs required under the conditions of the consent available on the AGLM website as soon as practicable following approval by DPHI.
Schedule 2, Conditions D1, D3, D4, D6	It is recommended that AGLM provide a response to DPHI regarding compliance with the conditions referred to in Conditions D1, D3, D4 and D6 in Part D of SSD 8889679 once this review has been completed. This response should be provided within the timeframe nominated by AGLM in their response to DPHI on the previous SSD 8889679 IEA.
SSD 8889679 EIS Commitments	
GHG1	It is recommended that the Stage 3 CEMP includes measures to identify and reduce GHG impacts during the construction phase.
BIO1	It is recommended that AGLM retain plans prepared to indicate 'no-go' zones for future Stage 3 construction works and evidence that these areas are not impacted.
BIO10	It is recommended that the Stage 3 CEMP is reviewed and updated to note that during clearing works, weeds will be disposed and managed appropriately to stop the spread of existing weed species.



Appendix A
Endorsement of IEA
Team

NSW Planning ref: SSD-8889679-PA-72

Hardiksinh Davda
Environment Advisor

AGL Macquarie Pty Limited

Wonnarua Country

New England Highway
MUSWELLBROOK NSW 2333

09/12/2024

Sent via the Major Projects Portal only

Subject: Liddell Battery and Bayswater Ancillary Works - Independent Environmental Auditor proposal

Dear Mr Davda

I refer to your letter to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) dated 6 December 2024 seeking the Planning Secretary's approval of suitably qualified, experienced, and independent person/s to conduct an Independent Audit of the construction phase of the Liddell Decoupler activities, as required by Schedule 2, Condition C14 of development consent SSD 8889679 as modified for the Liddell Battery and Bayswater Ancillary Works development.

On 12 January 2024, a nominee of the Planning Secretary endorsed the auditors listed below to undertake Independent Audits for the preconstruction and construction phases of the Liddell Battery and Bayswater Ancillary Works development while they remain independent of the development:

- Dorian Walsh, Lead Auditor
- Tegan Brown, Assisting Auditor

Any additional or alternate auditors or team members must be agreed to by the Planning Secretary in separate correspondence.

Please ensure that the attached correspondence is appended to all future audit reports.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of consent and the Independent Audit Post Approval Requirements (2020). Failure to meet these requirements will require revision and resubmission.

NSW Planning reserves the right to request an alternate auditor or audit team for future audits.

Should you wish to discuss the matter, please contact Jennifer Sage, Senior Compliance Officer on 02 6575 3420 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary



Appendix B

IEA Declaration

Appendix E – Independent Audit Report Declaration Form Template

Independent Audit Report Declaration Form

Project Name: Bayswater Power Station, Liddell Power Station

Consent Number: SSD 8889679

Description of Project: Liddell Battery and Bayswater Ancillary Works (SSD 8889679)

Project Address: New England Highway, MUSWELLBROOK NSW 2333

Proponent: AGL Macquarie Pty Limited

Title of Audit: AGL Macquarie SSD 8889679 Independent Environmental Audit

Date: 14 November 2024

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Compliance Requirements (Department 2019)*;
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

- a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Auditor: Dorian Walsh

Tegan Brown

Signature:



Qualification: Auditor for Environmental Management, EMS and Compliance Audits. Cert #: 201881

Company: Xenith Consulting

Company Address: Shops 4-6, 157 - 159 John Street Singleton NSW 2330



Appendix C
IEA Compliance
Tables

Table C1 Project Approval SSD 8889679

Red type represents the February 2024 Modification (SSD 8889679 MOD1)

Cond	Project Approval SSD 8889679	Status	Evidence
SCHEDULE 2: PART A - ADMINISTRATIVE CONDITIONS			
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT			
A1	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	C	A review of AGLM records and inspection of SSD 8889679 Project site found that reasonable and feasible controls are in place to minimise the potential for material environmental impacts from site operations. AGLM environmental controls for the Project are discussed under relevant conditions below.
TERMS OF CONSENT			
A2	The development may only be carried out: (a) in compliance with the conditions of this consent	NC	Non-compliances (NC) with SSD 8889679 conditions were identified during this IEA. Findings and recommendations in relation to each non-compliance are provided against the relevant conditions below.
	(b) in accordance with all written directions of the Planning Secretary	C	KS (pers comms) confirmed that no written directions have been made by the Department of Planning, Housing and Infrastructure (DPHI) during the audit period apart from the request to amend the declaration of the fourth IEA. Sighted letter from DPHI dated 7 January 2025 which refers to the fourth [Stage 4] Independent Environmental

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>Audit (IEA) for the Liddell Battery and Bayswater Ancillary Works project for the period 17 January 2024 to 23 August 2024, submitted to the DPHI on 8 November 2024 as required by Schedule 2, Condition C17 of development consent SSD-8889679 as modified.</p> <p>The letter notes that DPHI have reviewed the audit report and note that the declaration from the auditors at Appendix C of the IEA report is not in the form required by the Independent Audit Post Approval Requirements (2020) and requested an updated version.</p> <p>The revised Stage 4 IEA report was submitted to DPHI in November 2024.</p>
	(c) generally in accordance with the EIS; and	C	A review of AGLM documentation found that the development is being carried out generally in accordance with the EIS.
	(d) generally in accordance with the Development Layout.	C	The site layout is generally consistent with the general development layout shown in Appendix 1 of SSD 8889679.
	Note: <i>The general layout of the development is shown in Appendix 1.</i>	Note	Note only.
A3	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and</p>	C	Directions from DPHI (previously DPE) on documentation required under SSD 8889679 are noted against the relevant conditions below.

Cond	Project Approval SSD 8889679	Status	Evidence
	(b) the implementation of any actions or measures contained in any such document referred to in paragraph (a).	NT	KS (pers comms) confirmed that DPHI did not make any other written directions during the audit period.
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s listed in condition A2(b). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition A2(b), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	C	KS confirmed no inconsistencies were identified by AGLM during the audit period.
SURRENDER OF EXISTING CONSENTS			
A5	At a time determined by the Secretary, being no later than 12 months after the date of commencement of development, or other timeframe agreed by the Planning Secretary in writing, the following development consents are to be surrendered in accordance with section 68 of the EP&A Regulation:	C	KS (pers comms) confirmed that all consents noted under this condition of SSD 8889679 have been surrendered. Sighted a copy of DPHI letter dated 7/11/24 letter confirming that all consents listed in Condition A5 of the development consent Liddell Battery and Bayswater Ancillary Works (SSD-8889679) have been surrendered from both Muswellbrook Shire Council and Singleton Council, within the timeframe agreed by Planning Secretary.
	(a) 8/2016 (MSC)	C	See Schedule 2, Condition A5 above.
	(b) 74/2018 (MSC)	C	See Schedule 2, Condition A5 above.
	(c) 8.2018.273.1 (SC)	C	See Schedule 2, Condition A5 above.
	(d) 8.2018.23.1 (SC)	C	See Schedule 2, Condition A5 above.
	(e) 8.2018.23.2	C	See Schedule 2, Condition A5 above.
	(f) 54_86 (MSC)	C	See Schedule 2, Condition A5 above.
	(g) 29_98 (SC)	C	See Schedule 2, Condition A5 above.
	(h) 114_2016 (MSC)	C	See Schedule 2, Condition A5 above.

Cond	Project Approval SSD 8889679	Status	Evidence
	(i) 223_2004	C	See Schedule 2, Condition A5 above.
	(j) 401_2000 (SC)	C	See Schedule 2, Condition A5 above.
	(k) 460_2001 (SC)	C	See Schedule 2, Condition A5 above.
	Note: Condition A5 does not extend to the surrender of construction or occupation certificates for existing and proposed building works under former Part 4A or Part 6 of the EP&A Act (as Part 6 applies from 1 September 2018). The surrender required by this condition A5 should not be understood to mean that works legally constructed under a valid consent or approval can no longer be legally maintained or used.	Note	Note only.
A6	Upon the date of commencement of development under this consent, and before the surrender of the existing development consents specified in condition 5, the conditions of this consent prevail to the extent of any inconsistency.	C	KS (pers comms) confirmed that the Project is operating under SSD 8889679 conditions.
STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS			
A7	With the approval of the Planning Secretary, the Applicant may:	NT	KS (pers comms) confirmed that AGLM have not sought to submit any Project strategies, plans or programs on a staged basis during the audit period.
	(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);		
	(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and	NT	KS (pers comms) confirmed that no Project strategy, plan or program has been combined.
	(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	NT	KS (pers comms) confirmed that the only management plan that was revised during the audit period is the Environmental Management Strategy (EMS). KS (pers comms) confirmed that no other strategy, plan or program have been updated during the audit period. See Schedule 2, Condition A7 above.

Cond	Project Approval SSD 8889679	Status	Evidence
NOTIFICATION OF COMMENCEMENT			
A8	A8. At least two weeks prior to the commencement of the following activities, the Applicant must notify the Department in writing of the date of:	NC	<p>Sighted AGLM letter dated 7 November 2024 addressed to DPHI. The letter notes that AGLM are notifying the Department of the intended commencement of Stage 3 of the MA1B Shorting Project [Bayswater Ancillary Works], as outlined under Schedule 2 Condition A8, with work to begin on 11 November 2024. The letter requests the Department consider early commencement notice for the intended start date of 11 November 2024.</p> <p>Sighted DPHI letter dated 8 November 2024 which refers to the notification of commencement for Stage 3 of the Project submitted to the Department on 7 November 2024. The DPHI letter notes that the notification advises that the intended start date for Stage 3 is 11 November 2024. The Department noted that notification period for the intended commencement of SSD 8889679 Stage 3 is less than the two weeks required by Condition A8 of the consent, which AGLM have acknowledged in the notification. The DPHI letter notes the Department has assessed the breach in accordance with its Compliance Policy and on this occasion determined to record the breach with no further enforcement action proposed. The letter notes that recording the breach does not preclude NSW Planning from taking an alternative enforcement action,</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>should it become apparent that an alternative response is more appropriate.</p> <p>It is recommended that AGLM notifies DPHI of commencement of future Project stages at least two weeks prior to the scheduled commencement date.</p>
	(a) physical commencement of the development;	C	Compliance reviewed by previous IEA.
	(b) pre-construction activities;	C	Compliance reviewed by previous IEA.
	(c) construction of the battery energy storage system;	C	Compliance reviewed by previous IEA.
	(d) construction of the decoupling works;	C	Compliance reviewed by previous IEA.
	(e) construction of the Bayswater ancillary works; and	NC	See Schedule 2, Condition A8 above.
	(f) decommissioning.	NT	KS (pers comms) confirmed that decommissioning has not occurred within the audit period.
STRUCTURAL ADEQUACY			
A9	The Applicant 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.	NT	KS (pers comms) confirmed that there were no structures constructed during the audit period therefore no construction certificates were sought. This was confirmed during the IEA site inspection.
	<p>Notes:</p> <ul style="list-style-type: none"> Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development. 	NT	See Schedule 2, Condition A9 above.
DEMOLITION			
A10	The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	NT	Stage 2

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>KS (pers comms) confirmed that no demolition has occurred during the audit period for the Battery Energy Storage System (BESS) Project.</p> <p>Stage 3</p> <p>Section 9 of the Jacobs (2024) Stage 3 Bayswater Ancillary Works – Environmental Management Strategy (Stage 3 EMS) notes that all demolition work for the Project will be undertaken in accordance with AS 2601-2001.</p> <p>KS (pers comms) noted that the Liddell conveyor works completed during the audit period were not ‘demolition’ works.</p>
PROTECTION OF PUBLIC INFRASTRUCTURE			
A11	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p>	NT	KS (pers comms) confirmed that there has been no damage to public infrastructure during the audit period.
	<p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.</p>	NT	See Condition A11 (a) above.
OPERATION OF PLANT AND EQUIPMENT			
A12	<p>The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:</p> <p>(a) maintained in a proper and efficient condition; and</p>	C	<p>Stage 2</p> <p>Sighted examples of maintenance records, including:</p> <ul style="list-style-type: none"> • A copy Terraquip Drilling Service report 750 hour service dated 14 June 2022;

Cond	Project Approval SSD 8889679	Status	Evidence
			<ul style="list-style-type: none"> • Solmer Civil Machine maintenance register for Drill Rig last updated in November 2024; and • ACG service history registers for Franna and Excavator used for Stage 2 works. <p>Stage 3 Sighted examples of maintenance records, including:</p> <ul style="list-style-type: none"> • A copy of ACG Site Plant Equipment Register which records plant equipment and service dates. Sighted service for plant with rego ACG011 serviced on 20 September 2024. • Copies of plant records of Drilling and Piling Rig Annual Report dated 21/3/24 for crane inspection. • Solmer Civil Machine maintenance register last updated September 2024. Inspection completed on the 17/7/24 of lifting equipment. • ACG Site Plant Equipment Register dated 26 September 2024 which recorded plant services.
	(b) operated in a proper and efficient manner.	C	<p>Stage 2 KS (pers comms) confirmed employee and contractor competencies are retained. Viewed examples records held for Stage 2 personnel, which included training and equipment / operator competencies.</p> <p>Stage 3 KS (pers comms) confirmed employee</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>and contractor competencies are retained.</p> <p>Sighted copy of Fenner Conveyors On-site Safety Visit document which records if there is any unsafe or damaged equipment or unlicensed operators.</p> <p>Sighted copy of Fenner Conveyors Weekly Health, Safety & Environment Inspection dated 16 November 2024. The inspection records that correct documentation, training records and permits are in place.</p> <p>Daily prestart sighted for Fenner Conveyors dated 12 November 24 which includes a list of employees who attended.</p>
SCHEDULE 2: PART B - GENERAL ENVIRONMENTAL CONDITIONS			
BATTERIES			
Battery Storage Restriction			
B1	<p>The battery energy storage system or systems associated with the development must not exceed a total delivery capacity of 500 MW or a storage capacity of 2 GWh.</p> <p><i>Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage system in the future.</i></p>	C	KS (pers comms) confirmed that approximately 1.5 GWh storage capacity has been delivered for the BESS to date.
HAZARDS			
Fire Safety Study			
B2	<p>B2. Prior to commencing construction of the battery energy storage system, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning Secretary. The study must:</p> <p>(a) be consistent with the:</p> <p>(i) Department's <i>Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study'</i></p>	C	<p>KS (pers comms) confirmed that AGLM had previously requested staging of the Project Fire Safety Study prior to battery installation.</p> <p>Sighted copy of DPHI letter dated 30 January 2023 that notes given the</p>

Cond	Project Approval SSD 8889679	Status	Evidence
	<p><i>guideline;</i></p> <p>(ii) NSW Government’s Best Practice Guidelines for Contaminated Water Retention and Treatment Systems; and</p>		<p>demolition of existing infrastructure is not within the scope of the Fire Safety Study, it is proposed that preparation of the Fire Safety Study is not required for Stage 1 of the BESS and would be prepared prior to commencing BESS Stage 2.</p> <p>Sighted AGLM letter dated 21 March 2024 addressed to DPHI requesting staging of the Project Fire Safety Study, with the document to be prepared at least three months prior to the installation of the BESS batteries or otherwise agreed by the Planning Secretary.</p> <p>Sighted DPHI letter dated 5 April 2024 approving the staging of the Project Fire Safety Study, with the document to be prepared at least three months prior to the installation of the BESS batteries or otherwise agreed by the Planning Secretary.</p> <p>Sighted the Fire Safety Study, Liddell Battery Energy Storage System prepared by Planager, dated 15/08/24. Section 9 of the Fire Safety Study outlines the status of design versus the findings and recommendations in the preliminary hazard analysis.</p> <p>KS (pers comms) confirmed that the Fire Safety Study was developed in consultation with FRNSW.</p>
	<p>(b) describe the final design of the battery energy storage system and verify that the final design is consistent with all findings and recommendations in the Preliminary Hazard Analysis dated 25 March 2021.</p>	C	See Schedule 2, Condition B2(a) above.

