

Biodiversity Management Plan

BROKEN HILL BESS – STAGE 3 (OPERATIONS & MAINTENANCE)

25 August 2023

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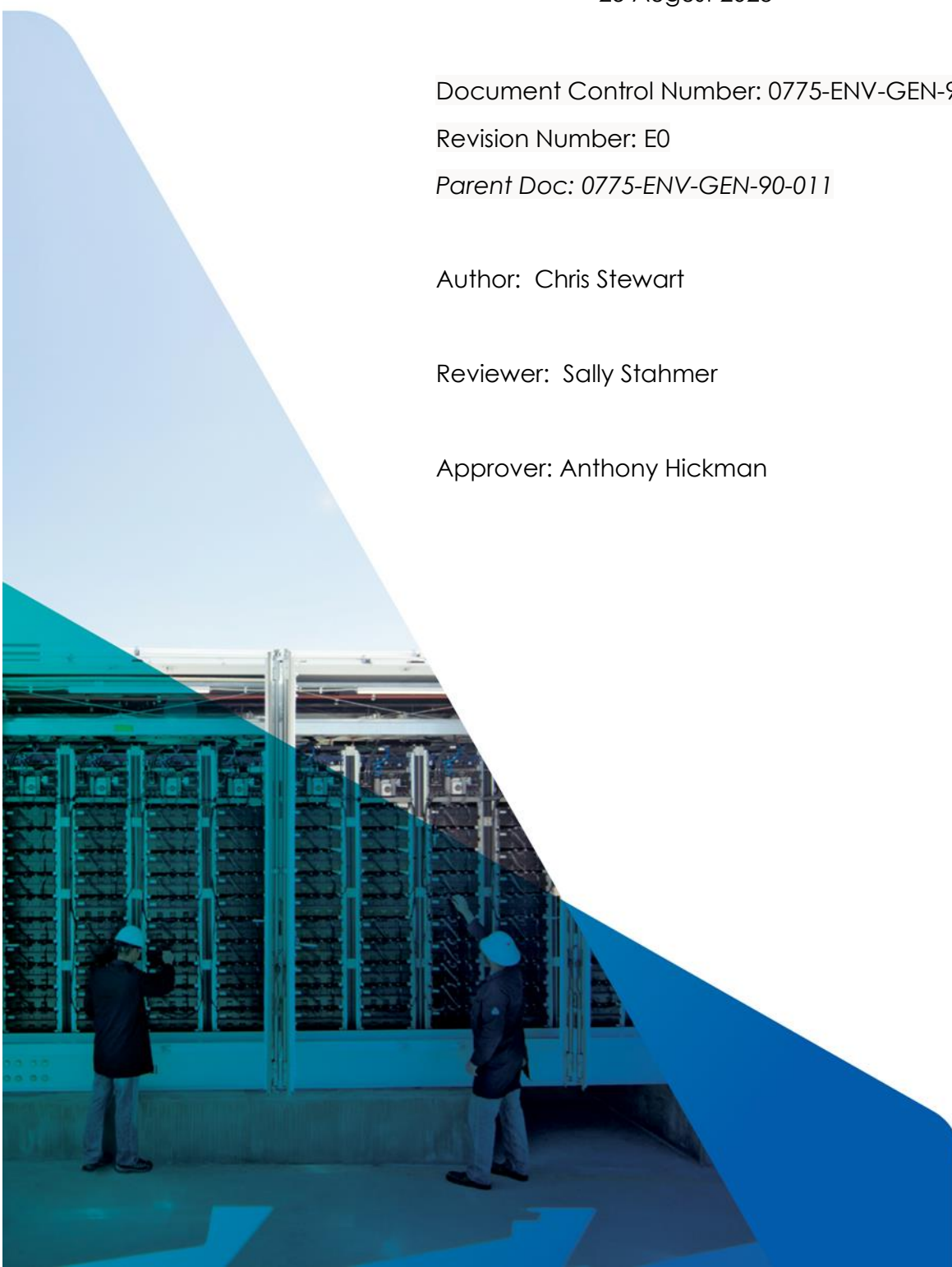
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Revision History

Date	Revision No	Details
31 May 2023	A0	Issued for review – Fluence Energy
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14 July 2023	C0	Updated to address AGL Comments
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25 August 2023	E0	Further update after BCD feedback

Management sign-off

Date	Name	Position
25 August 2023	Chris Stewart	Principal Consultant (SQE Solutions)
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Record of Consultation

Date	Issues Raised	Addressed	Approved
25 August 2023	Various	Updated as requested	



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1. INTRODUCTION

The Biodiversity Management Plan (BMP) is a Subplan to the Environmental Management Strategy (EMS) for Stage 3 Operations & Maintenance of the Broken Hill BESS.

