



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

**SSD8889679 – Stage 2 Liddell Battery Energy Storage System (BESS) Construction**

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
<b>Non-Compliances</b>				
<b>Schedule 2, Condition A2 (a)</b>	The development may only be carried out in compliance with the conditions of this consent.	Non-compliances (NC) with SSD 8889679 conditions were identified during this IEA.	Refer to non-compliances below.	Refer to non-compliances below.
<b>Schedule 2, Condition B26</b>	It is recommended that stockpile locations and dates of establishment for each stockpile are recorded in an updated ESCP for Stage 1.	17/05/2024 Not Compliant. Evidence was not available at the time of audit to confirm that residual topsoil stockpile locations for Stage 1 of the project had been documented.	Stage 1 works have been completed. This recommendation will be implemented for future topsoil works.	Ongoing
<b>Schedule 2, Conditions C1</b>	It is recommended that the Stage 1 and Stage 2 EMS documents are reviewed and updated to include plan(s) showing the locations of monitoring to be carried out under the conditions of SSD 8889679.	22/08/2024 Not Compliant. The Stage 1 and 2 EMS does not include a clear plan depicting the locations of monitoring to be carried out under the conditions of SSD 8889679.	Due to the nature of the construction monitoring was not able to be delineated until construction commenced. The monitoring locations are provided in the CEMP. Next trigger for the update of	EMS will be reviewed with consideration to schedule 2 condition C3.



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
			the EMS will include this information.	
<b>HR5</b>	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. I	Stage 2 Evidence was not available at the time of audit to confirm a designated refuelling area and procedures had been established for Stage 2 works (see Plate 4). It is recommended that a suitable area is delineated and communicated to the Stage 2 project contractors.	Designated refuelling area delineated and included in CEMP.	Completed
<b>BIO5</b>	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.	It was recommended during the previous IEA that material stockpiled during State 1 of the Project is delineated in the field and the location recorded.	Stage 1 stockpiles have been delineated and managed appropriately.	Completed



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
<b>Schedule 2, Condition A10</b>	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. Evidence that Stage 2 demolition work was completed in accordance with AS 2601-2001 was not available at the time of audit.	Evidence that Stage 2 demolition work was completed in accordance with AS 2601-2001 was not available at the time of audit. It is recommended that evidence is retained to demonstrate that all project demolition work is carried out in accordance with AS 2601-2001.	Evidence will be requested from demolition contractor.	March 2025
<b>Schedule 2, Condition B8</b>	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: (a) be prepared by a suitably qualified and experienced biodiversity expert/s;	Records to demonstrate DPHI approval of the revised BMP was not available at the time of audit. It is recommended that AGLM seek DPHI approval of the May 2024 BMP (or latest version).	Management plans will be reviewed, and if necessary revised, following this audit in accordance with Schedule 2 Condition C3 of SSD 8889679.  If the Biodiversity Management Plan does not require update following this audit the version updated May 2024 will be submitted to DPHI for approval.	Timing will be as per Schedule 2 Condition C3 of SSD 8889679.



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
<b>Schedule 2, Condition B12</b>	The Applicant must: (a) ensure that noise generated by any construction is managed in accordance with the Interim Construction Noise Guideline (DECC, 2009), or its latest version.	Evidence to confirm that verification noise monitoring described in Section 8 of the Liddell Power Station Battery Energy Storage System Construction Noise Management Sub Plan dated 5 April 2024 (NMP) was not available at the time of audit. It is recommended that monitoring is completed to confirm that construction noise is consistent with Environmental Assessment predictions.	Significant noise generating activities had not yet been conducted at the time of the audit.  Confirmation noise monitoring has been completed by Fluence (Primary Contractor) and Enerven (Earthworks Contractor) since this audit was completed.	Completed
<b>Schedule 2, Condition B26 (b)</b>	The Applicant must:  (b) minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, or its latest version;	An Erosion and Sediment Control Plan (ESCP) documenting stockpile locations for the Project was not in place during the previous audit, as required under Section 5.1 of the Soil and Water Management Plan. It is recommended that stockpile locations and dates of establishment for each stockpile are recorded in an updated ESCP for Stage 1.	Stage 1 works have been completed. The Stage 1 ESCP is no longer considered to be active. The soil stockpile referred to has been shaped and seeded with sediment fencing maintained.	N/A



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
Schedule 2, Condition B27	The Applicant must: (a) take all reasonable steps to minimise the waste generated by the development;	Waste management records from the removal of the steam pipe from the Stage 1 area during the audit period were not available at the time of audit.	Waste management records for this steam pipe will be requested from PBE	March 2025
Schedule 2, Condition B27 (b)	The Applicant must: (b) classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014);	See Schedule 2, Condition B27(a)	See Schedule 2, Condition B27(a)	See Schedule 2, Condition B27(a)
Schedule 2, Condition B27 (d)	The Applicant must: (d) manage any asbestos or asbestos-contaminated materials identified during construction and operation of the development in accordance with the requirements under the Protection of the Environment Operations (Waste) Regulation 2014.	Stage 2 Records to confirm the management of the potentially contaminated material that was being assessed at the time of the previous audit was not available. It is recommended that AGLM maintain records for the monitoring and management of this material, in accordance with EPA requirements and the AGLM site procedure.	These records are available and are retained onsite.	Completed