Cond	Project Approval SSD 8889679	Status	Evidence
B3	The Applicant must implement the measures described in the Fire Safety Study approved by the Planning Secretary.	C	<p>Sighted Enerven Site Environmental Checklist number 00076 where section 13 covers bushfire management including checks to confirm that bushfire control mitigation measures are installed and are fuel free areas and grasses kept to 10cm as per the Bushfire Assessment Report.</p> <p>Sighted copy of Enerven Variation Proposal Extension Request – FSS and Fire Tanks dated 22 October 2024. Section 2 of the letter refers to Fluence’s request for proposal for a variation pursuant to clause 13.1 contained in Fluence’s Fire Safety Study Proposal Request.</p>
Storage and Handling of Dangerous Goods			
B4	<p>The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:</p> <p>(a) the requirements of all relevant Australian Standards; and</p>	C	<p>Stage 2</p> <p>KS (pers comms) confirmed that Fluence maintains copies of Safety Data Sheets (SDS) for Stage 2 and noted that no bulk hydrocarbon storages were constructed during the audit period.</p> <p>Self-bunded bulk storage containers for the small volumes of potentially hazardous materials for Stage 2 were sighted during the site inspection for the IEA.</p> <p>An SDS folder was found to be available during the Stage 2 site inspection which is kept within the chemical storage container.</p> <p>A refuelling station was sighted during the site inspection for the IEA. KS (pers</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>comms) provided mapping and design considerations used by AGLM to align the refuelling area with the requirements of AS 1940, including bunding, clearance, decant and water management requirements.</p> <p>Sighted internal Enerven email dated 13 November 2024 that communicates that plant and equipment are serviced within the refuelling bay in case of any spills.</p> <p>Sighted photo evidence from AGLM dated 15 January 2025 showing examples of plant and equipment being serviced within the refuelling bay.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that hydrocarbon storages have not been required for Stage 3 of the Project at the time of audit, due to minor works.</p> <p>KS (pers comms) confirmed that the Bayswater Power Station site ChemAlert is used for Stage 3 of the Project.</p>
	<p>(b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.</p> <p>In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	C	See Schedule 2, Condition B4(a) above.
Emergency Plan			
B5	<p>Prior to commissioning the battery energy storage system, the Applicant must prepare a comprehensive Emergency Plan and detailed emergency procedures for the battery energy storage system in consultation with FRNSW and the NSW RFS.</p> <p>(a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's Planning for Bushfire Protection 2019 (or equivalent);</p>	NT	<p>KS (pers comms) confirmed that the process to complete the Emergency Plan is underway.</p> <p>KS (pers comms) confirmed that commissioning of the BESS has not occurred during the audit period.</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			KS (pers comms) provided an agenda for a Liddell BESS HAZID Workshop and confirmed that AGLM completed the workshop on 1 July 2024. The findings of the workshop will inform the preparation of the Emergency Plan required for the BESS
	(b) identify the fire risks and hazards and detailed measures for the development to prevent or mitigate fires igniting;	NT	See Schedule 2, Condition B5 (a) above.
	(c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site;	NT	See Schedule 2, Condition B5 (a) above.
	(d) list works that should not be carried out during a total fire ban;	NT	See Schedule 2, Condition B5 (a) above.
	(e) include availability of fire suppression equipment, access, and water;	NT	See Schedule 2, Condition B5 (a) above.
	(f) include procedures for the storage and maintenance of any flammable materials;	NT	See Schedule 2, Condition B5 (a) above.
	(g) notification of the local RFS Fire Control Centre for any works that have the potential to ignite surrounding vegetation proposed to be carried out during a bushfire danger period to ensure whether conditions are appropriate	NT	See Schedule 2, Condition B5 (a) above.
	(h) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;	NT	See Schedule 2, Condition B5 (a) above.
	(i) include location of hazards (physical, chemical, and electrical) that may impact on firefighting operations and procedures to manage identified hazards during firefighting operations;	NT	See Schedule 2, Condition B5 (a) above.
	(j) include details of the location, management, and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone;	NT	See Schedule 2, Condition B5 (a) above.
	(k) include bushfire emergency management planning; and	NT	See Schedule 2, Condition B5 (a) above.
	(l) include details of the how RFS would be notified, and procedures that would be implemented, in the event that: (i) there is a fire on-site or in the vicinity of the site; (ii) there are any activities on site that would have the potential to ignite surrounding	NT	See Schedule 2, Condition B5 (a) above.

Cond	Project Approval SSD 8889679	Status	Evidence
	vegetation; or (iii) there are any proposed activities to be carried out during a bushfire danger period; and		
	(m) include details on how the battery storage facility and sub-systems can be safely isolated in an emergency.	NT	See Schedule 2, Condition B5 (a) above.
B6	The Applicant must implement the Emergency Plan for the duration of the development, provide a copy of the plan to the local Fire Control Centre and keep two copies of the plan on- site in a prominent position adjacent to the site entry point at all times.	NT	See Schedule 2, Condition B5 (a) above.
BIODIVERSITY			
Vegetation clearance			
B7	The Applicant must not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.	C	<p>Stage 2</p> <p>KS (pers comms) confirmed that there has been no additional clearing during the audit period for Stage 2. During the site inspection for the IEA, it was visible that flagging is being used as delineation of the Stage 2 Project Boundary and approved disturbance areas.</p> <p>KS (pers comms) confirmed that monitoring reports are completed to assess and maintain sediment fencing and flagging at the boundary. Viewed examples of monitoring reports completed to verify that controls remain in place to ensure that additional disturbance does not occur during Stage 2, including:</p> <ul style="list-style-type: none"> • Fluence Liddell BESS HSW Environmental Inspection Checklist dated 2 October 2024 which records that no excavation machinery, stockpiling, or equipment storage

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>will occur within tree protection zones; and</p> <ul style="list-style-type: none"> Sighted a copy of SLR Environmental Inspection Checklist dated 5 December 2024 which records that no excavation machinery, stockpiling, or equipment storage will occur within tree protection zones; and Fluence Xmas Shut Down Part 1 inspection form dated 11 December 2024 which records replacement of any old flagging (missing of flag exclusion zone) <p>Stage 3</p> <p>JM (pers comms) confirmed that there has been no clearing required for the limited works completed for Stage 3 of the Project at the time of audit. Stage 3 works been limited to removal of a section of the Liddell MA1B conveyor (see Plate 13).</p> <p>Sighted Environmental Inspection Checklist dated 5 December 2024 which monitors sediment control measures are within SSD-8889679 Disturbance Boundaries, however the inspection does not monitor for clearing of any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS as no clearing was required for the initial Liddell MA1B conveyor works completed during the audit period. It is recommended that the Environmental Inspection Checklist</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>for Stage 3 is reviewed prior to any disturbance for that component of the Project and updated to include checks to confirm compliance with approved disturbance areas.</p> <p>JM (pers comms) confirmed there has been no issues with contractors going outside of the boundary during the audit period.</p>
Biodiversity Management Plan			
B8	<p>Prior to commencement of native vegetation clearance, unless otherwise agreed by the Secretary, the Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced biodiversity expert/s;</p>	C	<p>Stage 2</p> <p>Sighted a copy of a DPHI letter dated 10 July 2023 which approves the BMP Rev 3 dated 7 July 2023.</p> <p>KS (per comms) confirmed that Biodiversity Management Plan (BMP) was revised in May 2024 to include activities relating to an additional stockpile laydown area.</p> <p>Section 1.5 of the BMP indicates that a suitably qualified expert prepared the document.</p> <p>Stage 3</p> <p>Section 8 of the Stage 3 EMS notes that a Biodiversity Management Plan (BMP) is required for Stage 3 prior to start of construction. The requirement for approval of the Stage 3 BMP was not triggered during the audit period as no vegetation clearance was undertaken.</p>
	<p>(b) be prepared in consultation with the BCS;</p>	C	<p>Section 6 in the revised BMP dated 16 May 2024 notes that ALGM have corresponded with various stakeholders including the Biodiversity, Conservation</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			and Science Directorate (BCS).
	(c) describe the short, medium and long-term measures to be undertaken to manage vegetation and fauna habitat on the site;	C	Section 5.0 of the BMP describes the short, medium and long-term measures to be undertaken to manage vegetation and fauna habitat on site.
	(d) describe measures to be implemented within the site to minimise: <ul style="list-style-type: none"> (i) the amount of clearing, including investigation of design options to minimise disturbance of native vegetation for the battery energy storage system and decoupling works; (ii) impacts on fauna, including undertaking pre-clearance surveys and maximising the salvage of resources for habitat enhancement; (iii) impacts on threatened flora and fauna species or ecological communities within the development footprint and its surrounds; (iv) the spread of weeds and fungal pathogens; (v) the generation and dispersion of sediment to watercourses; and (vi) light spill from night works; and 	C	(i) Table 3. Management Measures BO1, BO2 and BO16. (ii) Table 3. Management Measures BO3 and BO4. (iii) Table 3. All Management Measures. (iv) Table 3. Management Measures BO8 to BO12. Stage 2 Sighted copy of SLR/ Fluence Environmental Inspection Checklist dated 5 December 2024 which considers weeds and pathogens. Sighted Enerven plant/equipment Approval Form dated 17 September 2024 which includes a weed and seed checklist. The checklist dated 17 September 2024 declares the vehicle was free from weeds and seeds. Sighted HLM Daily Work Record dated 28 June 2024 for weed control. The record notes that weed spraying efforts were continued from the previous day's efforts. Sighted ENERVEN Plan/Equipment Approval Form dated 17/9/24 which includes weed and seed checklist NM (pers comms) confirmed that weekly inspections are completed for weeds during the audit period.

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>Sighted copy of HLM Daily Work Record dated 28 June 2024 which records weed spraying control.</p> <p>Sighted a copy of the Enerven Plant/Equipment Approval Form dated 17 September 2024 which includes a weed and seed checklist for Project plant.</p> <p>Sighted a copy of the Rubicon Enviro Pty Ltd Inspection Report dated 6 December 2024 which records weed management and notes that there was evidence that weed spraying was successful.</p> <p>Stage 3</p> <p>Sighted a copy of Fenner Conveyors Vehicle Inspection Checklist dated 13 November 2024 which checks for debris and weed hang up.</p> <p>(v) Table 3. Management Measures BO14 and BO15.</p> <p>Stage 2</p> <p>Sighted copy of SLR/ Fluence Environmental Inspection Checklist dated 5 December 2024 which considers if any sediment has left the Project site boundaries.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that no disturbance was required for Stage 3 during the audit period and as such, existing controls for the conveyor alignment were adequate.</p> <p>(vi) Table 3. Management Measures BO13. KS and JM (pers comms)</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			confirmed that all project works in the audit period were completed in daylight hours.
	(e) include a program to monitor, evaluate and report on the effectiveness of the measures.	C	Section 7.1 of the BMP outlines the Project monitoring and reporting requirements during construction.
B9	The Applicant must implement the Biodiversity Management Plan approved by the Planning Secretary.	C	See Schedule 2, Condition B8 above.
Biodiversity Offsets			
B10	The Applicant must retire the biodiversity credits for Offset Stages 1, 2, 3, 4 and 5 as specified in Table 1 below, prior to commencing native vegetation clearing in those stages. The retirement of credits must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act. Written evidence of the retirement of these credits must be provided to the Department prior to commencing construction activity in each stage.	C	<p>Stage 2</p> <p>Sighted AGLM letter dated 19 April 2024 which notes they are providing written evidence of the retirement of credits to the Department prior to commencing construction activity. Attached to the letter is the Statement from BCT provided as evidence of the retirement of the credits. The BCT statement is dated 9 April 2024 for biodiversity credit retirement including Narrow-leaved Ironbark, Swamp Oak, Delmar Impar (Striped Legless Lizard) and Myotis Macropus.</p> <p>Stage 3</p> <p>KS (pers comms) noted that the limited works for Stage 3 completed during the audit period did not occur in areas requiring offset identified in Appendix 3 of SSD 8889679. This is indicated in mapping in Section 8.2 of the Stage 3 EMS and was verified during the site inspection (see Plate 13).</p>

Cond	Project Approval SSD 8889679	Status	Evidence																																																																																		
B11	<p>The Applicant may review and update the ecosystem and species credit requirements in Table 1 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 approved by the Planning Secretary prior to the commencement of construction of the relevant offset stage.</p>	NT	KS (pers comms) confirmed there has been no consultation over reviews of ecosystems and species credits undertaken during the audit period.																																																																																		
	<p>Table 1: Ecosystem Credit Requirements</p> <table border="1"> <thead> <tr> <th rowspan="2">Vegetation Community</th> <th colspan="5">Credits Required</th> <th rowspan="2">Total</th> </tr> <tr> <th>Stage 1</th> <th>Stage 2</th> <th>Stage 3</th> <th>Stage 4</th> <th>Stage 5</th> </tr> </thead> <tbody> <tr> <td colspan="7">Ecosystem credits</td> </tr> <tr> <td>Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter – Moderate</td> <td>-</td> <td>-</td> <td>-</td> <td>38</td> <td>-</td> <td>38</td> </tr> <tr> <td>1691 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter – Rehabilitation</td> <td>-</td> <td>-</td> <td>34</td> <td>128</td> <td>24</td> <td>186</td> </tr> <tr> <td>1691 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter – Native Grassland</td> <td>-</td> <td>21</td> <td>0</td> <td>1</td> <td>-</td> <td>22</td> </tr> <tr> <td>1731 Swamp Oak - Weeping Grass grassy riparian forest of the Hunter Valley - Moderate-Good</td> <td>-</td> <td>8</td> <td>0</td> <td>9</td> <td>1</td> <td>18</td> </tr> <tr> <td>1692 Bull Oak grassy woodland of the central Hunter Valley – Moderate-Good</td> <td>-</td> <td>37</td> <td>11</td> <td>34</td> <td>-</td> <td>82</td> </tr> <tr> <td>1071 Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion - Moderate</td> <td>-</td> <td>1</td> <td>0</td> <td>6</td> <td>-</td> <td>7</td> </tr> <tr> <td colspan="7">Species credits</td> </tr> <tr> <td>Southern myotis</td> <td>-</td> <td>44</td> <td>21</td> <td>107</td> <td>24</td> <td>196</td> </tr> <tr> <td>Striped legless lizard</td> <td>1</td> <td>31</td> <td>27</td> <td>202</td> <td>18</td> <td>279</td> </tr> </tbody> </table>	Vegetation Community	Credits Required					Total	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Ecosystem credits							Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter – Moderate	-	-	-	38	-	38	1691 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter – Rehabilitation	-	-	34	128	24	186	1691 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter – Native Grassland	-	21	0	1	-	22	1731 Swamp Oak - Weeping Grass grassy riparian forest of the Hunter Valley - Moderate-Good	-	8	0	9	1	18	1692 Bull Oak grassy woodland of the central Hunter Valley – Moderate-Good	-	37	11	34	-	82	1071 Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion - Moderate	-	1	0	6	-	7	Species credits							Southern myotis	-	44	21	107	24	196	Striped legless lizard	1	31	27	202	18	279		
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	<p>Notes:</p> <ul style="list-style-type: none"> To identify the surface disturbance areas associated with Offset Stages 1, 2, 3, 4 and 5 in Table 1, refer to the Figure in Appendix 3. The credits in Table 1 were calculated in accordance with Biodiversity Assessment Methodology (BAM) (DPIE, 2020). The available credit retirement options for the development include purchase and retirement of open market available biodiversity credits, payment into the Biodiversity Conservation Fund or establishment of a Biodiversity Stewardship Site. 	Note	Note only.																																																																																		