This BMP has been prepared by Fluence Energy Australia (Fluence) for the applicant AGL Macquarie Pty Limited (AGL) to meet the requirements set out in Schedule 3 Condition 12 of the Development Consent SSD-11437498.

The Development Consent Conditions relating to biodiversity management are detailed in Section 4 of this plan.

1.1 Preparation of the Biodiversity Management Plan

The BMP has been aligned with the Development Consent under Section 4.38 of the *Environmental Planning & Assessment Act 1979* which has been authorised by the Minister for Planning and Public Spaces and is registered as the Broken Hill Battery Storage System (BESS) SSD-11437498.

Subsequent to the EIS, a Biodiversity Development Assessment Report (BDAR), (rev12 dated 6 June 2022) has been completed and provides additional mitigation measures to the EIS. Components of the Development Consent and BDAR have been integrated within the BMP to ensure adequate control with monitoring against the Facility's operational scope.

SQE Solutions Pty Ltd has assisted and worked with Fluence in the preparation of this BMP. Fluence, during Operations and Maintenance of the Broken Hill BESS, will continue to hold the responsibility of implementing the BMP.

1.2 Obligation to Minimise Harm to the Environment

In meeting the specific environmental performance criteria established under this BMP, Fluence must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the operation of the Broken Hill BESS.

The operation of the Broken Hill BESS is likely to result in a negligible impact on biodiversity surrounding the site as all infrastructure has been designed and constructed during Stage 1 and 2 of this Project.



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1.3 Applicability

It is the responsibility of the Fluence Operations and Maintenance (O&M) Team and any additional subcontractors to comply with the objectives and requirements of this BMP and related documents where required by their respective scope of works.

1.4 Consultation Requirements

The Stage 1 and 2 BMP's have been submitted and approved by the planning secretariat.

Prior to commencing Operations, the BMP of the proposed development will be submitted to Biodiversity and Conservation Division (BCD).

1.5 Applicable Definitions

Term	Definition
BCD	Biodiversity and Conservation Division
BDAR	Biodiversity Development Assessment Report
BOP	Balance of Plant
Conformity	Fulfilment of a requirement (i.e. EIS, Development Consent and EMS).
DC	Development Consent as required by the Minister for Planning and Public Open Spaces and Section 4.38 of the <i>Environmental Planning & Assessment Act 1979</i> .
EIS	The Environmental Impact Statement for Broken Hill Battery Energy Storage System
Environment	Surroundings in which an organisation operates, including air, water, land, natural resources, flora, fauna, humans and their interrelationships.
Environmental Aspect	An element of an organisation's activities, products, and services that interact with the environment. These can include discharges to water, emissions to air, waste and use of natural resources and materials.
Environmental Impact	Any change to the environment, whether adverse or beneficial, resulting from a facility's activities, products, or services (the effect that people's actions have on the environment).
Incident	Occurrence arising out of or in the course of work that could or does result in death, injury or ill-health, or equipment or environmental damage. 'Accident' refers to incidents incurring injury, ill health, damage or harm.



Term	Definition
	'Near-miss refers to incidents not incurring injury, ill health, damage or harm but have the potential to do so.
HM	Hazardous Material
HV	High Voltage
Material harm	Is harm that involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development.
Non-compliance	An occurrence, or development that is a breach of this Biodiversity Management Plan but is not an incident.
PCT	Plant Community Type (Species within the Biodiversity Management Plan Operational Scope).
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable, non- polluting and sustainable.
Salesforce	Fluence Incident and Action Management System
Significant Environmental Aspect	An Environmental aspect that has significant characteristics in terms of risk impact (i.e. Legal requirement, protected species, habit, licence conditions), and if not controlled can cause a significant impact (i.e. Pollution,



Term	Definition
	degradation, environmental harm, prosecution, breach, non-compliance and or non-conformity).