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
<b>Schedule 2, Condition C1</b>	<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>(e) include: a clear plan depicting monitoring to be carried out under the conditions of this approval.</p>	<p>The Stage 1 EMS does not include a clear plan depicting the locations of monitoring to be carried out under the conditions of SSD 8889679.</p> <p>The Stage 2 EMS does not include a clear plan depicting the locations of monitoring to be carried out under the conditions of SSD 241107 AGL SSD 8889679 IEA App C Tables C39 Cond Project Approval SSD 8889679 Status Evidence 8889679. It is recommended that plans showing all monitoring locations representative of SSD 8889679 are added to the Stage 1 and Stage 2 EMS</p>	<p>Stage 1 works have been completed. This recommendation will be considered for future works under this consent.</p> <p>This recommendation will be considered during the next review of the EMS for Stage 2.</p>	<p>N/A</p> <p>Timing will be as per Schedule 2 Condition C3 of SSD 8889679.</p>
<b>Schedule 2, Condition C19</b>	<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>	<p>The revised ACHMP, BMP, EMS and EMS sub-plans were not publicly available on the AGLM website at the time of audit.</p>	<p>Updated documents are available on the AGLM website.</p>	<p>Completed</p>



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
	(v) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (vii) a complaints register;	The project complaints register available on the AGLM website was not current at the time of audit.		
<b>Schedule 2, Condition D3</b>	The development of the Ravensworth Coal Unloader Facility must be carried out in accordance with the following document: Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement, HLA Envirosciences, December 1997. Statement prior to surrender of the DA 20_98 under Schedule 2, Condition A5 of SSD 8889679. This information was not available at the time of audit.	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.	This consent has now been surrendered to Singleton Council. Evidence of compliance status was provided to Singleton Council as part of the surrender process.	Completed
<b>Schedule 2, Condition D4</b>	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	It was recommended during the last IEA that AGLM retain evidence that confirms consultation with Rail Access Corporation to develop and implement	This rail loader is not currently operational and is under Care and Maintenance. AGL will review	June 2025



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
	and off the Main Northern Line.	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.	the relevant Statement of Environmental Effects and collate evidence of compliance.	
<b>Schedule 2, Condition D6</b>	<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> <p>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation, HLA Envirosciences, August 2000.</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.	This rail loader is not currently operational and is under Care and Maintenance. AGL will review the relevant Statement of Environmental Effects and collate evidence of compliance.	June 2025





**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
<b>Recommendations</b>				
Schedule 2, Condition A7 (c)	<p>With the approval of the Planning Secretary, the Applicant may:</p> <p>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).</p> <p>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.</p>	<p>It is recommended that the revised EMS and sub-plans approved in June 2024 are made available on the AGLM website.</p>	<p>The plans have been uploaded to the AGLM website.</p>	<p>Completed</p>



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
<b>Schedule 2, Condition B27</b>	The Applicant must: (a) take all reasonable steps to minimise the waste generated by the development;	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.	This waste classification has been completed since completion of the audit.	Completed
<b>Schedule 2, Condition B27 (b)</b>	The Applicant must: (b) classify all waste in accordance with the Waste Classification Guidelines (EPA, 2014);	See Schedule 2, Condition B27(a)	See Schedule 2, Condition B27(a)	See Schedule 2, Condition B27(a)
<b>AQ3</b>	While hauling materials in trucks, the following will be undertaken: <ul style="list-style-type: none"> <li>• Regular watering of unsealed haulage routes</li> <li>• Regular inspection and removal of debris from plant and equipment to avoid the tracking of materials on to the adjacent road network.</li> </ul>	It is recommended that a water cart is retained for future stages of the Project involving disturbance and construction work.	2 water carts are utilised by Enerven for earthworks.	Completed / Ongoing
<b>BIO8</b>	Where possible, avoid entering areas of significant weed infestations with machinery or personnel. Weed infestations are	It is recommended that AGLM maintain a register of all weed treatment works undertaken for the Project, including the	These records are retained for relevant works on an	Ongoing



SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
	predominantly located in the Exotic grassland areas, or the PCT 1691 'regrowth' areas mapped within the development site (Figure 5-2).	location, treatment methods and person(s) completing the work.	ongoing basis.	
<b>BIO10</b>	During the clearing works, weeds will be disposed and managed appropriately to stop the spread of existing weed species.	It is recommended that treatment of these areas is undertaken and monitored, with evidence of weed treatment and disposal retained.	These records are retained for relevant works on an ongoing basis.	Ongoing
<b>V5</b>	Mitigation tree and shrub planting will be considered to visually integrate the Project within the surrounding landscape.	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.	This will be considered as construction commences. It should be noted that there is significant vegetation surrounding the BESS construction area, and the site is separated from offsite areas by Lake Liddell.	Ongoing
<b>WR02</b>	Cleared vegetation will be either mulched for onsite reuse or used to create habitat piles, noting that any weeds and pathogens will be	It is recommended that all cleared vegetation is either mulched onsite for reuse or used to create habitat piles,	This has been completed for clearing associate with construction of the BESS.	Completed / Ongoing



**AGL Macquarie Pty Limited**

ABN 18 167 859 494

New England Highway

Muswellbrook NSW 2333

Private Mail Bag 2

Muswellbrook NSW 2333

t: 02 6542 0711

agl.com.au

SSD8889679 – LIDDELL BATTERY AND BAYSWATER ANCILLARY WORKS

IEA Response Letter

17/12/2024

Condition Reference	Context	Non Compliance / Recommendation	Action Proposed by AGLM	By When
	managed according to requirements under the NSW Biosecurity Act 2015.	with weeds and pathogens managed according to requirements under the NSW Biosecurity Act 2015.		
W4	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.	It is recommended that erosion and sediment controls are regularly inspected and maintained if required.	A regular inspection program has been implemented by Enerven with the assistance of SLR Consulting.	Completed / Ongoing