Cond	Project Approval SSD 8889679	Status	Evidence
AMENITY			
Noise			
B12	<p>The Applicant must:</p> <p>(a) ensure that noise generated by any construction is managed in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009), or its latest version; and</p>	C	<p>KS (pers comms) confirmed that noise is managed in accordance with the Noise Management Plan (NMP) dated 16 May 2024.</p> <p>KS (pers comms) confirmed that the Fluence contracts are compliant with approved construction hours (i.e. day-only restriction). Viewed examples of completed contractor inductions and daily sign on / sign off sheets that indicate compliance with approved construction hours.</p> <p>KS (pers comms) confirmed that there has been no noise complaints during the audit period.</p> <p>Sighted copy of Umwelt 22 November 2024 report for attended monitoring completed at sensitive receivers marked in EIS. The November 2024 attended noise monitoring results show that Liddell BESS construction works was compliant with the AECOM CNMSP noise limits for LAeq,15min noise levels for the monitoring locations. Further, the noise monitoring results are considered consistent with the noise level predictions within the AECOM CNMSP.</p> <p>Sighted a copy of the Fluence Liddell BESS Noise Study dated 30 August 2024 which concluded that noise predictions of operational and maintenance indicate that noise from the Project would be below the relevant noise criteria at all</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			nearby noise sensitive receivers. Sighted a copy of an Enerven 10/12/24 Site inspection which includes noise considerations.
	(b) take all reasonable and feasible steps to minimise noise from construction and operational activities.	C	KS (pers comms) confirmed that activities are only undertaken during daylight hours. No plant or equipment was sighted idling during the site inspection. No noise complaints were received during the audit period.
Hours of construction			
B13	All construction work at the premises must be conducted between 7 am and 6 pm Monday to Friday and between 8 am and 1 pm Saturdays and at no time on Sundays and public holidays, unless an out of hours protocol is included within an approved Construction Environment Management Plan or the Planning Secretary agrees otherwise.	C	KS (pers comms) confirmed that construction work at the premises is conducted between approved hours. KS (pers comms) confirmed that the project CEMP confirms construction hours. During the IEA site inspection, example copies of the contractor sign in/ sign out register were sighted, which confirms construction hours were complied with on the days reviewed (see Plate 7).
Exceptions to construction hours			
B14	The following activities may be carried out outside the recommended construction hours: (a) construction that causes LAeq (15minute) noise levels that are: (i) no more than 5 dB above Rating Background Level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009); and (ii) no more than the Noise Management Levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses; or	C	Stage 2 KS (pers comms) confirmed no works were undertaken outside of approved construction hours. KS (pers comms) confirmed that a sign in / sign out register is used to record individuals work hours on site. A sign in / sign out register was sighted during

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>the IEA site inspection, see Plate 7. Stage 3</p> <p>KS and SB noted the MA1B Conveyor Shortening Site Works project schedule dated 15 October 2024 at higher-risk noise generating works (e.g. piling) were schedule to occur during day only.</p> <p>KS (pers comms) referred to the Jacobs (2023) Out of Hours Civil Construction Works Noise Assessment prepared for Project Stage 1. KS also noted that the limited construction works for Stage 3 completed outside of recommended construction hours were predicted to be within the ICNG noise levels required under Condition B14(a).</p>
	(b) Decoupling works required to be completed during station outages; or	NT	See Schedule 2, Condition B14 (a) above.
	(c) for the delivery of materials required by the police or other authorities for safety reasons; or	NT	See Schedule 2, Condition B14 (a) above.
	(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.	NT	See Schedule 2, Condition B14 (a) above.
Dust and air emissions			
B15	<p>The Applicant must take all reasonable and feasible steps to:</p> <p>(a) minimise odour, fume and dust emissions of the development;</p>		<p>KS (pers comms) confirmed that there has been no issues or complaints for odour or dust during the audit period for Stage 3.</p> <p>KS (pers comms) confirmed that water carts are used on site for dust suppression.</p> <p>Water carts were seen operating for dust suppression at the Stage 2 Project site during the IEA site inspection, see</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>Plate 1. Sighted copy of Enerven Site Environmental Checklist dated 10 December 2024 which includes checks for dust suppression measures including water carts and that all plant and equipment used on site are maintained and kept in a proper and efficient condition.</p> <p>Sighted copy of SLR Environmental Inspection Checklist dated 28 November 2024 which checks that water carts are maintained on site and used for dust suppression on internal roads and on other internal areas necessary, particularly in dry weather.</p> <p>Viewed email from Robson Civil to Enerven dated 9 January 2025 that records project water use from 1 December – 19 December 2024.</p>
	(b) eliminate or minimise the risk of spontaneous combustion; and	C	<p>KS (pers comms) confirmed that there has been no complaints or observations made in regard to spontaneous combustion during the audit period.</p> <p>No spontaneous combustion issues were identified during the audit IEA site inspection.</p>
	(c) minimise to the greatest extent practicable, dust generating surfaces exposed on the site.	C	<p>Stage 2 KS (pers comms) confirmed that stockpiles for Stage 2 have been hydromulched to reduce dust emissions. Stockpiles that have been hydromulched were sighted during the IEA site inspection, see Plate 4 and Plate 5.</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>Sighted SLR inspection record dated 28 November 2024 which notes watering stockpiles and exposed surfaces has been undertaken to prevent wind erosion from stockpiles and exposed surfaces.</p> <p>KS (pers comms) confirmed that water carts are used to water down exposed surfaces.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that additional disturbance was not required for Stage 3 works during the audit period.</p>
Visual			
B16	<p>The Applicant must:</p> <p>(a) minimise the off-site visual impacts of the development;</p>	C	<p>See Schedule 2, Condition B13 above. KS (pers comms) confirmed that there has been no further disturbance for construction during the audit period and that all current work is completed during the approved day-time construction hours only (no lighting impacts).</p> <p>The site visit confirmed that there are minimal views of project construction areas available from public roads.</p>
	<p>(b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and</p>	NT	<p>Stage 2</p> <p>Stage 2 batteries were sighted during the IEA site inspection which blended in as far as possible with the surrounding landscape, see Plate 17.</p> <p>Stage 3</p> <p>No permanent infrastructure has been developed for Stage 3 at the time of</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			audit (see Plate 13).
	(c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.		KS (pers comms) confirmed that only signs for identification and safety purposes (with site contact name and numbers) were used during the audit period. During the site inspection only signs for identification and safety purposes (with site contact name and numbers) were sighted (see Plate 6 and Plate 15).
Lighting			
B17	The Applicant must: (a) minimise the off-site lighting impacts of the development; and	C	Stage 2 JM (pers comms) confirmed that no mobile lighting has been required during the audit period. Stage 3 SB (pers comms) confirmed that no lighting plant or permanent lighting has been required for Stage 3. No mobile lighting plant were sighted during the IEA site inspection.
	(b) ensure that any external lighting associated with the development: <ul style="list-style-type: none"> is installed as low intensity lighting (except where required for safety or emergency purposes); does not shine above the horizontal; and complies with <i>Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version. 	C	See Schedule 2, Condition B17 (a) above. No mobile lighting was sighted during the IEA site inspection.
HERITAGE			
Protection of Heritage Items			
B18	The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items located outside the development footprint.	C	Stage 2 KS (pers comms) confirmed that there

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>has been no impacts to heritage items during the audit period.</p> <p>KS (pers comms) confirmed that the Stage 2 ACHMP dated 16 May 2024 has not been updated during the audit period.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that all work completed during the audit period was in alignment with the Aboriginal Cultural Heritage Management Plan (ACHMP) dated 16 May 2024 and that no previously unknown heritage sites were identified during the audit period.</p>
B19	<p>If any previous unknown Aboriginal object of Aboriginal place is discovered on the site, or suspected to be on the site:</p> <p>(a) all work in the immediate vicinity of the object or place must cease immediately;</p> <p>(b) a 10m buffer area around the object or place must be cordoned off; and</p> <p>(c) Heritage NSW must be contacted immediately.</p>	NT	<p>JM (pers comms) confirmed that no new heritage sites have been identified during Stage 2 or Stage 3 works and that the AGLM site induction provided to all contractors covers unexpected finds procedures.</p> <p>Sighted a copy of the AGLM Cultural Heritage Induction that notes in the event that previously unidentified Aboriginal objects/places are identified the following must occur:</p> <ul style="list-style-type: none"> • All works within the immediate vicinity of the potential Aboriginal object/place must cease immediately; • Establish a 10-metre wide buffer area around the suspected object/place; and • Notify the AGLM Environment Manager immediately

Cond	Project Approval SSD 8889679	Status	Evidence
B20	Work in the immediate vicinity may only recommence if: <ul style="list-style-type: none"> (a) the potential Aboriginal object is confirmed by Heritage NSW, in consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place; (b) the Cultural Heritage Management Plan is revised to include the Aboriginal object and appropriate measures in respect of it; or (c) the Planning Secretary is satisfied with the measures to be implemented in respect of the Aboriginal object and makes a written direction in that regard. 	NT	See Schedule 2, Condition B19 above.
B21	The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within any offset areas are properly recorded, those records are kept up to date and are reported to the Aboriginal Heritage Information Management System (AHIMS).	NT	KS (pers comms) confirmed that this has not been triggered during the audit period for Stage 3.
Cultural Heritage Management Plan			
B22	B22. The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must <ul style="list-style-type: none"> (a) be prepared by suitably qualified and experienced persons approved by the Secretary; 	C	Stage 2 Deemed compliant in previous audit. Stage 3 Viewed the Jacobs Stage 3 Bayswater Ancillary Works – Cultural Heritage Management Plan (Stage 3 CHMP) dated 22 May 2024. Letter from DPHI dated 16 October 2023 appended to the Stage 3 CHMP approves Fran Scully as an appropriate person to prepare the plan.
	(b) be prepared in consultation with Registered Aboriginal Parties and Heritage NSW;	C	Stage 2 Deemed compliant in previous audit. Stage 3 Correspondence with project RAPs over the Stage 3 CHMP is included as Appendix D and Appendix E of the document. Consultation with Heritage NSW is included in Appendix F.

Cond	Project Approval SSD 8889679	Status	Evidence
	(c) be submitted to the Planning Secretary for approval prior to carrying out construction under this consent;	C	<p>Stage 2 Deemed compliant in previous audit.</p> <p>Stage 3 Viewed DPHI letter to AGLM dated 26 June 2024 approving the Stage 3 CHMP.</p>
	<p>(d) describe the measures to be implemented on the site to:</p> <ul style="list-style-type: none"> (i) comply with the heritage-related operating conditions of this consent; (ii) ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions; (iii) protect, monitor and/or manage identified Aboriginal objects and Aboriginal places (including investigation of design options to avoid disturbance of Aboriginal objects) in accordance with the commitments made in the document/s listed in condition A2(c); (iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development; (v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development; (vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the approved disturbance area); and (vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site; and (viii) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term. 	C	<p>Stage 2 Deemed compliant in previous audit.</p> <p>Stage 3 Sections 7 – 9 of the Stage 3 CHMP describe ongoing heritage consultation, management and mitigation mechanisms that will be implemented for the Project.</p> <p>Sighted a copy of the AGLM Cultural Heritage Induction Slides '20220824 Cultural Heritage Induction'.</p> <p>KS (pers comms) confirmed that the Cultural Heritage Induction is completed by all Project personnel.</p>
B23	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	C	<p>KS (pers comms) confirmed that there was no unexpected finds or human remains identified during the audit period for either Stage 2 or Stage 3 works.</p> <p>Sighted a copy of the AGLM Cultural Heritage Induction Slides '20220824 Cultural Heritage Induction'. The</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			induction outlines heritage management procedures for the project workforce, consistent with the approved ACHMPs.
SOIL AND WATER			
Water Supply			
B24	<p>The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.</p> <p><i>Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.</i></p>		<p>Stage 2</p> <p>JM (pers comms) confirmed that there has been no changes in water supply arrangements have occurred during the audit period.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that there has been minimal water demand and use during the audit period.</p> <p>Viewed ALGLM Water Licence Compliance Report for 2023/24. The report confirms that AGLM hold adequate water allocations to accommodate the Project.</p> <p>KS (pers comms) confirmed the biggest water use for the Project is the water carts. Water carts were sighted during the IEA site inspection, see Plate 1.</p>
Water Pollution			
B25	<p>The Applicant must ensure that all surface discharges from the development comply with all relevant provisions of the POEO Act, including any discharge limits (both volume and quality) set for the development in any EPL.</p>	C	<p>Stage 2</p> <p>JM (pers comms) confirmed that there has been no water impact incidents during the audit period.</p> <p>Sighted a copy of the Liddell BESS Primary Erosion and Sediment Control Plan (ESCP) dated April 2024.</p> <p>Section 3 of the ESCP notes that the</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>scope of the document is to propose control measures and management procedures to be implemented during construction to avoid or minimise potential adverse impacts to soil, surface water and groundwater.</p> <p>Section 3 of the ESCP also notes that the document has been prepared in accordance with the requirements of the 'Blue Book' being a collective of:</p> <ul style="list-style-type: none"> • Managing Urban Stormwater: Soils and Construction 4th Edition Volume 1 – Landcom, reprinted 2006; and • Volume 2A: Installation of services – NSW Department of Environment & Climate Change (DECC), 2007. • Sighted copy of Enerven Progressive Erosion & Sediment Control Plans Stage 1: Cleaning & Grubbing and Topsoil Stripping dated 13 May 2024, which notes all erosion and sediment controls generally to be constructed in accordance with 'Blue Book' • Sighted copy of Enerven Progressive ESCP No. 1 – Site Establishment – Stage 1A & 1B Earthworks and Main Compound Establishment dated 15 October 2024, which includes standard drawings for Project erosion and sediment controls. • Sighted a copy of the Fluence Liddell BESS HSE Environmental Inspection Checklist dated 23 September 2024 that includes checks for erosion and