1.6 Compliance Obligations

For the purposes of this plan, Fluence’s environmental compliance obligations are contained within the following legislation as defined from the EIS and Development Consent and includes:

- *Biodiversity Conservation Act 2016* (NSW)
- *Biosecurity Act 2015* (NSW)
- *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth)
- *Environmental Planning & Assessment Act 1979*
- Environmental Planning & Assessment Regulation 2000
- *Protection of the Environment Operations Act 1997*
- Environmental Subordinate Legislation and Guidelines
- Industry and Governmental Approval Bodies
- Australian and International Standards
- Operations Legal Register

Actions to address specific compliance requirements have been listed in the relevant sections of this plan inclusive of conditions set by the Development Consent.

Environmental legislation is also accessed through Environmental Essentials via the Fluence intranet. Environmental standards are accessed through SAI Global via intranet or requested through the HSE team. Other documentation may be requested through the relevant AGL representative.

2. OPERATIONAL OVERVIEW

2.1 Scope of Works

Fluence will be responsible for all required planned and unplanned maintenance services at Broken Hill BESS.



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The facility will operate 24 hours a day, 7 days a week and will have up to three full time employees. The Broken Hill BESS would typically be managed remotely and staffed as required during planned and unplanned maintenance periods.

The Operations and Maintenance categories are generally as per below:

- BESS Core – Cubes, ancillary systems, IT infrastructure, and power conversion units
- HM & HV BOP – Transformers, switches and protection, and related accessories
- Fire Suppression – BESS system and devices, building systems, and first response.
- Facility – Site access, grounds and yard management, and amenities control
- 24/7 on call site support

The Broken Hill BESS is located at 74 - 80 Pinnacle Place, Broken Hill NSW.

