

Environmental Management Strategy

BROKEN HILL BESS

19 December 2023

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Management sign-off

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1. KEY ACROMYMS AND ABBREVIATIONS

Table 1 – Acronyms and Abbreviations

Acronym or Abbreviation		Meaning
BCS		Biodiversity Conservation and Science
BMP		Biodiversity Management Plan
BESS		Battery Energy Storage System
COA		Conditions of Approval
DC		Development Consent
DPI&E		NSW Department of Planning and Environment
EIS		Environmental Impact Statement
EMS		Environmental Management System
EMT		Emergency Management Team
RMS		NSW Roads and Maritime Services
SSD		State Significant Project

2. INTRODUCTION

This Environmental Management Strategy (EMS) has been prepared by Fluence Pty Ltd (Fluence) on behalf of the AGL (the applicant) and is aligned with the Development Consent Approval (SSD-11437498) 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) Project -Application Number SSD-11437498.

This EMS has been developed to identify and provide the strategic framework for environmental management for expected environmental impacts arising from the operation of the Broken Hill BESS. Fluence on behalf of AGL are committed to carrying out the operation



of the Broken Hill BESS in accordance with the conditions of consent and take all reasonable and feasible measures to prevent and/or minimise any material harm to the environment.

On the 1st of December 2021, the Director of Energy Assessments (Department of Planning Industry & Environment – DPIE) granted approval to AGL Energy Limited (AGL) to develop the project in three stages as per below: -

- Stage 1: Construction of the BESS
- Stage 2: Construction of the transmission line and connection works; and
- Stage 3: Operation of the project.

2.1 Applicability

This EMS is solely for the operations (Stage 3) of the Broken Hill BESS and any further construction activities, or decommissioning will require an amendment to the EMS and associated Plans. Whilst operating and maintaining the BESS all works are to remain within the approved development footprint. When upgrading battery storage infrastructure revised layout plans and details are to be submitted to the Planning Secretary prior to carrying out any such upgrades.

It is the responsibility of the Operations and Maintenance (O&M) Contractor (project personnel, contractors, and subcontractors) to comply with the objectives and requirements of this EMS and related documents where required by their respective scope of works.

The EMS provides a strategic framework for all environmental management plans as required by the Development Consent (SSD-11437498-Mod-1), including but not limited to:

- Biodiversity Management Plan – 0775-ENV-GEN-90-012
- Heritage Management Plan – 0775-ENV-GEN-90-013
- Traffic Management Plan – 0775-ENV-GEN-90-014
- Soil and Water Management Plan – 0775-ENV-GEN-90-015
- Emergency response Plan - 075-ENV-GEN-90-006
- Fire Safety Study - Broken Hill BESS AGL Rev 05B

The EMS is the overarching document for the operations that includes several plans required as per the development consent. Fluence is committed to complying with any requirements arising from the assessment of strategies, plans, or correspondence by the Planning Secretary.

Specifically, this document: -



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- Provides the strategic framework for environmental management during operations, including management of environmental aspects not specifically required by the Development Consent.
- Sets the environmental objectives or standards to be achieved in compliance with legislation, standards and guidelines and in accordance with the EIS and the Development Consent.
- Identifies relevant legal requirements and Conditions of Approval (COA).
- Refers to the EIS to identify environmental aspects of the operational activities and the potential environmental impacts which may result.
- Describes the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project for Fluence and their respective Contractors.
- Describes strategies to ensure site personnel (Fluence and their respective Contractors) are aware of the environmental risks associated with the activity and are trained in the measures and contingency plans to deal with them.
- Details the monitoring and review program to evaluate environmental performance and ensure the effectiveness of environmental controls.
- Outlines the mechanisms for communication of environmental information throughout the organisation and other stakeholders.
- Describes the procedures that would be implemented to:
 - Keep the local community and relevant agencies informed about the operation and environmental performance of the development.
 - Receive, handle, respond to, and record complaints.
 - Resolve any disputes that may arise.
 - Respond to any non-compliance.
 - Respond to emergencies.

The EMS and applicable strategies, plans, and programs shall be updated prior to carrying out upgrades or decommissioning activities. The Department will be notified in writing via the Major Projects website prior to commencing the construction, operations, upgrading or decommissioning of the development.

Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, AGL will rehabilitate the site to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in Table 3 of the Conditions of Consent.



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2.2 Project Oversight

The EMS has been aligned with the Development Consent Approval 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) Project - Application Number SSD-11437498.

The Development Consent was designed against an initial Environmental Impact Statement (EIS) and assesses the environmental impacts of the project against the activities being conducted also under Section 4.12(8) of the Environmental Planning and Assessment Act 1979. The EIS was prepared in accordance with Schedule 2 of the Environmental Planning and Assessment Regulations 2000. This EMS has been developed to ensure all controls established through the Environmental Statutory and Regulatory Conditions have been defined and adequately controlled, supporting sound governance, compliance with environmental practices throughout the operation of the Broken Hill BESS Facility (BHBESS).