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>sediment controls on the Project site.</p> <ul style="list-style-type: none"> • Sighted a copy of the Fluence Liddell BESS HSE Environmental Inspection Checklist dated 2 October 2024 that includes checks for erosion and sediment controls on the Project site. • Sighted a copy of the Fluence Liddell BESS HSE Environmental Inspection Checklist dated 30 September 2024 that includes checks for erosion and sediment controls on the Project site. • Sighted copy of Rubicon Inspection Report dated 6 December 2024. The inspection notes that the inspection was a general review of active work areas with emphasis on measures and controls required for impending end of year shut down. The erosion and sediment controls were generally installed correctly and well maintained with a few minor issues noted. • Sighted a copy of the Fluence Liddell BESS Final Xmas Closed Out document dated 18 December which records sediment fencing maintenance and other sediment control measures. <p>Stage 3</p> <p>JM (pers comms) confirmed that there has been no water impact incidents during the audit period.</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			JM (pers comms) confirmed that Stage 3 works have been minimal and that sediment controls are in place.
Operating Conditions			
B26	<p>The Applicant must:</p> <p>(a) ensure the development is designed, constructed and maintained to minimise impacts on surface water, flooding and groundwater at the site;</p>	C	<p>Stage 2</p> <p>Sighted a copy of the Liddell Power Station BESS Soil and Water Management Plan dated 16 May 2024 which notes that the BESS Project is not located in a flood-prone area under the Singleton Local Environment Plan 2013 or Muswellbrook Local Environmental Plan 2009. The BESS footprint would be located on land that is above the maximum water level of Lake Liddell, and away from drainage lines.</p> <p>See Schedule 2, Condition B25 above.</p> <p>Stage 3</p> <p>Stage 3 works during the audit period were associated with the removal of a section of the existing Liddell MA1B conveyor (see Plate 13).</p> <p>KS (pers comms) confirmed that existing water management controls in place for the conveyor alignment were appropriate to the works completed during the audit period as no additional disturbance was required.</p>
	<p>(b) minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom, 2004) manual, or its latest version;</p>	C	<p>Appendix A of the Projects Soil and Water Management Plan includes an Indicative Erosion and Sediment Control Plan. The Plan ensures that appropriate procedures are in place to minimise soil erosion and potential discharge of</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>sediment to downstream waters during construction.</p> <p>Sighted records of inspections (see Schedule 2, Condition B25) and verified erosion and sediment control measures during the site inspection, see Plate 2 and Plates 10 - 12.</p>
	(c) ensure the battery energy storage system and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and	C	<p>KS (pers comms) confirmed that designs were developed for erosion and sediment controls. Section 5 of the Soil and Water Management Plan notes that all Project components will be designed and constructed in accordance with relevant guidelines.</p> <p>Sighted copy of Enerven Liddell BESS progressive erosion and sediment control plans dated 13 May 2024.</p> <p>Sighted copy of Enerven Liddell BESS Progressive ESCP No. 1 site establishment Stage 1A and 1B earthworks and main compound establishment designs dated 15 October 2024.</p>
	(d) ensure all works are undertaken in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (NRAR, 2018), or its latest version unless DPE Water agrees otherwise.	C	See Schedule 2, Condition B26 (c) above.
WASTE			
B27	<p>The Applicant must:</p> <p>(a) take all reasonable steps to minimise the waste generated by the development;</p>	C	<p>Sighted copy of the Liddell Power Station BESS Waste Management Sub Plan dated 16 May 2024.</p> <p>KS (pers comms) confirmed that Remondis is the contractor engaged by AGLM in waste management for Stage 2 and Stage 3.</p> <p>Sighted a copy of NSW EPA tracking</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>docket dated 24 October 2024 for Remondis removal of grease and IBC oil.</p> <p>Sighted copy of AGLM Bayswater and Liddell Power Station Waste Statistics register which covers the period of 1 to 30 November 2024. The register records waste streams, disposal locations and volumes.</p> <p>Viewed examples of Hunter Septic invoices to Enerven during November and December 2024 for Liddell BESS Site septic pump outs.</p>
	(b) classify all waste in accordance with the <i>Waste Classification Guidelines</i> (EPA, 2014);	C	See Schedule 2, Condition B27(a) above.
	(c) dispose of all waste at appropriately licensed waste facilities or as expressly permitted in an applicable EPL; and	C	<p>KS (pers comms) confirmed that all Stage 2 and Stage 3 waste had been disposed of at a licenced waste facility and removed from site by Remondis.</p> <p>See Schedule 2, Condition B27 (a) above.</p>
	(d) manage any asbestos or asbestos-contaminated materials identified during construction and operation of the development in accordance with the requirements under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> .	C	<p>KS (pers comms) confirmed that a small amount of asbestos was identified during the audit period and that the area has been sectioned off to prevent personnel entering the area while monitoring was being completed.</p> <p>During the site inspection it was visible that the area has been taped off and signage installed to prevent entry, see Plate 15.</p> <p>Section 5.4 of the Waste Management Sub Plan describes Asbestos waste management.</p>

Cond	Project Approval SSD 8889679	Status	Evidence						
			Viewed asbestos identification report dated 30 January 2025 from Australian Safer Environment & Technology with a summary report for analysis of two samples forwarded by Hunter Tech Services Group.						
DECOMMISSIONING AND REHABILITATION									
B28	<p>The Applicant must rehabilitate the development to the satisfaction of the Planning Secretary. The rehabilitation must comply with the objectives in Table 2.</p> <p><i>Table 2: Rehabilitation Objectives</i></p> <table border="1" data-bbox="280 592 1294 799"> <thead> <tr> <th data-bbox="280 592 611 635">Feature</th> <th data-bbox="611 592 1294 635">Objective</th> </tr> </thead> <tbody> <tr> <td data-bbox="280 635 611 767">All areas of the site affected by the development</td> <td data-bbox="611 635 1294 767"> <ul style="list-style-type: none"> • → Safe, stable and non-polluting • → All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise • → Minimise the visual impact of any above-ground ancillary infrastructure agreed to be retained for an alternative use </td> </tr> <tr> <td data-bbox="280 767 611 799">Community</td> <td data-bbox="611 767 1294 799"> <ul style="list-style-type: none"> • → Ensure public safety at all times </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> • → Safe, stable and non-polluting • → All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise • → Minimise the visual impact of any above-ground ancillary infrastructure agreed to be retained for an alternative use 	Community	<ul style="list-style-type: none"> • → Ensure public safety at all times 	C	<p>KS (pers comms) confirmed that no major rehabilitation work has been undertaken during the audit period for either Stage 2 or Stage 3.</p> <p>Stage 2</p> <p>Stockpiled material for Stage 2 was sighted as temporarily rehabilitated during the IEA site inspection, see Plate 4 and Plate 5.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that no rehabilitation or preparation works were completed during the audit period for Stage 3 as none was required.</p>
Feature	Objective								
All areas of the site affected by the development	<ul style="list-style-type: none"> • → Safe, stable and non-polluting • → All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise • → Minimise the visual impact of any above-ground ancillary infrastructure agreed to be retained for an alternative use 								
Community	<ul style="list-style-type: none"> • → Ensure public safety at all times 								
SCHEDULE 2: PART C – ENVIRONMENTAL MANAGEMENT AND REPORTING									
ENVIRONMENTAL MANAGEMENT									
Environmental Management Strategy									
C1	<p>Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) provide the strategic framework for environmental management of the development;</p>	C	<p>Stage 2</p> <p>JM (pers comms) noted that the revisions to the Stage 2 EMS approved by DPHI on 26 June 2024 that were recommended in previous IEA were deferred, per DPHI approval dated 14 February 2025 (see Schedule 2, Condition C3 below).</p>						

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>Stage 3 Sighted a copy of DPFI approval letter dated 29 April 2024 for the Liddell Battery and Ancillary Works Environmental Management Strategy (Stage 3). Sighted copy of Jacobs Stage 3 EMS dated 8 December 2023 and approved by DPFI on 29 April 2024. Section 7 of the Stage 3 EMS provides a strategic framework for environmental management of the development.</p>
	(b) identify the statutory approvals that apply to the development;	C	<p>Stage 2 Deemed compliant by previous IEA. See Schedule 2, Condition C3 below. Stage 3 Section 3 of the Stage 3 EMS identifies the statutory approvals that apply to the development.</p>
	(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	C	<p>Stage 2 Deemed compliant by previous IEA. See Schedule 2, Condition C3 below. Stage 3 Section 7.3 of the Stage 3 EMS describes the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development</p>
	(d) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development; (ii) receive, handle, respond to, and record complaints;	C	<p>Stage 2 Deemed compliant by previous IEA. See Schedule 2, Condition C3 below. Stage 3</p>

Cond	Project Approval SSD 8889679	Status	Evidence
	<ul style="list-style-type: none"> (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; (v) respond to emergencies; and 		<ul style="list-style-type: none"> (i) Section 6.2 of the EMS describes the procedures that are implemented to keep local community and relevant agencies informed about the operation and environmental performance of the development. (ii) Section 6.3 of the EMS describes the procedures that are implemented to receive, handle, respond to and record complaints. Section 6.3 of the EMS notes that complaints will be recorded in the Community Complaints Register. AGLM complaints register for 2024 and 2025 were sighted on the AGLM website at the time of the audit. (iii) Section 6.3 of the EMS describes the procedure that is implemented to resolve any disputes that may arise. (iv) Section 7.7 of the EMS describes the procedures that would be implemented to respond to any non-compliances. (v) Section 7.5 of the EMS describes incident and emergency management. Section 7.5.2 of the EMS notes that a specific Emergency Management Plan has been prepared which covers the

Cond	Project Approval SSD 8889679	Status	Evidence
			duration of the construction, prepared in accordance with Condition B6. See Schedule 2, Condition B5 (a) above.
	(e) include: <ul style="list-style-type: none"> (i) the following subplans: <ul style="list-style-type: none"> • soil, stormwater, water quality, flood and spoil management; • construction and decommissioning noise, including an out-of-hours works protocol; • air quality management; • contamination, including an unexpected finds protocol • waste management; and • traffic. (ii) references to any strategies, plans and programs approved under the conditions of this approval; and (iii) a clear plan depicting monitoring to be carried out under the conditions of this approval. 	C	Stage 2 See Schedule 2, Condition C3 below. It is recommended that revised Stage 2 EMS document (see Schedule 2, Condition C3 below) includes a plan that shows locations of environmental monitoring to be carried out for the Project. Stage 3 Section 8 of the Stage 3 EMS notes environmental aspects relevant to Project and management plan requirements for each.
C2	Applicant must implement the Environmental Management Strategy approved by the Planning Secretary.	C	AGLM were operating generally in accordance with the approved Stage 2 and Stage 3 EMS documents during the audit period. This was verified from a review of: <ul style="list-style-type: none"> • Interviews with Project personnel and contractors; • AGLM and contractor induction and training records; • AGLM and contractor environmental inspections and corrective actions register; and • Observations of environmental controls made during inspections of

Cond	Project Approval SSD 8889679	Status	Evidence
			active Stage 2 work areas at the time of audit.
Revision of Strategies, Plans and Programs			
C3	Within 3 months, unless the Planning Secretary agrees otherwise, of: (a) the submission of an incident report under condition C4 below;	NT	KS (pers comms) confirmed that there have been no submissions of incident reports in relation to the Project.
	(b) the submission of an audit report under condition C13 below; and	NT	<p>KS (pers comms) noted that an internal review of management plans was completed after the last audit based on recommendations made.</p> <p>Sighted copy of AGLM letter addressed to DPHI dated 13 January 2025 which notes AGLM request that the DPHI approve review and revision of plans triggered by the November 2024 audit be extended to be due following the audit that will commence by February 2025 (i.e. reviewed within 3 months of audit completion, with plans revised where necessary within 6 weeks following review).</p> <p>Sighted copy of DPHI letter dated 14 February 2025 which refers to AGLM submission dated 13 January 2025, requesting an extension to the time period for the review and revision of plans triggered by the 2024 November IEA. The letter notes that the Department approves an extension of the review and revision of plans triggered by the November 2024 IEA and accepts submission of these plans in line with the subsequent IEA required to commence by February 2025.</p>

Cond	Project Approval SSD 8889679	Status	Evidence
	(c) the approval of any modification to the conditions of this consent; or	C	SSD 8889679 Modification 1 Revised Offset Staging was approved by DPHI 27 February 2024. This Modification sought administrative changes to amend the staging for the retirement of Project biodiversity credits. The project EMS and BMP were both revised on 16 May 2024, within three months of the determination of SSD 8889679 Modification 1. KS (pers comms) confirmed that there has been no additional Modifications for the Project.
	(d) a direction of the Secretary under condition A3 of Schedule 2; the Applicant must review and, if necessary, revise the studies, strategies or plans required under the conditions of consent to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.	C	JM (pers comm) confirmed there have been no written directions made by the Secretary regarding Project plans, strategies and programs.
	<i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis and incorporate any recommended measures to improve the environmental performance of the development.</i>	Note only	Noted.
COMPLIANCE			
Incident Notification, Reporting and Response			
C4	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.	NT	KS (pers comms) confirmed there has been no requirement for notification to the Department during the audit period.
Non-Compliance Notification			
C5	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	NT	KS (pers comms) confirmed that no non-compliances were identified during

Cond	Project Approval SSD 8889679	Status	Evidence
			the audit period.
C6	A non-compliance notification must identify the development and the application number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	NT	See Schedule 2, Condition C5 above.
C7	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	NT	See Schedule 2, Condition C5 above.
Compliance Reporting			
C8	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020).	NT	KS (pers comms) confirmed that Compliance Reports were not required during the audit period.
C9	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed to by the Planning Secretary.	NT	See Schedule 2, Condition C8 above.
C10	The Applicant must make each Compliance Report publicly available within 60 days of submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	NT	See Schedule 2, Condition C8 above.
C11	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020, or its latest version), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	NT	See Schedule 2, Condition C8 above.
NOTIFICATIONS			
Notification of Department			
C12	Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase. If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	C	Stage 2 Viewed DPHI letter to AGLM dated 14/06/24. The DPHI letter refers to an earlier letter lodged by AGLM under Schedule 2, Condition A8 and states that the Department are satisfied that notification requirements for the

Cond	Project Approval SSD 8889679	Status	Evidence
			<p>construction of the BESS have been met (Project Stage 2).</p> <p>Project Stage 2 remained in construction during the audit period.</p> <p>Stage 3</p> <p>Sighted copy of AGLM letter addressed to DPHI dated 7 November 2024 which notes commencement of Stage 3 of the MA1B Shortening Project with work scheduled for the 11 November 2024.</p> <p>Sighted a copy of AGLM letter addressed to DPHI dated 26 November 2024 that advises the Department that pre-construction activities are scheduled to commence that are associated with Bayswater Ancillary Works, specifically the brine concentrator return water pipeline on Tuesday 10 December 2024.</p>
INDEPENDENT ENVIRONMENTAL AUDIT			
C13	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020, or its latest version).	C	<p>This IEA (see Appendix A).</p> <p>Sighted a copy of the post approval document which records the lodgement of the Liddell Battery and Bayswater Ancillary Works IEA Response letter dated 17 December 2024.</p> <p>Sighted DPHI letter dated 30 December 2024 which notes that refers to the Response to Audit Recommendations for the Liddell Battery and Bayswater Ancillary Works project for the audit period 17 January 2024 to 23 August 2024, submitted to the DPHI on 23 December 2024 as required by Schedule 2, Condition C16 of development</p>

Cond	Project Approval SSD 8889679	Status	Evidence
			consent SSD-8889679 as modified (the consent). The letter also notes AGLM submitted to the Planning Secretary the IEA report for the above period on 8 November 2024, as required by Condition C17 of the consent Sighted a copy of the AGLM Liddell Battery and Bayswater Ancillary Works IEA Response Letter dated 17 December 2024.
C14	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	C	Sighted a copy of the DPPI Endorsement letter sighted, dated 6 December 2024 which confirms the auditors for the IEA.
C15	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Compliance Reporting Post Approval Requirements (2020, or its latest version), upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	NT	The Planning Secretary has not advised that audits are to be undertaken at different times.
C16	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020, or its latest version), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C13 of this approval, or condition C15 where notice is given by the Planning Secretary; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	NT	The responsibility of AGLM post IEA.
C17	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection, as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	NT	The responsibility of AGLM post IEA.
C18	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020, or its latest version), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's	NT	There has been no request for audits to be ceased during the audit period

Cond	Project Approval SSD 8889679	Status	Evidence
	satisfaction that independent operational audits have demonstrated operational compliance.		
ACCESS TO INFORMATION			
C19	<p>The Applicant must:</p> <p>(a) make the following information publicly available on its website as relevant to the stage of the development:</p> <ul style="list-style-type: none"> (i) the EIS; (ii) the final layout plans for the development; (iii) current statutory approvals for the development; (iv) approved strategies, plans or programs required under the conditions of this consent; (v) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (vi) how complaints about the development can be made; (vii) a complaints register; (viii) any independent environmental audit, and the Applicant’s response to the recommendations in any audit; and (ix) any other matter required by the Planning Secretary; and 	NC	<ul style="list-style-type: none"> (i) A copy of the EIS was available on the AGLM website at the time of the IEA. (ii) A copy of consent SSD 8889679 which includes layout plans was available on the AGLM website at the time of the IEA. (iii) A copy of SSD 8889679 was available on the AGLM website at the time of the IEA. (iv) The Stage 3 EMS approved by DPHI on 29 April 2024 was not available on the AGLM website at the time of audit. The Stage 3 CHMP approved by DPHI on 26 June 2024 was not available on the AGLM website at the time of audit. (v) No staged plans were required during the audit period. (vi) Sighted complaints and enquiries hotline available on the AGLM website at the time of the IEA. (vii) A 2024 and 2025 complaints register was available on the AGLM website at the time of the IEA.