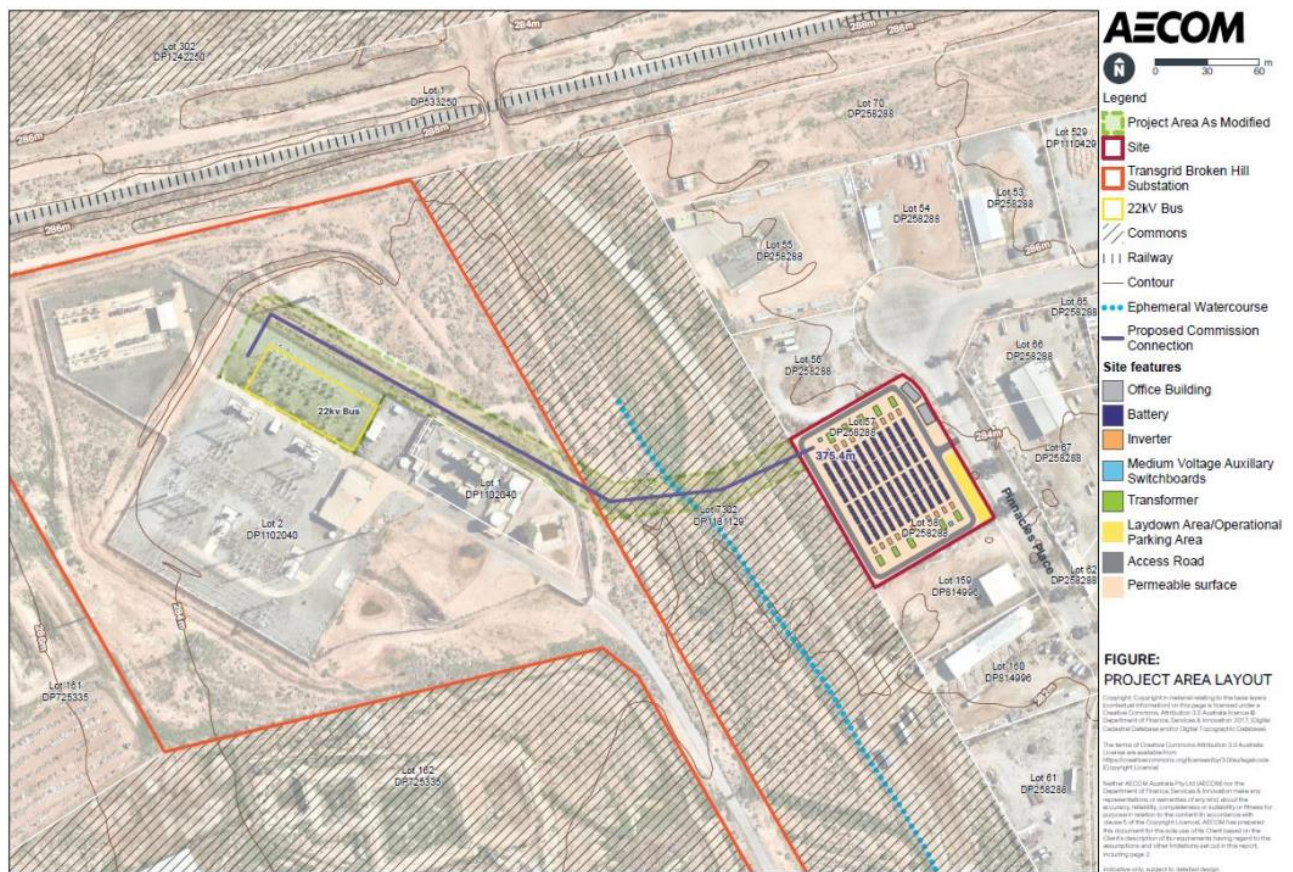


Figure 1 – Site Boundaries (AECOM)



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2.2 Operational Impacts on Biodiversity

Operation and maintenance of the Broken Hill BESS facility is not anticipated to result in any significant environmental impacts. The operational team will monitor and maintain the BESS infrastructure to minimise impacts on biodiversity within and adjacent to the property.

3. DEVELOPMENT CONSENT CONDITIONS

Development Consent Sections	Biodiversity Management Plan References						
<p>Vegetation Clearance Schedule 3 – Section 10 10. The Applicant must not clear any vegetation or fauna habitat located outside the approved disturbance areas described in the EIS</p>	Section 4.3						
<p>Biodiversity Offsets Schedule 3 – Section 11 11. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must retire biodiversity credits of a number and class specified in Table 1 and Table 2 below, unless the Planning Secretary agrees otherwise. The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:</p> <p>a) Acquiring or retiring ‘biodiversity credits’ within the meaning of the Biodiversity Conservation Act 2016.</p> <p>b) Making payments into an offset fund that has been developed by the NSW Government; or</p> <p>c) Funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.</p> <p>Table 0-1 - Ecosystem Credit Requirements</p> <table border="1" data-bbox="188 1688 1089 1866"> <thead> <tr> <th data-bbox="188 1688 656 1745">Vegetation Community</th> <th data-bbox="656 1688 789 1745">PCTID</th> <th data-bbox="789 1688 1089 1745">Credits Required</th> </tr> </thead> <tbody> <tr> <td data-bbox="188 1745 656 1866">Bluebush shrubland on stony rises and downs in the arid and semi-arid zones</td> <td data-bbox="656 1745 789 1866">155</td> <td data-bbox="789 1745 1089 1866">10</td> </tr> </tbody> </table>	Vegetation Community	PCTID	Credits Required	Bluebush shrubland on stony rises and downs in the arid and semi-arid zones	155	10	N/A to this Stage
Vegetation Community	PCTID	Credits Required					
Bluebush shrubland on stony rises and downs in the arid and semi-arid zones	155	10					



Table 0-2 – Species Credit Requirements		
Species Credit Species	PCTID	Credits Required
Australian Bustard (<i>Ardeotis australis</i>)	155	11
<p>Biodiversity Management Plan</p> <p>Schedule 3 – Section 12</p> <p>12. Prior to commencing construction, the Applicant must prepare</p> <p>a) Prior to commencing construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultant with BCS, and to the satisfaction of the Planning Secretary. This plan must:</p> <ul style="list-style-type: none"> • Protecting vegetation and fauna habitat outside the approved disturbance areas. • Minimising clearance and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development. • Minimising the impacts to fauna on site and implementing fauna management protocols. • Rehabilitating and revegetating disturbance areas with species that are endemic to the area. • Maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; and • Controlling weeds, feral pests and pathogens. <p>b) Include a program to monitor and report on the effectiveness of mitigation measures; and</p> <p>c) Include details of who would be responsible for monitoring, reviewing, and implementing the plan.</p> <p>Following the Planning Secretary’s approval, the Applicant must implement the Biodiversity Management Plan.</p> <p><i>Note: If the biodiversity credits are retired via a Biodiversity Stewardship Agreement, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biodiversity Stewardship Agreement.</i></p>		
		Stage 1 and 2 Plans have been approved.
		Section 4.2 and 4.4
		Section 4.2 and 4.3
		Section 4.5
		Section 4.4
		N/A for this stage
		Section 4.6
		Section 9
		Section 9