2.3 Fluence Energy Overview

Fluence is a global leader in the clean energy transition with technologies and services that are critical to building a sustainable future. Fluence is committed in delivering and operating projects safely, sustainably and without causing environmental harm. Fluence offers this EMS to ensure it meets its environmental commitments and complies with the applicable Development Consent Conditions outlined in Section 3 below.

2.4 Scope of Works

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

The Facility will operate 24 hours a day, 7 days a week and will have up to three full time employees associated with the operations of the BESS. 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.



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- 24/7 on call site support.

Unless the Planning Secretary agrees otherwise, the Applicant may only undertake road upgrades, construction, upgrading or decommissioning activities between:

- 7 am to 6 pm Monday to Friday.
- 8 am to 1 pm Saturdays; and
- at no time on Sundays and NSW public holidays.

The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Planning Secretary:

- the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or
- emergency work to avoid the loss of life, property and/or material harm to the environment.

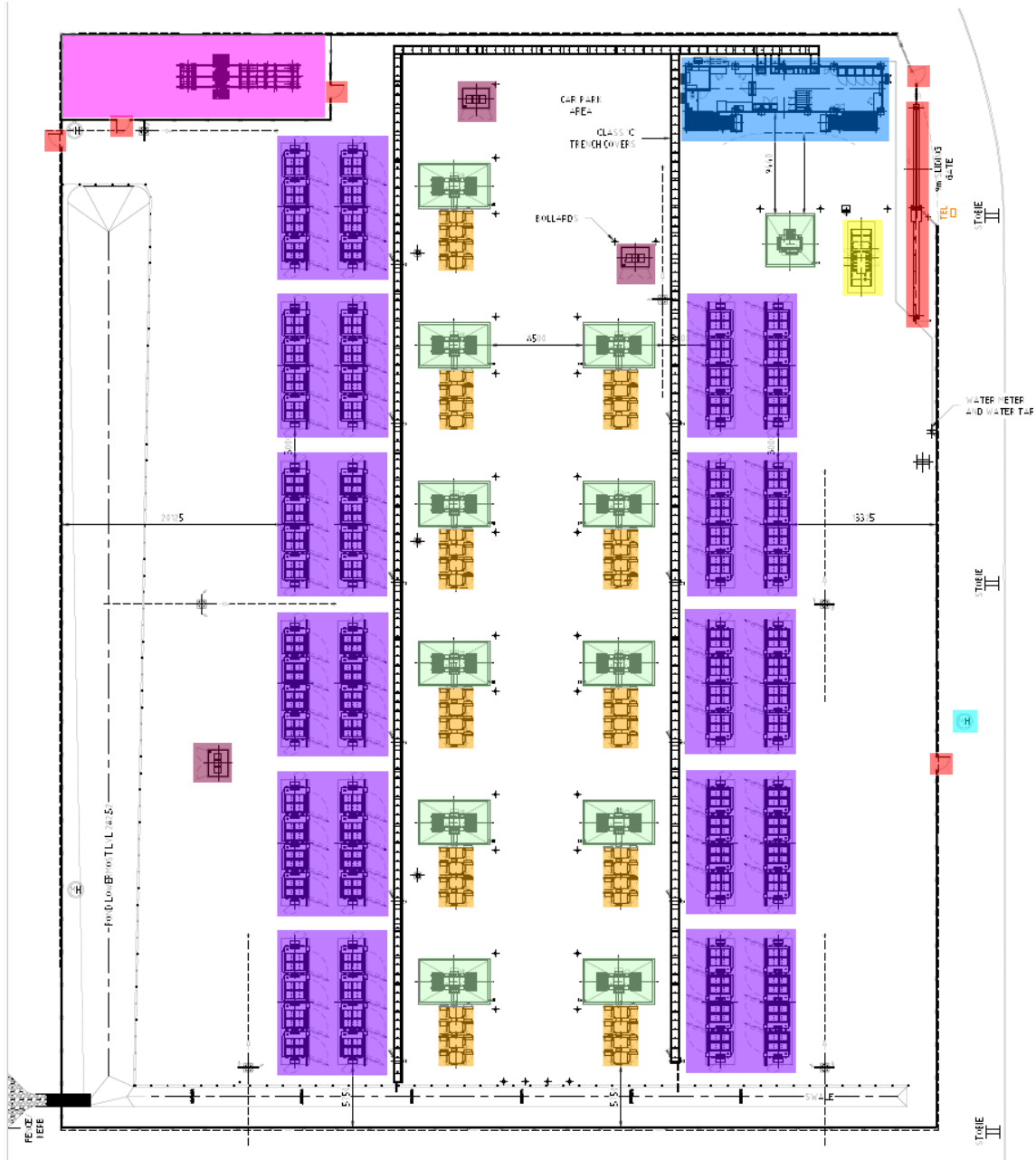
As per the Conditions of Consent the BESS will not exceed a total delivery capacity of 50MW or a storage capacity of 100MWh. Prior to commencing operations or following the upgrades of any battery storage infrastructure or ancillary infrastructure, work as executed plans of the development showing comparison to the approved final layout plans will be submitted to the Department via the Major Projects website.