Cond	Project Approval SSD 8889679	Status	Evidence
			(viii) Independent audits and responses were available on the AGLM website at the time of the IEA. (ix) Nil other matters required. It is recommended that AGLM make all strategies, plans, or programs required under the conditions of the consent available on the AGLM website as soon as practicable following approval by DPFI.
	(b) keep this information up to date.	NC	See Schedule 2, Condition C19 (a) above.
SCHEDULE 2: PART D – CONDITIONS EXTRACTED FROM CONSENTS REFERRED TO IN CONDITION A5			
	<i>Note: For the avoidance of doubt, a consent listed in condition A5 will be surrendered and cease to operate from the date on which a valid notice is served on the consent authority pursuant to cl 97 of the EP&A Regulation. The conditions listed in this Part D are drawn from the consents listed in condition A5 but form part of this consent from the date of this consent.</i>	Note	Note only.
CONDITIONS FROM DA 8.2018.273.2 - LOW PRESSURE PUMP STATION STABILISATION (SINGLETON COUNCIL)			
D1	The development of the Low Pressure Pump Station Stabilisation is to be undertaken in accordance with the mitigation and management measures contained within Table 5-1 of the following document:	NC	AGLM were not able to verify that the Low Pressure Pump Stabilisation was completed in accordance with the December 2018 BDAR report for the development. KS (pers comms) confirmed that AGLM are continuing to work through this process and will provide a response to DPFI. It is recommended that AGLM provide a response to DPFI

Cond	Project Approval SSD 8889679	Status	Evidence						
			regarding compliance with the conditions of approval referred to in Part D of SSD 8889679 once this review has been completed (also see Conditions D2 – D 6 below).						
	<table border="1"> <thead> <tr> <th>Title</th> <th>Written-By</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Bayswater Low-Pressure Pump Stabilisation Biodiversity Development Assessment Report</td> <td>GHD</td> <td>December 2018</td> </tr> </tbody> </table>	Title	Written-By	Date	Bayswater Low-Pressure Pump Stabilisation Biodiversity Development Assessment Report	GHD	December 2018	Note	Note only.
Title	Written-By	Date							
Bayswater Low-Pressure Pump Stabilisation Biodiversity Development Assessment Report	GHD	December 2018							
D2	Site Contamination Issued During Construction - Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, the Planning Secretary must be immediately notified by the applicant, and works must cease. Works must not recommence on site until approval is granted by the Planning Secretary.	C	KS (pers comms) confirmed that there has been no new information come to light during the audit period which has the potential to alter previous conclusions about site contamination.						
CONDITIONS FROM DA 20_98 - DEVELOPMENT OF RAVENSWORTH COAL UNLOADER FACILITY (SINGLETON COUNCIL)									
D3	<p>The development of the Ravensworth Coal Unloader Facility must be carried out in accordance with the following document:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Written-By</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement</td> <td>HLA - Envirosciences</td> <td>December 1997</td> </tr> </tbody> </table>	Title	Written-By	Date	Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement	HLA - Envirosciences	December 1997	NC	<p>It was recommended during the previous IEA that AGLM retains evidence that confirms that the development of the Ravensworth Coal Unloader Facility has been carried out in accordance with the HLA Envirosciences Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement prior to surrender of the DA 20_98 under Schedule 2, Condition A5 of SSD 8889679.</p> <p>See Schedule 2, Conditions D1 above.</p>
Title	Written-By	Date							
Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement	HLA - Envirosciences	December 1997							
D4	The applicant is to liaise with Rail Access Corporation to develop and implement operational protocols and train working procedures to expedite push-pull trains onto and off the Main	NC	It was recommended during the last IEA that AGLM retain evidence						

Cond	Project Approval SSD 8889679	Status	Evidence
	Northern Line.		<p>that confirms consultation with Rail Access Corporation to develop and implement operational protocols and train working procedures to expedite push-pull trains onto and off the Main Northern Line prior to surrender of the DA 20_98 under Schedule 2, Condition A5 of SSD 8889679.</p> <p>See Schedule 2, Conditions D1 above.</p>
BIODIVERSITY CONSERVATION DIVISION			
D5	<p>(a) The applicant is to prepare and implement a site Environmental Management Plan for the Ravensworth Coal Unloader Facility relating to:</p> <ul style="list-style-type: none"> (i) Locations and designs for clean and contaminated water pathways, with detailed design drawings for all sediment basins. (ii) Segregated pathways and storage facilities for clean and contaminated stormwater runoff, with segregated reuse priority for contaminated water. (iii) A commitment not to allow any excess contaminated runoff to enter Bowmans Creek, and a suitable monitoring programme to demonstrate that no excess contaminated water leaves the site. (iv) A maintenance schedule for the pollution traps identifying cleaning periods and methods of disposal. (v) A maintenance schedule for the sediment ponds identifying cleansing periods and methods of disposal. <p>(b) The applicant is to demonstrate a commitment to maintaining final drainage lines in a stable condition.</p>	C	Deemed compliant during previous audit.
CONDITIONS FROM DA 401_2000 - COAL/RAIL UNLOADER AUGMENTATION (SINGLETON COUNCIL)			

Cond	Project Approval SSD 8889679	Status	Evidence						
D6	<p>APPROVAL IN ACCORDANCE WITH PLANS - The development of the Coal/Rail Unloader Augmentation must be carried out generally in accordance with the development application and accompanying plans described as described in the following document:</p> <table border="1" data-bbox="277 352 1294 518"> <thead> <tr> <th data-bbox="277 352 624 395">Title</th> <th data-bbox="624 352 862 395">Written-By</th> <th data-bbox="862 352 1294 395">Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 395 624 518"><i>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation</i></td> <td data-bbox="624 395 862 518">HLA - Envirosciences</td> <td data-bbox="862 395 1294 518">August 2000</td> </tr> </tbody> </table>	Title	Written-By	Date	<i>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation</i>	HLA - Envirosciences	August 2000	NC	<p>It was recommended during the previous IEA that AGLM retain evidence that confirms the development of the Coal/Rail Unloader Augmentation is carried out generally in accordance with the development application and accompanying plans prior to surrender of the DA 401_2000 under Schedule 2, Condition A5 of SSD 8889679.</p> <p>See Schedule 2, Conditions D1 above.</p>
Title	Written-By	Date							
<i>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation</i>	HLA - Envirosciences	August 2000							

Cond	Project Approval SSD 8889679	Status	Evidence
APPENDIX 4 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS			
WRITTEN INCIDENT NOTIFICATION REQUIREMENTS			
B1	A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 7 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.	NT	KS (pers comms) confirmed that no reportable incidents occurred for either Stage 2 or Stage 3 during the audit period.
B2	Written notification of an incident must: <ul style="list-style-type: none"> (a) identify the development and application number; (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); (c) identify how the incident was detected; (d) identify when the applicant became aware of the incident; (e) identify any actual or potential non-compliance with conditions of consent; (f) describe what immediate steps were taken in relation to the incident; (g) identify further action(s) that will be taken in relation to the incident; and (h) identify a project contact for further communication regarding the incident. 	NT	See Appendix 4, Condition B1 above.
B3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	NT	See Appendix 4, Condition B1 above.
B4	The Incident Report must include: <ul style="list-style-type: none"> (a) a summary of the incident; (b) outcomes of an incident investigation, including identification of the cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident. 	NT	See Appendix 4, Condition B1 above.

Table C2 RTS Updated Mitigation Measures (Jacobs, 2021)

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
Hazard and risk				
HR1	<p>During detailed design for the Project:</p> <ul style="list-style-type: none"> • A detailed bushfire threat assessment will be conducted for the Project, including establishment of an APZ, in consultation with the RFS • The separation distance between infrastructure within the Battery will be determined in accordance with applicable Codes and Standards and manufacturer’s recommendations so that the preferred strategy of allowing a fire in one Battery enclosure or inverter to burn without the risk of propagating to other infrastructure can be maintained without the need for external firefighting • The separation distance within the Battery will be determined in accordance with applicable Codes and Standards and manufacturer’s recommendations to allow safe escape in case of a fire • The need for active firefighting requirements at the Battery will be determined in consultation with RFS, FRNSW and the DPIE. Detailed fire fighting response and any need for fire water containment will be assessed and reported (e.g. in the format of a Fire Safety Study) post development approval, for review by DPIE, Fire rescue NSW and the RFS. The FSS will be developed in accordance with the requirements of Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines (HIPAP No. 2) • The health and safety associated with EMF on the site and the potential exposure to EMF will be considered for AGLM staff and contractors as part of AGLM’s obligations for their health and wellbeing under the Work Health and Safety Regulations 2011 (NSW) • Measures to prevent a leak occurring from the brine pipeline, the emergency diesel generators and at the Battery, and for secondary containment should a leak occur, will be included as part of the detailed of the Project. The likelihood of a significant loss of containment event associated with this Project (Level 4) will be designed to Rare in accordance with AGL’s Risk Management and Assessment Standard • The PHA be progressed to a FHA once the design of the development has been finalised. Commitments identified in the PHA will be integrated into the management for the Project. 	Detailed design	C	<p>Stage 2</p> <p>Sighted DPHI letter dated 21 March 2024 requesting approval for the staging of the Fire Safety Study.</p> <p>Sighted DPHI letter dated 5 April 2024 approving the staging of the Fire Safety Study to be prepared to the satisfaction of the Secretary and Fire and Rescue NSW at least three months prior to the installation of the batteries otherwise agreed by the Planning Secretary.</p> <p>See Schedule 2, Condition B2 above.</p> <p>Stage 3</p> <p>KS (pers comms) noted Stage 3 works during the audit period for the Liddell MA1B conveyor were undertaken within the existing Baywater Power Station footprint (see Plate 13). The need for additional fire management controls was not triggered.</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
	<ul style="list-style-type: none"> The register of commitments (Appendix 1 of the PHA (Planager Pty Ltd, 2021)) will be integrated into the management for the Project. This includes integration of 84 individual commitments, including for the design, installation and maintenance of the Battery automatic shutdown system on exceedance of safe limits; installation of deflagration venting and fire protection inside the Battery enclosures; design of the brine pipeline, waste oil facility, emergency diesel generators and the Battery such that the risk of pollution from a release is reduced to ALARP; installation of protective barriers, including at the transformers; and application of a rigorous and formal management of change process for the Project, including detailed hazard identification and risk assessment processes. 			
HR2	Design and selection of all electrical equipment is to minimise EMF levels and comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) reference levels	Detailed design	NT	KS (pers comms) confirmed that this commitment is not relevant to Stage 2 and Stage 3 works completed during the audit period.
HR3	Risks associated with the Project will be managed through a Management of Change process. AGLM implements an Asset Change Management Standard, and any major change (defined as a change that has major implications to the strength, stability, operation and design of the asset and/or health and safety of employees) must undergo a detailed risk assessment using the AGL Risk Management and Assessment Standard to assess the risks that may be introduced by the proposed change. This will be undertaken for all Project components and appropriate controls implemented to reduce the risk to an acceptable level.	Prior to construction	C	<p>Stage 2</p> <p>Sighted Fluence Construction Environmental Management Plan dated 30 April 2024. Section 8 details key project environmental aspects, impacts and risks.</p> <p>Section 13 of the Fluence CEMP outlines the Management of Change noting that day to day changes is managed through hazard identification and risk assessment processes, with more significant</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>change required to seek the approval of the Project Manager with review by Safety, Environment and / or Quality management.</p> <p>Stage 3</p> <p>Sighted copy of JSEA form dated 18 March 2024 for general site access, inspections, and monitoring activities at the Liddell BESS Battery Project site.</p>
HR4	Storage and management of dangerous goods and hazardous materials (if required) will occur in a safe, secure location consistent with the requirements of applicable Australian Standards.	Construction / operation	C	<p>See comments in Schedule 2, B4 and B27 above.</p> <p>Stage 2</p> <p>During the site inspection, all chemicals required for Stage 2 works were observed to be stored appropriately with SDS available, see Plates 7 - 9.</p> <p>Stage 3</p> <p>SB (pers comms) confirmed no dangerous goods were required to be stored for Stage 3 at the time of audit.</p>
HR5	Refuelling will take place in a designated area within the works area, away from ignition sources and trees or vegetation and with appropriate controls to prevent any spills coming into contact with the ground.	Construction / operation	C	<p>Stage 2</p> <p>A refuelling station was sighted during the IEA site</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				inspection. Sighted internal Enerven email dated 13 November 2024 that communicates that plant and equipment are to be serviced within the refuelling bay in case of any spills. Stage 3 SB (pers comms) confirmed that a refuelling area was not required for Stage 3 works completed during the audit period.
HR6	Appropriately stocked emergency spill kits will be available at all work areas at all times. All staff will be made aware of the location of the spill kit and trained in its use.	Construction / operation	C	Stage 2 KS (pers comms) confirmed that spill kits are available in key areas of the Stage 2 area. Spill kits were observed during the IEA site inspection, see Plate 3 . Stage 3 KS (pers comms) confirmed that spill kits were made are available in key areas of the Stage 3 area.
HR7	Temporary construction compounds will be maintained in a tidy and orderly manner to minimise potential fuel loads in the event that any construction compounds are affected by fire.	Construction	C	The audit site inspection confirmed that that Stage 2 and Stage 3 Project areas are being

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				maintained in a tidy and orderly manner, see Plate 10 and Plate 13 .
HR8	Construction activities involving flammable materials and ignition sources (for example, welding) will be proactively managed to ensure that the potential for fire is effectively minimised. High risk construction activities, such as welding and metal work, would be subject to a risk assessment on total fire ban days and restricted or ceased as appropriate. Construction personnel will be inducted into the requirement to safely dispose of cigarette butts.	Construction	C	KS (pers comms) confirmed that a hot work permit system has been implemented for both Stage 2 and Stage 3. Sighted a copy of Enerven Hot Work Permit dated 7 January 2025. Sighted copy of the Liddell Risk Register which includes fire risk assessment procedures.
HR9	An emergency response plan for the Battery would be prepared for the Project and provided to the Local Emergency Management Committee.	Construction / operation	NT	KS (pers comms) confirmed that this has not been finalised yet as the BESS (Project Stage 2) remains in the construction phase.
Air Quality				
AQ1	The following will be undertaken to manage fugitive emissions from stored chemicals: <ul style="list-style-type: none"> Limiting the quantity of chemical products stored at the site to the extent practical Ensure that all storage tanks are fitted with the appropriate controls in-line with the Protection of the Environment Operations (Clean Air) Regulation 2010. 	Construction / operation	C	Stage 2 Deemed compliant in previous audit. Stage 3 Section 6 of the Liddell Power Station Battery Energy Storage System Air Quality Management Sub Plan dated 16 May 2024 describes environmental