4. BIODIVERSITY MANAGEMENT PLAN AND MITIGATION CONTROL MEASURES

The project Environmental Impact Statement (EIS) has identified that many impacts on biodiversity would occur during construction from the clearing of native vegetation and removal of habitat for a limited range of flora and fauna. The requirements for biodiversity management have since been updated within the Biodiversity Development Assessment Report (BDAR) (Rev12, dated 6 June 2022). Construction of the Project was approved to clear approximately 0.27 hectares of low condition native vegetation, Plant Community Type (PCT) 155 - Blue-brush shrubland on stony rises and downs in the arid and semi-arid zones from the site.

No threatened biodiversity at risk of serious and irreversible impacts are known or considered likely to occur in the Project Area or would be impacted by the operation of the Broken Hill BESS.

4.1 Mitigation Measures – Operations

After the completion of construction there should be minimal impacts outside of the BESS facility area during operations and maintenance as it has a permanent hard stand and boundary fence. This BMP outlines the operational controls that are to be established, monitored, and maintained throughout the operational phase, as detailed within the BDAR (Table 15). Please refer to Section 9 (Monitoring and Inspection) for and shall include the following:

Operational Controls

Mitigation Measures and Timing	Responsibility	Frequency
All waste will be managed and removed from the Project Area	Fluence Operations and Maintenance	As required by Monitoring (Section 9)
Weed Control Measures (as per the Weed management strategy)	Fluence Operations and Maintenance	As required by Monitoring (Section 9)

4.2 Protecting Vegetation

There is no remaining vegetation within the boundary of the Broken Hill BESS and there shall be minimal further disturbance of vegetation within the transmission line corridor, except for emergency maintenance if required. Vegetation and identified Weed management practices



will be undertaken as outlined further in the plan.

4.3 No Further Clearing

No further clearing will occur as part of normal operations and maintenance of the Broken Hill BESS. No further clearing of the transmission line corridor will be required during normal operations. The transmission line will have a cable test completed every 5 years, although this will be accessed through cable ends within the BESS or Switchyard and therefore have no impact within the transmission line easement. If any further works are required within the Transmission line corridor a revision of the BMP will be required.

4.4 Reinstatement and Rehabilitation

All rehabilitation required after construction is managed through the Development Consent and EPC Contract obligations and therefore will be completed as part of Stage 1 and 2 of the project.

The project site must be rehabilitated within 18 months. The project must complete rehabilitation to satisfactorily achieve the following objectives:

- Rehabilitating and revegetating disturbance areas with species that are endemic to the area (i.e. native seed and plantings are to be species from PCT 155); and
- Maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site – this will be achieved by:
 - disturbed areas to be backfilled (with excavated material from the trench);
 - rehabilitated immediately post-construction (as is reasonably practical) with plants endemic to the locality;
 - Any fill material required for the site must be clean fill.

Both the Stage 1 and Stage 2 sites will be stabilised under the approved BMP's. If further rehabilitation is required during Stage 3 it will be managed as per the consent conditions.

4.5 Minimise the Impacts to Fauna

Native, feral and other animals may enter the BESS during operations, placing themselves and site personnel at risk of harm. The following controls will be implemented to minimise risks associated with fauna entry:

- Food scraps will be securely stored in lidded bins and regularly removed from site to deter fauna.



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- Feeding and/or capture of native or feral animals will not be permitted (except by a specialist handler engaged to remove the animal).
- Notification of fauna sightings are to be reported to Fluence including any habitat(s) to identify if further controls are required.
- Any identification of fauna that is listed as a threatened species must be handled in accordance with the Unexpected Threatened Species Finds procedure (Section 5.1)

4.6 Reinstatement and Rehabilitation

All reinstatement and rehabilitation of the BESS facility site will be completed under the EPC Contract obligations. Fluence will undertake maintenance as required of batters around the BESS hardstand to ensure successful vegetation cover and mitigation of any erosion.


Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Planning Secretary.

4.7 Controlling Weeds, Pests, and Pathogens



Three weeds were recorded during field surveys within the BESS including:

- African Boxthorn (*Lycium ferocissimum*): listed as a manageable high threat weed (HTW) which can be effectively managed with specific management practices. African Boxthorn is also listed as a priority weed for the western region of NSW.
- Mesquite (*Prosopis* spp.): listed as a priority weed for the western region of NSW
- Velvet Mesquite (*Prosopis velutina*): listed as a priority weed for the western region of NSW.

Refer to table below – Weeds identified within Project Area

Weed Images	Type	Listed As	Controls
	African Boxthorn (<i>Lycium ferocissimum</i>)	Weed of National Significance State Priority Weed category – Containment and/or asset protection	Effectively managed with specific management practices (correct identification, hygiene protocols, and herbicides for regrowth).



Weed Images	Type	Listed As	Controls
	<p>Mesquite (<i>Prosopis</i> spp.): listed as priority weed for the western region of NSW</p>	<p>Weed of National Significance State Priority Weed category - Containment and/or asset protection</p>	<p>Effectively managed with specific management practices (correct identification, hygiene protocols, and herbicides for regrowth).</p>
	<p>Velvet Mesquite (<i>Prosopis velutina</i>): listed as priority weed for the western region of NSW</p>	<p>Prohibited and Category 3 restricted invasive plant • Priority weed for the western region of NSW</p>	<p>Effectively managed with specific management practices (correct identification, hygiene protocols, and herbicides for regrowth).</p>

Weed hygiene objectives, management protocols and associated controls will be implemented during operations to prevent the spread of weeds. These include (but not limited to):

- Constructed and sealed site entry.
- Inspections for all mobile plant on mobilisation.
- Mandate for all visiting vehicles and equipment to remain on constructed hard stand area.
- Training of vehicle hygiene and weed management through the induction and ongoing at toolbox meetings throughout operations.
- If weed species are unexpectedly found to confirm the presence of any weed species. Where present, a suitably qualified sub-contractor is to be engaged to appropriately remove the weed species with decision informed around:
 - Species type;
 - Species stage (emerging / flowering / seeding);
 - Species location; and
 - Approved removal methodology.

Where a contact period is required for a herbicide control is required, this is to be clearly communicated to the Fluence Operations and Maintenance Team so that the control method can be effectively implemented.



Please Note: - Glyphosate is not to be used on any AGL Sites

All individuals have a duty to ensure the control measures are applied and understand how to identify and prevent the spread of weeds through hygiene protocols being applied. It is a requirement (under the *Biosecurity Act 2015 NSW*) to prevent, eliminate or minimise a biosecurity risk so far as is reasonably practicable.

4.8 Fire Water Impact on Biodiversity

There is potential for residues after a fire and hence potential for contaminated water run-off that could impact adjacent properties and biodiversity. Please refer to Soil and Water Management Plan for further control information.

5. THREATENED SPECIES

The purpose of this section is to detail the actions to be taken in the event that an unexpected actual or potential threatened species or endangered ecological communities is encountered during operational works.

This procedure is applicable for the following:

- all activities conducted by site personnel (including sub-contractors) that have the potential to encounter unexpected threatened species finds (usually during pre-clearing inspections and construction);
- where the BESS facility does not have the approval to impact the threatened species; and
- where mitigation measures for managing the disturbance (apart from this procedure) are not contained in the environmental impact assessment.

5.1 Unplanned Fauna Finds Procedure

Below is a guideline for an unplanned threatened species encounter at Broken Hill BESS:

1. Observe from a distance: If you come across a threatened species, maintain a safe distance and observe it quietly. Do not disturb or provoke the animal in any way. This will help minimize stress and potential harm to the species.
2. Do not touch or handle any fauna unless you are a trained and authorised wildlife handler. Preferred and Authorised personnel will be managed through the Services Team. Fauna handlers to be appropriately licensed or approved under relevant legislation. This includes the need for:
 - a. Those handling reptiles to have a Biodiversity Conservation Licence under the Biodiversity Conservation Act 2016; and