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				management measures including measures to be undertaken to manage fugitive emissions from stored chemicals. See comments in Schedule 2, Conditions B4 and B27 above.
AQ2	During loading and unloading of materials, the following will be undertaken: <ul style="list-style-type: none"> • Water sprays as applicable • Minimising drop heights • Reviewing and where necessary modifying or suspending activities during dry and windy weather and elevated background air quality conditions. 	Construction	C	No evidence of dust excessive dust generation was observed in Stage 2 works identified during the audit period (see Plate 1 and Plate 10).
AQ3	While hauling materials in trucks, the following will be undertaken: <ul style="list-style-type: none"> • Regular watering of unsealed haulage routes • Regular inspection and removal of debris from plant and equipment to avoid the tracking of materials on to the adjacent road network. 	Construction	C	Unsealed surfaces within the Stage 2 construction area were observed to be being watered during the audit site inspection (see Plate 1). No tracking of material to the local road network was identified.
AQ4	The following will be undertaken to manage exhaust emissions from plant and equipment: <ul style="list-style-type: none"> • Inspecting all plant and equipment before it is used on-site • Ensuring that all vehicles, plant, and equipment are operated in a proper and efficient manner • Switching off all vehicles, plant and equipment when not in use for extended periods 	Construction	C	Stage 2 Section 6 of the Stage 2 AQMP describes environmental management measures including measures to be taken to manage exhaust emissions from plant and

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
	<ul style="list-style-type: none"> Avoiding the use of diesel or petrol-powered generators and use mains electricity or battery powered equipment where practicable. 			equipment. The site inspection confirmed that all vehicles, plant and equipment were switched off when not in use. Stage 3 KS (pers comms) confirmed that pre-start checks for equipment are undertaken before use and provided examples of contractor records to verify that equipment maintenance is being completed.
AQ5	Activities will be coordinated between the Project and the WOAOW project to limit the potential for cumulative dust impacts where possible.	Construction	NT	KS (pers comms) confirmed that the WOAOW project did not operate during the audit period.
AQ6	The following will be undertaken to manage wind erosion from stockpiles and exposed surfaces: <ul style="list-style-type: none"> Watering stockpiles and exposed surfaces Progressive rehabilitation of exposed surfaces (as feasible) where no longer required for construction. 	Construction	C	Stage 2 Stage 2 stockpile sighted as progressively rehabilitated and watercarts were operating at the time of audit see Plate 4 and Plate 10 . Stage 3 KS (pers comms) confirmed that no stockpiles or additional

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				areas of exposed surfaces were required for Stage 3 works during the audit period.
Greenhouse gases				
GHG1	The CEMP will include requirements for identification and minimise greenhouse gases (GHG) during construction.	Construction	NC	<p>Stage 2</p> <p>Sighted copy of the Liddell Power Station BESS Air Quality Management Sub Plan dated 16 May 2024. Table 3 of the plan notes that switching off all vehicles, plant and equipment will be undertaken when not in use for extended periods to manage exhaust emissions.</p> <p>No plant, vehicles or equipment were seen were seen idling during the site inspection.</p> <p>Stage 3</p> <p>It is recommended that the Stage 3 CEMP includes measures to identify and reduce GHG impacts during the construction phase.</p>
Noise and vibration				
NV1	The CEMP would identify Project construction activities with the potential to have noise impacts and the controls required to avoid, minimise and mitigate these impacts.	Construction	C	<p>Stage 2</p> <p>Sighted copy of the Liddell</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
	<p>The standard techniques for controlling noise impacts during construction are presented in the Interim Construction Noise Guideline (ICNG). During construction relevant standard measures as outlined in Section 6 of the ICNG will be implemented.</p>			<p>Power Station BESS Construction Noise Management Sub Plan dated 16 May 2024. Section 7 of the plan provides details of mitigation and management measures proposed to address potential noise impacts resulting from the Project. Section 2.1 of the plan notes that the ICNG is a main noise guideline relevant to the plan. KS (pers comms) confirmed that there has been no noise complaints during the audit period for either Stage 2 or Stage 3.</p> <p>Stage 3</p> <p>Section 8 of the Stage 3 EMS identifies environmental management controls required for environmental aspects relating to the construction phase of Project, including for noise and vibration. The Fenner CEMP for Stage 3 identifies noise minimisation controls required for the Liddell</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				MA1B conveyor works.
Traffic and transport				
TT1	<p>The haulage contractor will prepare and implement a Construction Traffic Management Plan (CTMP) for oversized overmass vehicle movements, which will include:</p> <ul style="list-style-type: none"> • Identification of the routes • Measures to provide an escort for the loads • Times of transporting to minimise impacts on the road network • Communication of strategy and liaising with emergency services and police. 	Pre-construction and construction	NT	<p>JM (pers comms) confirmed that there has been no oversized over mass vehicle movements during the audit period for Stage 2 or Stage 3.</p> <p>Sighted Liddell Power Station Battery Energy Storage System Traffic Management Sub Plan dated 16 May 2024 which provides an oversized overmass vehicle route map (Figure 5).</p> <p>Section 6.3 also outlines designated traffic flows of which personnel are required to adhere to flows indicated on a documented traffic map.</p> <p>A documented traffic map is provided in Appendix B of the Traffic Management Plan. Section 7.1 outlines the provision for other users notes that the approved project routes will be altered as required and must cater for all users affected by works around the site including</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				emergency vehicles. Sighted a copy of the Fluence CEMP dated 30 April 2024. Section 9.10 details traffic management control measures implemented to minimise environmental impact.
TT2	An oversized vehicle permit will be sought for all oversized overmass (OSOM) movements where required. The OSOM movements would be in accordance with the permit requirements and be outside of peak traffic periods where possible.	Pre-construction and construction	NT	See Condition TT1 above.
TT3	The CEMP and general site induction will inform construction and operational personnel of the risk of collisions, particularly with animals during rain or periods of low light.	Pre-construction and construction	C	Stage 2 Deemed compliant in previous audit. Stage 3 KS (pers comms) confirmed that the AGLM site induction for construction and operational personnel for Stage 3 informs of the risk of collisions and includes a 40 km site speed limit.
Biodiversity				
BIO	Future detailed design phase will increase retainment of native vegetation.	Pre-construction	C	Stage 2 Deemed complaint in previous audit. Stage 3 KS (pers comms) noted that the limited works for

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				Stage 3 completed during the audit period did not occur in areas requiring offset identified in Appendix 3 of SSD 8889679. This was verified during the site inspection (see Plate 13).
BIO1	Exclusion zones, or 'No-Go' zones, will be mapped in CEMP and mapping made available to all construction personnel.	Pre-construction	C	<p>Stage 2 Stage 2 construction areas were found to be delineated in the field (see Plate 11).</p> <p>Stage 3 KS (pers comms) confirmed that the location of 'no-go' zones are communicated during site inductions and toolbox talks.</p> <p>It is recommended that AGLM retain plans prepared to indicate 'no-go' zones for future Stage 3 construction works and evidence that these areas are not impacted.</p>
BIO2	Woody debris (logs and mulch) produced during vegetation clearing will be re-spread over any cleared areas to protect the soil surface from erosion and to aid habitat restoration where appropriate.	During construction	C	<p>Stage 2 Viewed vegetation and mulch stockpiles retained on site during Stage 2 construction works (see</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>Plates 4 - 5 and Plate 11).</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that there has been no clearing of vegetation for Stage 3 works during the audit period (see Plate 13).</p>
BIO3	<p>An inspection of native vegetation to be impacted (within the construction footprint) will be conducted by an ecologist immediately prior to vegetation clearing works (to confirm absence of fauna species). A Spotter/Catcher ecologist must supervise vegetation clearing. In the unlikely event that fauna is present, works will cease until animals can be captured and removed from the construction footprint. Construction crews will be made aware that any native fauna species encountered must be allowed to leave site without being harassed.</p> <p>Trenches / holes will be inspected each morning and any trapped fauna removed or provide a mechanism for fauna to escape.</p>	Immediately prior to vegetation clearing / During construction	C	<p>Stage 2</p> <p>Viewed copy of Umwelt report to Fluence dated 24 October 2024. The Umwelt report documents the methods and outcomes of pre-clearance biodiversity surveys, clearance supervision and relocation of fauna during construction that were completed for Stage 2 works on 12 September and 1 October 2024.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that there has been no clearing of vegetation for Stage 3 works during the audit period.</p>
BIO4	Vehicle movements on newly formed access tracks or construction zones will be limited to 20km/h speed limit to reduce the risk of vehicle strike to fauna.	During construction	C	KS (pers comms) confirmed that there are speed limit signs

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				populated on the Project site. Speed limit signage was sighted during the IEA site inspection, see Plate 6 .
BIO5	Where native vegetation is removed topsoil is to be retained from excavation areas within construction footprint (where possible). Topsoil stockpiles will be delineated and protected from machinery compaction and contamination during construction. Following construction and infill, topsoil will be re-spread over impacted native vegetation areas (to retain native seedbank and assist with natural revegetation). Avoid stockpiling in the vicinity of drainage lines.	During construction	C	Delineation of Stage 2 topsoil stockpiles was sighted during the IEA site inspection, see Plates 4 - 5 .
BIO6	Accurately and clearly mark out the limits of the construction footprint (only where native vegetation exists). No activities including parking and turning of vehicles and plant/equipment will occur beyond the construction footprint. The Construction footprint will be demarcated prior to commencement of works in areas where native vegetation exists.	During construction	C	The audit site inspection confirmed that flagging has been used to clearly mark out the limits of the construction footprint for Stage 2 and Stage 3, see Plate 10 and Plate 11 .
BIO7	Materials, plant, equipment, work vehicles and soil/rock stockpiles to be placed to avoid damage to surrounding vegetation and will be outside tree drip-lines. Construction workers and vehicles will not access areas beyond delineated construction footprints.	During construction	C	<p>Stage 2</p> <p>The audit site inspection confirmed that flagging has been used to clearly mark out the limits of the construction footprint for Stage 2, see Plate 10 and Plate 11.</p> <p>Stage 3</p> <p>No construction workers or vehicles were identified in areas beyond delineated construction footprint during the audit</p>

Ref	Environmental management measures	Timing (Jacobs, 2o21)	Status	Evidence
				site inspection.
BIO8	Where possible, avoid entering areas of significant weed infestations with machinery or personnel. Weed infestations are predominantly located in the Exotic grassland areas, or the PCT 1691 'regrowth' areas mapped within the development site (Figure 5-2).	During construction	C	<p>Stage 2</p> <p>Section 9.3 of the Fluence CEMP indicates Biosecurity controls including the requirement for Plant/Equipment Weed & Seed Checklist, the sourcing of materials from licensed facilities, and specific weed controls (i.e. weed removal and herbicides).</p> <p>Section 5.2 of the Liddell Power Station BESS BMP details Biodiversity management actions including the management of weed material and infestation</p> <p>Sighted examples of environmental inspection forms for Stage 2 completed by AGLM, Enerven and Fluence, which include the inspection of weed management on site and comments on areas to be treated or retreated. No significant areas of weeds were observed for Stage 2 during the audit site inspection.</p>

Ref	Environmental management measures	Timing (Jacobs, 2o21)	Status	Evidence
				Stage 3 KS (pers comms) confirmed that regular weed spraying is undertaken within areas developed for Stage 3 during the audit period. Sighted copy of HLM Daily Work Record dated 28 June 2024 which records weed spraying control. Sighted a copy of the Enerven Plant/Equipment Approval Form dated 17 September 2024 which includes a weed and seed checklist for Project plant.
BIO9	If required, weed control will be undertaken by suitably qualified and/or experienced personnel. This may include: <ul style="list-style-type: none"> • Manual weed removal in preference to herbicides. • Replacing non-target species removed/killed as a result of weed control activities. • Protecting Non-target species from spray drift. • Using only herbicides registered for use within or near waterways for the specific target weed. • Not applying herbicide if it is raining or if rain is expected. • Mixing and loading herbicides and cleaning equipment away from waterways and drains. • The CEMP will detail the procedures for management of weeds on the development site (which will be in accordance with the requirements of the Biosecurity Act 2015). 	Pre-construction or during construction	C	See Commitment BIO8 above regarding inspection and management of weed infestations.
BIO10	During the clearing works, weeds will be disposed and managed appropriately to stop the spread of existing weed species.	During construction	C	Stage 2 Stage 2 BMP dated 16

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>May 2024 states that vehicles are monitored for the potential for introducing weeds into the site or transporting weeds out of the site.</p> <p>Section 9.3 Biosecurity in the Fluence CEMP details that vehicles, machinery and equipment will be risk assessed to determine the necessary level of inspection using Plant/Equipment Weed & Seed Checklist and wash down as necessary.</p> <p>Sighted examples of completed Fluence Liddell BES HSE Environmental Inspection Checklists completed by SLR. SLR inspect vehicles for weeds and/or pathogens.</p> <p>Stage 3</p> <p>Sighted a copy of the Fenner CEMP dated 22 September 2024 for the Stage 3 works. KS (pers comms) noted that the CEMP did not include a section on weed management requirements as vegetation disturbance</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>was not required for Stage 3 works completed during the audit period.</p> <p>It is recommended that the Stage 3 CEMP is reviewed and updated to note that during clearing works, weeds will be disposed and managed appropriately to stop the spread of existing weed species.</p>
BIO11	Ensure vehicle and machinery hygiene measures are applied during construction and operation. Vehicle washdowns may be required for removal of mud and plant materials.	During construction	C	<p>Stage 2</p> <p>See Commitment BIO8 above. Sighted HSE checklists completed by Enerven and Fluence include comments on weed management implementation for Stage 2.</p> <p>Section 9.3 of the Fluence CEMP dated 30 April 2024 details the controls to ensure that all construction activities prevent the introduction and establishment of new pest plants and animal diseases and minimise the spread of known or existing pest plant and animal diseases.</p>

Ref	Environmental management measures	Timing (Jacobs, 2o21)	Status	Evidence
				<p>Stage 3</p> <p>Sighted a copy of the Fenner CEMP dated 22 September 2024. The CEMP notes that Plant and equipment brought on to site must be cleaned and free of deleterious material, mud and other material that may harbour weed seeds.</p> <p>JM (pers comms) confirmed that weekly inspections are completed for weeds during the audit period.</p> <p>Sighted copy of HLM Daily Work Record dated 28 June 2024 which records weed spraying control.</p>
BIO12	Pathogen management measures will be implemented to prevent introduction and spread of amphibian chytrid fungus, Phytophthora cinnamomi and Exotic Rust Fungi. The CEMP will provide a protocol for construction vehicles driving to and from site to prevent the spread or introduction diseases.	During construction	C	See Condition BIO11 above.
BIO13	Avoid excessive noise and vibration during construction activity. Construction activities to be carried out during diurnal hours.	During construction	C	<p>No excessive noise or vibration was identified during the audit site inspection.</p> <p>KS (pers comms) confirmed that Stage 2 noise is managed in accordance with the NMP.</p> <p>KS (pers comms)</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				confirmed that the Fluence contracts are compliant with approved construction hours (i.e. day-only restriction)
BIO14	Erosion and sediment controls will remain in place until all rehabilitation has been completed. Drainage lines will be protected from runoff and stockpiling of spoil.	During construction	C	<p>Stage 2</p> <p>Section 5 of the Liddell Power Station Battery Energy Storage System Soil and Water Management Sub Plan dated 16 May 2024 details that erosion and sediment control measures will be implemented and maintained at all work sites. Table 5 details the Soil and Water management monitoring plan.</p> <p>Sighted Liddell Battery Energy Storage System Primary Erosion and Sediment Control Plan dated 22 April 2024 and examples of environmental inspections completed by SLR, Enerven and Fluence that document checks and repairs to erosion and sediment controls. The audit site inspection confirmed that erosion</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>and sediment controls are being maintained (see Plates 10 - 12).</p> <p>Stage 3</p> <p>Sighted a copy of the Fenner CEMP dated 22 September 2024. The CEMP provides targets and mitigation measures for erosion and sediment control. No erosion and sediment control issues were identified for the Stage 3 works completed during the audit period.</p>
BIO15	<p>Revegetation of slopes or exposed soil areas will be undertaken as soon as possible, in accordance with the CEMP. Landscaping of exposed surfaces using native indigenous species only. Soil loss will be prevented by immediate stabilisation of exposed surfaces (e.g. use of Jute mesh and/or soil binder).</p>	<p>During construction / post construction</p>	<p>C</p>	<p>Stage 2</p> <p>KS (pers comms) confirmed hydromulch seeding has taken place for Stage 2 stockpiles. This was sighted during the IEA site inspection, see Plate 4. Stage 3</p> <p>KS (pers comms) confirmed that revegetation or stabilisation works have not been required for limited Stage 3 works completed to the time of audit. This was verified during the IEA site inspection, see Plate 13.</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
BIO16	Future detailed design phase will enhance retainment of native vegetation. Patches of native vegetation which are located near larger patches of native vegetation will be prioritised for retainment.	Pre-construction	C	<p>Stage 2 Deemed complaint in previous audit.</p> <p>Stage 3 Sighted boundary flagging and fencing for delineation of disturbance footprint during the site inspection, see Plates 10 - 12.</p>
Land and contamination				
L01	The internal bunding and environmental controls for hazardous substances management suitable for the Battery and transformers will be in accordance with applicable guidelines.	Detailed design	C	<p>Stage 2 Sighted boundary flagging and fencing for delineation of disturbance footprint during the site inspection, see Plates 10 - 12.</p> <p>Chemical storage containers were sighted during the IEA site inspection, see Plate 9.</p> <p>Spill kits were available on site at the time of the IEA, see Plate 8 and Plate 9.</p> <p>Stage 3 Commitment L01 is not applicable to Stage 3 works during the audit period.</p>
L02	Potential contamination-related impacts associated with the Project will be managed by the implementation of a CEMP that includes (but not limited to):	Construction	C	<p>Stage 2 The Stage 2 EMS notes the strategy for managing</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
	<ul style="list-style-type: none"> An unexpected finds protocol for the appropriate assessment and management of encountered contamination to mitigate impacts to the development Procedures to ensure that all material excavated during the construction of the development is appropriately assessed and classified before being disposed of in accordance with environmental laws Specific control measures to mitigate impacts to soil, water, air, noise, traffic, structures and clear protocols for measurement of affected media and validation of results during construction of the development. 			<p>potential contamination related impacts for the Project is provided in the Contamination Management Subplan.</p> <p>Sighted Liddell Power Station Battery Energy Storage System Contamination Management Sub Plan dated 16 May 2024 which provides an accidental discovery protocol for Unexpected Finds.</p> <p>Table 3, L12 of the Contamination Management Plan also notes that all waste produced as part of the BESS Project will be classified and disposed of at a lawful place in accordance with the NSW EPA Waste Classification Guidelines 2014 and the Waste Management Plan prepared under the EMS. Section 5 of the Contamination Management Plan provides specific contamination control measures.</p> <p>Stage 3</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				The Stage 3 CEMP identifies the potential for identification of controlled / hazardous waste during Project works and outlines procedures for management of such material.
L03	The Asbestos Management Procedure would be updated as required to provide appropriate control measures during the construction phase (as well as the operational phase if maintenance activities are required) to mitigate any risks of worker exposure to airborne asbestos fibers during work activities.	Construction / operation		<p>Stage 2</p> <p>JM (pers comms) confirmed that two small pieces of asbestos located within the audit period which were disposed of off site.</p> <p>Viewed asbestos identification report dated 30 January 2025 from Australian Safer Environment & Technology with a summary report for analysis of two samples forwarded by Hunter Tech Services Group.</p> <p>Also viewed a copy of the Liddell Waste Tracking Register maintained by Remondis, which includes a breakdown on 'special waste including asbestos' removed from site on 1 November 2024.</p> <p>A residual stockpile of</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>potentially contaminated material with the Stage 2 was delineated and signposted at the time of audit (see Plate 15).</p> <p>Stage 3 KS (pers comms) confirmed that not asbestos material has been identified during Stage 3 works to the time of audit.</p>
L04	Detailed design of each Project component would consider and address geotechnical stability risks in accordance with applicable design standards.	Detailed design	C	Deemed compliant in previous audit.
Aboriginal heritage				
AH1	A Cultural Heritage Management Plan (CHMP) will be developed. It will include the methodologies developed in the ACHAR (Section 11.1, 11.2 and 11.3 of the ACHAR). It will specify that Project works will be restricted to the disturbance site. It will include provisions to ensure workers are made aware of cultural heritage places and their value, for example through Project inductions. The CHMP will include provisions to guard against indirect impact to the Aboriginal sites near the development site. The CHMP will also include a detailed methodology for the salvage and long-term management of any Aboriginal objects that may be impacted by the proposed works.	Pre-construction	C	<p>Stage 2 Deemed compliant in previous audit.</p> <p>Stage 3 Section 8 of the Stage 3 EMS notes that a Cultural Heritage Management Plan (CHMP) is required for Stage 3 prior to start of construction. Viewed a copy of the Stage 3 CHMP and approval letter from DPHI dated 26 June 2024. KS (pers comms) confirmed that there has been no expected finds during the audit period.</p>

Ref	Environmental management measures	Timing (Jacobs, 2o21)	Status	Evidence
AH2	<p>If repair or maintenance works on the Liddell to Jerrys Plains High Pressure Pipeline are required, the area of works will be subject to surface collection in accordance with Section 11 of the ACHAR (Appendix F) of impacted sites. The sites that maybe impacted include:</p> <ul style="list-style-type: none"> • Liddell Jerrys Plains Pipeline AS1 (37-2-6280) • Liddell Jerrys Plains Pipeline IF2 (37-2-6281) • Liddell Jerrys Plains Pipeline AS3 (37-2-6279) • Liddell Jerrys Plains Pipeline IF4 (37-2-6291) • Liddell Jerrys Plains Pipeline AS5 (37-2-6290) • Liddell Jerrys Plains Pipeline AS6 (37-2-6289) • Liddell Jerrys Plains Pipeline IF7 (37-2-6287) • Liddell Jerrys Plains Pipeline IF8 (37-2-6288) • Liddell Jerrys Plains Pipeline AS9 (37-2-6286) • Liddell Jerrys Plains Pipeline AS10 • BAYS AS06 (37-2-6145). <p>If no works are required in the vicinity of a site, the site will be conserved.</p>	Pre-construction	NT	KS (pers comms) confirmed that maintenance works on the Liddell to Jerrys Plains High Pressure Pipeline were not required during the audit period.
AH3	<p>If practicable, the design and construction of the Brine Pipeline will avoid the two recorded site areas (Liddell Pipeline AS1 (37-2-6285) and Liddell Pipeline AS2 (37-2-6282)).</p> <p>The sites will be protected with high visibility fencing. If impact cannot be avoided, the sites will be salvaged through surface collection.</p>	Design, pre-construction, construction	NT	KS (pers comms) confirmed that the design and construction of the Brine Pipeline is not relevant to the current stages of the Project.
AH4	<p>During any works on the Liddell M1 Conveyor the site (Liddell M1 Conveyor AS1 (37-2-6284)) will be conserved and protected by high visibility exclusion fencing to prevent impact.</p>	Construction	NT	KS (pers comms) confirmed that the Liddell MA1B conveyor works completed during the audit period were located approximately 1.75 km away from site 37-2-6284 and as such, the need for additional controls was not

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				required.
AH5	The Unanticipated Finds Protocol in the ACHAR will be followed for any previously unidentified Aboriginal heritage objects found during the works.	Construction and operation	NT	KS (pers comms) confirmed that no previously unidentified Aboriginal heritage objects were found during the audit period for either Stage 2 or Stage 3.
Non-Aboriginal heritage				
NAH1	Should any historical archaeological remains be discovered during construction, all works will stop, the area cordoned off and a heritage professional engaged to examine and advise on the significance of the archaeological finds. If deemed to be of significance, under section 146 (s146) of the Heritage Act, a s146 form would be submitted to notify the Heritage Council of the discovery of relics. Further investigation may be required, and appropriate management will be agreed through consultation with Heritage NSW.	Construction	NT	KS (pers comms) confirmed that no historical archaeological remains have been discovered during the audit period for Stage 2 or Stage 3.
NAH2	In the unlikely event that human remains are uncovered, all work must cease immediately in the vicinity of the remains and the area cordoned off. The local NSW Police must be notified, who would make an initial assessment as to whether the remains are part of a crime scene, or Aboriginal remains. If the remains are thought to be Aboriginal, Heritage NSW must be contacted as per AH4.	Construction	NT	Stage 2 KS (pers comms) confirmed that no human remains have been uncovered during the audit period. Section 3.3.2 of the ACHMP describes the unanticipated finds protocol for human skeletal remains. Stage 3 KS (pers comms) confirmed that no human

Ref	Environmental management measures	Timing (Jacobs, 2o21)	Status	Evidence
				remains have been uncovered during the audit period.
Landscape character and visual				
V1	Retention and enhancement of existing landscape features (areas of scrub, individual trees) will be considered where feasible.	Design	C	<p>Stage 2 Deemed complaint in previous audit</p> <p>Stage 3 KS (pers comms) confirmed that there has been no clearing during the audit period for Stage 3 (see Plate 13).</p>
V2	Colour of proposed structures and built form will be considered in a suitable muted palette to visually integrate the Project within the landscape where possible. Where a muted palette is not possible, such as for the battery enclosures, AGLM will consider the use of vegetation screen instead.	Design	C	<p>Stage 2 Deemed complaint in previous audit</p> <p>Stage 3 KS (pers comms) confirmed that there has been no clearing during the audit period for Stage 3 (see Plate 13).</p>
V3	Where possible, consider minimal use of reflective surfaces to avoid drawing attention to the site within views due to reflective glare.	Design	NT	<p>KS (pers comms) confirmed that there has been no visual complaints received during the audit period.</p> <p>Batteries placed during the audit period did not create highly reflective surfaces (see Plate 17).</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
V4	Limit the area of disturbance during construction where possible.	Construction	C	<p>Stage 2 Viewed examples of environmental inspections completed during the audit period by AGLM, Enerven and Fluence, which include checks of the Stage 2 disturbance limits. Delineation of Stage 2 work areas was well maintained at the time of audit (see Plate 10).</p> <p>Stage 3 The audit site inspection confirmed flagging is used to identify the Stage 3 Project boundary and ensure impacts occur outside of the existing area developed for the Liddell MA1B conveyor, see Plate 13.</p>
V5	Mitigation tree and shrub planting will be considered to visually integrate the Project within the surrounding landscape.	Construction	NT	KS (pers comms) confirmed that this has not been required during the audit period.
V6	<ul style="list-style-type: none"> • All construction plant, equipment, waste and excess materials will be contained within the designated boundaries of the work site and will be removed from the site following the completion of construction • Stockpiles will be stabilised to prevent erosion by wind and water and avoid the development of dust plumes adversely impacting air and visual quality • On completion of the work disturbed areas will be stabilised and rehabilitated. 	Construction		<p>Stage 2 No elevated dust emissions were identified during the audit site inspection, see Plate 1. Temporary stockpiles were</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				sighted during the site inspection and were generally shaped and stabilised, see Plate 5 . Stage 3 The audit site inspection confirmed flagging is used to identify the Stage 3 Project boundary and ensure impacts occur outside of the existing area developed for the Liddell MA1B conveyor, see Plate 13 .
Waste				
WR01	A Waste Management Plan will be developed for the Project with the following criteria: <ul style="list-style-type: none"> • A hierarchical waste management approach will be used, from the most preferable (reduce, reuse or recycle wastes) to the least preferable (disposal) to prioritise waste management strategies to avoid waste generation • The plans will promote the use of materials with minimal packaging requirements, removal of packaging offsite by suppliers and fabrication of parts offsite • Where waste cannot be avoided, waste materials will be segregated by type for collection and removal (for processing or disposal) by licensed contractors • All waste types will be separated at source for recycling • A licensed service provider will be appointed to collect waste during construction and operation • Each waste type will be classified for transport to ensure correct handling. • Any waste that cannot be recovered or recycled will be disposed of at a suitably authorised or licensed treatment or disposal facility where it will be treated and disposed of according to its classification. 	Detailed design	C	Stage 2 Sighted a copy of the Liddell Power Station Battery Energy Storage System Waste Management Sub Plan dated 16 May 2024. Section 5.3 of the plan notes a hierarchical waste management approach will be used, from the most preferable (reduce, reuse or recycle wastes) to the least preferable. Section 5.3 of the plan notes environment management measures including promote the use

Ref	Environmental management measures	Timing (Jacobs, 2o21)	Status	Evidence
				<p>of materials with minimal packaging requirements, removal of packaging offsite by suppliers and fabrication of parts offsite.</p> <p>Section 5.3 of the plan notes environment management measures including where waste cannot be avoided, waste materials will be segregated by type for collection and removal (for processing or other management) by licensed contractors. Section 5.3 of the plan notes environment management measures including all waste types will be separated at source for recycling.</p> <p>Section 5.3 of the plan notes environment management measures including a licensed service provider will be appointed to collect waste during construction and operation.</p> <p>Section 5.3 of the plan notes environment management measures including each waste type</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>will be classified for transport to ensure correct handling.</p> <p>Section 5.3 of the plan notes environment management measures including any waste that cannot be recovered or recycled will be managed at a suitably authorised or licensed treatment or disposal facility, if required, where it will be treated and managed according to its classification.</p> <p>The audit site inspection for Stage 3 confirmed that segregated waste skip bins are available on site, see Plate 2.</p> <p>Stage 3</p> <p>The Stage 3 CEMP dated 22 September 2024 includes a description of waste management measures required during the Liddell MA1B conveyor shortening works.</p>
WR02	Cleared vegetation will be either mulched for onsite reuse or used to create habitat piles, noting that any weeds and pathogens will be managed according to requirements under the NSW <i>Biosecurity Act 2015</i> .	Construction	C	<p>Stage 2</p> <p>Stockpiles of cleared / mulched vegetation material were sighted</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				during the site inspection of the Stage 2 construction area, see Plate 4 and Plate 5 . Stage 3 KS (pers comms) confirmed that there has been no clearing outside of the existing area developed for the Liddell MA1B conveyor, see Plate 13 .
Water (surface water and groundwater)				
W1	The specific requirements for water quality controls will be confirmed as the detailed design develops and prior to commencement of construction of each Project component, to ensure the objectives of the Project are achieved.	Pre-construction	C	KS (pers comms) confirmed that there has been no discharges during the audit period for either Stage 2 or Stage 3. Section 5 of the Stage 2 Soil and Water Management Sub plan notes that the BESS Project will be designed, constructed and maintained to minimise impacts on soils, surface water, flooding and groundwater. Specific requirements for water quality controls will be confirmed as the detailed design develops and prior to the commencement of