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- b. Any injured native fauna to be taken to a vet or to a licensed wildlife rehabilitation provider. The wildlife rehabilitation provider must hold a Biodiversity Conservation Licence (Wildlife Rehabilitation Licence) under the Biodiversity Conservation Act 2016. Below are two options for wildlife rehabilitation:
 - i. Rescue and rehabilitation of Australian Native Animals (RRANA), Mobile 0429 204 416, www.rrana.20fr.com, PO Box 5089 South Broken Hill NSW 2880.
 - ii. WIRES (Wildlife Information, Rescue and Education Service), Phone 1300 094 737, www.wires.org.nz, PO Box 7276 Warringah Mall NSW 2100
3. Note the location and behavior: Take note of the exact location where you encountered the species and observe its behavior. This information can be valuable for conservation authorities or wildlife experts.
4. Take photographs or videos: If possible, take photographs or videos of the species while maintaining a safe distance. This documentation can assist in species identification and verification.
5. Report the encounter: In New South Wales (NSW), there are several organisations and authorities you can report fauna encounters to, depending on the nature of the encounter. Here are some relevant options:
 - a. WIRES (Wildlife Information, Rescue and Education Service): WIRES is a volunteer-based organisation that rescues and rehabilitates native wildlife in NSW. If you encounter injured, sick, or orphaned wildlife, you can report it to WIRES. They can be reached through their 24/7 hotline: 1300 094 737.
 - b. Department of Planning & Environment, Biodiversity & Conservation Division. Notification can be made via rog.southwest@environment.nsw.gov.au
 - c. Department of Primary Industries (DPI): They can provide information on wildlife management, including reporting wildlife encounters that may affect agriculture or the environment. Visit the DPI website for relevant contact details.
6. Remember, each threatened species encounter may differ based on the species involved and the circumstances. It's crucial to prioritize the well-being and conservation of the species, so always defer to the guidance of local authorities and wildlife experts.

6. CONSULTATION WITH LOCAL COMMUNITY

The Fluence Services Lead will be available to meet with any neighbours affected by the Operations of the Broken Hill BESS to discuss the proposed measures mentioned within this



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BMP. Regular consultation can be held if required with Council’s manager for social and community services.

7. INCIDENTS AND EMERGENCIES

As with any near-miss or incident associated with equipment or personnel, each event must be reported to the Fluence service supervisor in accordance with the site Health and Safety Management Plan.

7.1 Infractions

Breaching the rules and mandates set forth in this BMP may result in a suspension or cancellation of site access authority, based on the assessment of Fluence facility management of the severity of an infraction.

8. COMPLAINT MANAGEMENT PROCESS

Complaints shall be registered, tracked, and responded to in accordance with the following timeframes:

- Complaint entered into Sales Force
- Initial response provided to the complainant and Client within 24 hours indicating the matter is being addressed; and
- Detailed response including details of the complaint and the action taken / further action planned to alleviate the problem provided to the client within ten working days.

The following details will be recorded as a minimum:

- Date;
- Issue / Complaint;
- Affected Neighbours;
- Activity Date;
- Follow up / complaints – Actions; and
- Follow up / complaints – date.

The complainant should be contacted by Fluence manager if additional information is required to confirm the complaint issues or the outcome sought, or to provide information about the customer complaints management process, such as timeframes and complainant responsibilities.



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The Operations Team must advise the complainant of the outcome of the assessment and resolution process. This should include:

- A clear explanation of the final decision of any recommendations
- Any review options available to the complainant, including internal or external review.

9. MONITORING AND INSPECTION

All aspects of the BMP should be audited and reviewed at regular intervals to ensure continuing suitability, adequacy, and effectiveness of the controls for eliminating risk, for the best continuous improvement process possible. The plan must be reviewed when circumstances change at the site, or when there is any indication that biodiversity risks are not being controlled.

9.1 Operational Monitoring Requirements

Item	Frequency	Responsibility
Weed Control – Observe the emergence of any new or previously identified weed species, and ensure appropriate control measures are implemented to reduce potential spread throughout operations of the Broken Hill BESS	Monthly Review	Fluence Operations and Maintenance
Waste – Ensure that BESS is kept clean and free from material waste. Waste will be removed as required through identified Monthly operational inspections. General Waste Stream will be segregated into general and recycling.	Ongoing	Fluence Operations and Maintenance
Environmental Awareness - All employees and subcontractors are to complete environmental training prior to commencement of work onsite during operations through and induction process and continuation of training through morning pre-start and toolboxes when working on-site.	On-site Induction	Fluence Operations and Maintenance



<p>Environmental Inspections - Inspections are to be completed monthly and include a focus on weed control and waste. All corrective actions are to be captured in Salesforce.</p>	<p>Monthly</p>	<p>Fluence Operations and Maintenance</p>
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