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>construction of each Project component to ensure the objectives of the Project are achieved. Erosion and sediment controls for Stage 2 were viewed during the audit site inspection (see Plate 4, Plate 10 and Plate 12).</p>
W2	<p>The following measures will be undertaken to manage activities in proximity to waterways:</p> <ul style="list-style-type: none"> • The design and implementation of works within waterfront land would be undertaken in accordance with Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018) • Implementing practices to minimise disturbance of banks and undertake bank stabilization • Appropriate drainage features will be incorporated into the design of the Project components by a suitably qualified and experienced professional. All Project components will be designed and constructed in accordance with relevant guidelines. 	Pre-construction and construction	C	<p>KS (pers comms) confirmed that construction work for Stage 2 and Stage 3 has not been undertaken in proximity to natural drainage lines or waterways. Erosion and sediment controls for Stage 2 were viewed during the audit site inspection (see Plate 4, Plate 10 and Plate 12).</p>
W3	<p>Stockpiles would be managed to minimise the potential for mobilisation and transport of dust, sediment and leachate in runoff. This would include:</p> <ul style="list-style-type: none"> • Minimising the number of stockpiles, area used for stockpiles, and time that they are left exposed • Locating stockpiles away from drainage lines, waterways and areas where they may be susceptible to wind erosion • Stabilising stockpiles, establishing appropriate sediment controls and suppressing dust as required. 	Construction	C	<p>Stage 2 Section 5 of the Stage 2 Soil and Water Management Sub Plan notes that Stockpiles will be managed to minimise the potential for mobilisation and transport of dust, sediment and</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>leachate in runoff.</p> <p>It was sighted during the Stage 2 site inspection that hydromulch has been applied to topsoil stockpiles as dust suppression, see Plate 4.</p> <p>Stage 3</p> <p>KS (pers comms) confirmed that stockpile development was not required during the Liddell MA1B conveyor works (see Plate 13).</p>
W4	<p>Erosion and sediment control measures will be implemented and maintained at all work sites in accordance with the principles and requirements in Managing Urban Stormwater – Soils and Construction, Volume 1 (Landcom, 2004) and Volume 2D commonly referred to as the “Blue Book” where appropriate. Additionally, any water collected from worksites will be treated and discharged (where able) to avoid any potential contamination or local storm water impacts. Measures will be designed in accordance with the relevant guideline where appropriate.</p>	Construction	C	<p>The site inspection confirmed that sediment and erosion control measures have generally been implemented within Project construction areas, see Plate 4, Plate 10 and Plate 12.</p> <p>Review of example environmental inspection records completed for Stage 2 construction works indicates that erosion and sediment control measures are regularly checked and maintained by the Project contractor.</p>
W5	Water use during construction will be minimised where possible and measures to reduce	Construction	C	Viewed email from Robson

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
	water use will be applied.			Civil to Enerven dated 9 January 2025 that records project water use from 1 December – 19 December 2024.
W6	The Bayswater site operational water quality monitoring program will be updated and implemented as required.	Pre-operation and operation	C	<p>The Stage 2 EMS notes that surface discharges must comply with volume and quality limits set in the site Environment Protection Licences (EPL) 2122 and 779.</p> <p>KS (pers comms) confirmed that water quality monitoring for the EPLs is representative of the Project and is available on the AGLM website.</p> <p>Monthly EPL data summaries were available on the AGLM website at the time of the IEA.</p>
Social and economic				
SE1	AGLM will keep the community and stakeholders updated on the Project via the existing community engagement forum and AGL website	Pre-construction	C	<p>The AGLM website provide a Project overview and copies of environmental approvals and management documents. The Project is also discussed at AGLM Community Consultation Group meetings.</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
SE2	Identify opportunities to maximise the use of local suppliers, labour and businesses in the provision of goods and services for construction.	Construction	C	KS (pers comms) confirmed that local suppliers are used where possible for the Project.
SE3	Consultation with local tourist accommodation providers to identify peak tourist periods and consider timing of these periods in the planning of non-time-critical construction activities.	Construction	C	Deemed compliant by previous audit.
Infrastructure				
I1	AGLM will continue to consult with TransGrid and ETMC regarding any perceived impacts on the Liddell switchyard.	Pre-construction	C	KS (pers comms) consultation has been undertaken during the audit period Sighted Plan of the Day Meeting Minutes dated 31 January 2025 between Fluence, Enerven, AGLM and TransGrid
I2	AGLM will consult with Ausgrid as the network provider responsible for other onsite supply regarding continued supply.	Pre-construction / construction	NT	Commitment I2 was not triggered by Stage 2 or Stage 3 works completed during the audit period.
Cumulative				
CL1	The CEMP will include a process to review and update management measures if any other development commences in proximity to the Project.	Pre-construction	C	KS (pers comms) confirmed that AGLM have implemented a process to review and update management plans for each stage of the Project prior to commencement, in consultation with DPHI.

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				<p>KS (pers comms) confirmed that the EMS was revised for Stage 3 and is available on the AGLM website.</p> <p>Sighted copy of AGLM letter addressed to DPHI dated 13 January 2025 which notes AGLM request that the DPHI approve review and revision of plans triggered by the November 2024 audit be extended to be due following the audit that will commence by February 2025 (i.e. reviewed within 3 months of audit completion, with plans revised where necessary within 6 weeks following review).</p> <p>Sighted copy of DPHI letter dated 14 February 2025 which refers to AGLM submission dated 13 January 2025, requesting an extension to the time period for the review and revision of plans triggered by the 2024 November IEA. The letter notes that the Department approves an extension of the review</p>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence
				and revision of plans triggered by the November 2024 IEA and accepts submission of these plans in line with the subsequent IEA required to commence by February 2025.



Appendix D Stakeholder Engagement

To: RE: Liddell Battery and Ancillary Works Project SSD 8889679 Audit - Consultation
Cc: Tuesday, 21 January 2025 10:34:07 AM
Subject:
Date:
Attachments:

[EXTERNAL]

Hello Tegan

I think our primary concern at this stage is that adequate erosion and sediment controls have been established on site for the construction phase (these were probably tested in the recent rainfall), and that measures have been put in place to control stormwater/pollution runoff from locations where the batteries are stored to be able to manage firefighting materials and chemicals from the batteries in case of a runaway battery fire. Also that there are hazard management plans in place for the possibility of battery fires, with plans located on site for reference by workers/employees and fire fighters.

Thanks



**Sharon Pope | Director Environment and Planning |
Muswellbrook Shire Council**
T: | E: | www.muswellbrook.nsw.gov.au

Campbell's Corner 60-82 Bridge Street Muswellbrook NSW 2333



Our Ref: DOC25/57903-1

Senior Environmental Scientist
Xenith Consulting Pty Ltd
157-159 John Street
SINGLETON NSW 2330

By email: Cc:

24 January 2025

Dear Ms Brown

LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS INDEPENDENT ENVIRONMENTAL AUDIT

I refer to your email, dated 17 January 2025, to the Environment Protection Authority (EPA) requesting consultation as part of an Independent Environmental Audit for Liddell Battery and Bayswater Ancillary Works in accordance with the Condition of the Development Consent for SSD-8889679).

The EPA regulates the Liddell Battery and Bayswater Ancillary Works under Environment Protection Licence No. 779 (Bayswater Power Station) and Environment Protection Licence No. 2122 (Liddell Power Station), both issued to AGL Macquarie Pty Ltd.

The EPA encourages the preparation of audits as useful tools for industry to determine how to meet statutory obligations and identify potential or actual risks towards achieving these obligations.

As a regulatory authority, the EPA administers and regulates statutes for environmental management and protection. As such the EPA is not directly involved in the carrying out of audits to achieve those objectives and does not review or comment on such documents.

As a result, the EPA has no comment to provide for this request but directs you to the EPA's public register at <https://apps.epa.nsw.gov.au/prpoeoapp/> to view the Licences associated notices.

If you have any further questions about this issue, please contact Nirmala Dharmarathne on 0473866941 or info@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Gallagher', written over a light blue horizontal line.

KAREN GALLAGHER
A/Manager - Operations
Environment Protection Authority

NSW Environment Protection Authority
As the environmental steward and regulator of our State we are committed to a sustainable future.
Join us on our mission to protect tomorrow together.

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2124





Appendix E IEA Site Visit Agenda

AGL Macquarie Pty Limited Independent Environmental Audit

Liddell Battery and Bayswater Ancillary Works Project

Agenda for SSD 8889679 Compliance Review 15 January 2025

Table 1 Meeting Invitees

Name	Initials	Title	Company
James McNamara	JM	Manager Environment Construction	AGLM
Chirag Kakadiya	CK	Senior Project Manager – Major Projects	AGLM
Sean Barton	SB	Project Coordinator, Project Construction	AGLM
Keith Simkin	KS	Advisor Environment (Contractor)	AGLM
Dorian Walsh	DW	Auditor	Xenith
Tegan Brown	TB	Auditor	Xenith

Table 2 Audit Agenda Items

Time	Description	Location	Invitees
9:00am-10:00am	Opening Meeting <ul style="list-style-type: none"> › Introductions / Housekeeping (KS) › IEA scope and purpose (DW) › Confidentiality arrangements (DW) › IEA process and timing (DW) › Overview of site during the audit period (JM) › Discussion on SSD 8889679 Stage 3 requirements 	Meeting Room	JM, CK, KS, SB, DW, TB
10:00am-12:00pm	Compliance Review <ul style="list-style-type: none"> › SSD 8889679 conditions and environmental commitments › EA, Management plan commitments › Site Procedures › AGLM response to previous IEA report 	Meeting Room	JM, KS, DW, TB
12:00- 12:30pm	Lunch		
12:30- 2:00pm	Site Inspection <ul style="list-style-type: none"> › Review of environmental controls: <ul style="list-style-type: none"> ▪ Amenity management ▪ Active construction areas ▪ Erosion and sediment controls ▪ Biodiversity controls ▪ Laydown areas and storages 	Field	KS, SB, DW, TB

Time	Description	Location	Invitees
2:00- 3:00pm	Compliance Review (continued) <ul style="list-style-type: none"> › Licencing review › Review of any remaining compliance documents › Xenith prepare preliminary findings 	Meeting Room	JM, KS, DW, TB
3:00- 3:30pm (TBC)	Close Out Meeting <ul style="list-style-type: none"> › Overview of preliminary findings › Confirmation of outstanding information requirements › Confirmation of process for audit completion and reporting 	Meeting Room	JM, KS, DW, TB



Appendix F
Site Inspection
Plates



Plate 1 - Water cart being used for dust suppression within the Stage 2 construction area



Plate 2 - Segregated waste skip bins being used for Stage 2



Plate 3 - Waste bins for grease cartridges and aerosols used for Stage 2



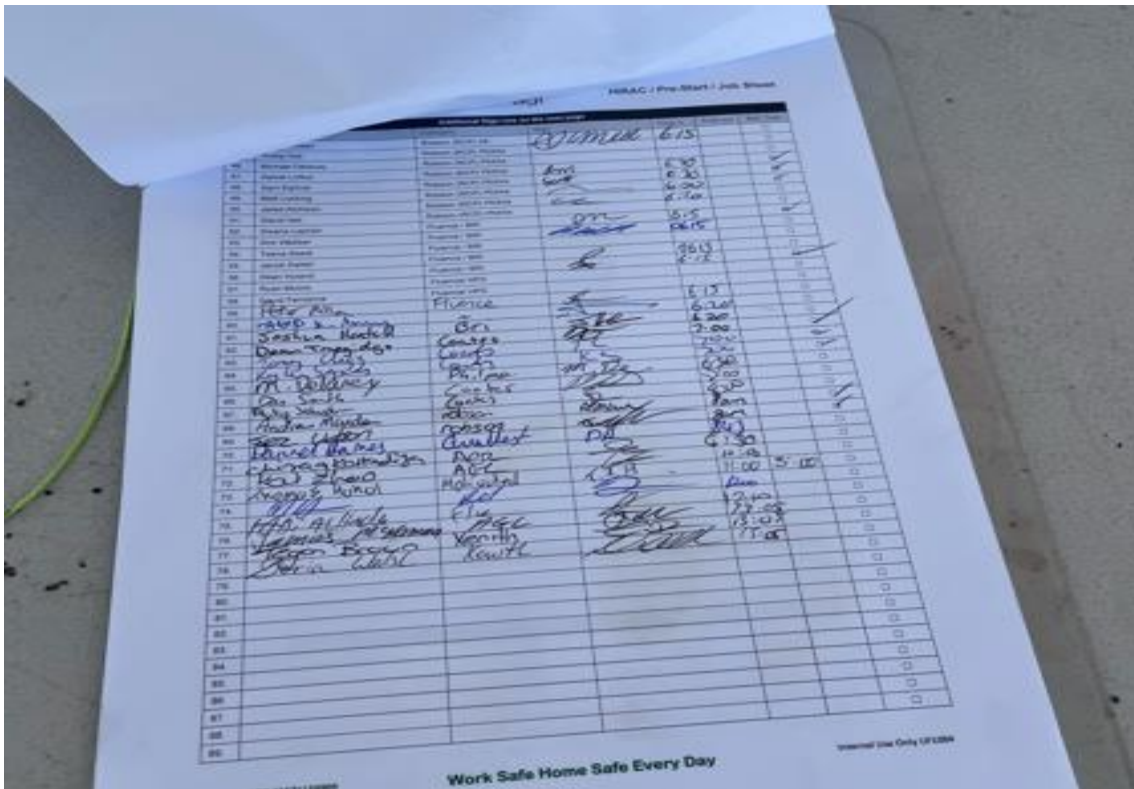
Plate 4 – Hydromulch used on Stage 2 stockpiles for dust suppression



Plate 5 – Hydromulch and sediment fencing being used around Stage 2 stockpiles



Plate 6 – Speed limit signage being used for the Project



Employee Name	Date	Start Time	End Time
Dimitri	6/5	6:30	12:00
Flouce	6/5	6:30	12:00
Bri	6/5	6:30	12:00
...

Work Safe Home Safe Every Day

Plate 7 – Sign in / sign out register being maintained for Stage 2 of the Project



Plate 8 – Bunded chemical container used for Stage 2 works, with corresponding SDS



Plate 9 – Bunded chemical storage in accordance with AS 1940-2017



Plate 10 – Stage 2 Project site being maintained in a good condition with sediment fencing in place and low dust emissions



Plate 11 – Fencing and flagging being used for Stage 2 disturbance area delineation



Plate 12 – Flagging and sediment control for Stage 2 of the Project



Plate 13 – Deconstructed section of Liddell MA1B conveyer completed under Project Stage 3 during the audit period



Plate 14 – Fire fighting equipment available for Stage 3 of the Project

Plate



Plate 15 – Signed and flagged stockpile with contaminated Asbestos materials identified for Stage 2



Plate 16 – Fenced off battery storage area for Stage 2



Plate 17 – Fenced off battery storage area for Stage 2



Plate 18 – Completed Stage 1 Project area



Plate 19 – Stage 1 stockpile which has been reshaped and cover cropped since the previous IEA



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