2.5 Operational Overview

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



Figure 1 - Project Area Layout (AECOM)



- TRANSFORMER
- CONTROL ROOM BUILDING
- 22kV SWITCHYARD
- INVERTER
- 22kV RING MAIN UNIT
- TEMPORARY DIESEL GENERATOR
- BATTERY CUBE
- GATE

Figure 2 - Broken Hill BESS layout



3. DEVELOPMENT CONSENT CONDITIONS

Table 2 – Conditions Relevant to Environmental Management Strategy

Development Consent Applicable Sections	Environmental Management Strategy References
<p>Unexpected Finds Schedule 3 – Condition 31. 31. Prior to the commencement of construction, the Applicant must prepare an unexpected finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the Environmental Management Strategy for the development and must ensure any material identified as contaminated is to be disposed of off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.</p>	<p>Section 13 – Unexpected Finds Protocol</p>
<p>Environmental Management Strategy Schedule 4 – Condition 1. 1) Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. The strategy must:</p> <ol style="list-style-type: none"> a. Provide the strategic framework for environmental management of the development; b. Identify the statutory approvals that apply to the development; c. Describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development; d. Describe the procedures that would be implemented to: <ul style="list-style-type: none"> • Keep the local community and relevant agencies informed about the operation and environmental performance of the development; • Received, handle, respond to, and record complaints; • Resolve any disputes that may arise; • Respond to any non-compliance; • Respond to emergencies; and 	<p>All Sections of this EMS</p> <p>Section 4.2 – Applicable Legislation and Standards Section 5.2 – Roles and responsibilities</p> <p>Section 11.2 Consultation with Local Community</p> <p>Section 11.4 Complaint Management Process</p> <p>Section 10 - Emergency Management</p>



Development Consent Applicable Sections	Environmental Management Strategy References
<p>e. Include:</p> <ul style="list-style-type: none"> • References to any plans approved under the conditions of this consent; and • A clear plan depicting all the monitoring to be carried out in relation to the development. <p>Following the Planning Secretary's approval, the Applicant must implement the Environmental Management Strategy.</p>	<p>Section 2.1 – Applicability</p> <p>Section 9 – Monitoring and Review</p>
<p>Revision of Staging of Strategies, Plans or Programs Schedule 4 – Condition 2</p> <p>2. The Applicant must:</p> <ol style="list-style-type: none"> 1) Update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and 2) Review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 1 month of the: <ul style="list-style-type: none"> • Submission of an incident report under condition 7 of Schedule 4; • Submission of an audit report under condition 11 of Schedule 4; or Any modification to the conditions of this consent. • Any modification to the conditions of consent 	<p>Section 2.1 – Applicability & Section 9.2 Review and Update of Management Plans</p>
<p>Updating and Staging of Strategies, Plans or Programs Schedule 4 – Condition 3.</p> <p>With the approval of the Planning Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis. To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Planning Secretary for approval. With the agreement of the Planning Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.</p>	<p>Section 2.1 – Applicability & Section 9.2 Review and Update of Management Plans</p>



4. LEGAL AND OTHER REQUIREMENTS

All subcontractors and employees shall be given access to the latest version of Environmental Acts, Regulations, Codes of Practice and Australian Standards relevant to their work upon request to the Operations Team. This information is communicated to employees and subcontractors as part of the site induction.

4.1 Changes to Applicable Legislation and Standards

Fluence is subscribed to Environment Essentials for updates on changes to legislation. Subscription to SAI Global enables Fluence to be notified of changes to relevant Australian standards.

Once notified of a change to applicable laws or Australian standards, Fluence shall review the changes and identify the documents and/or processes that are affected noting:

- The legislation and/or standard reviewed,
- The outcomes of the review, i.e. the changes required or no impact on the operations, and
- Details of the changes made, e.g., update to procedures, forms, toolbox talk, training session etc.
- Inform relevant persons of any updates and instruct them to implement changes to the applicable documentation and submit to Fluence for review.

4.2 Applicable Legislation and Standards

Table 3 – Legislation and Standards

Regulatory and Other Requirements	Description and Relevance
<i>Environmental Planning and Assessment Act 1979 (NSW)</i>	The NSW <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) is the core legislation relating to planning and development activities in NSW. It is the principal law overseeing the assessment and determination of development proposals, and all development in NSW is assessed in accordance with the provisions of the EP&A Act.
<i>State Environmental Planning Policy (State and</i>	The Project triggers SSD in accordance with Division 4.1 of Part 4 of the EP&A Act, as it is a type of development listed in Schedule 1 of the State Environmental Planning Policy (State



Regulatory and Other Requirements	Description and Relevance
<i>Regional Development) 2011</i>	<p>and Regional Development) 2011. Pursuant to Clause 8 of the SEPP.</p> <p><u>As the Broken Hill BESS will have a capital investment cost estimate of more than \$30 million, the proposal classifies as “State Significant Development” and is subject to assessment under Part 4 of the EP&A Act.</u></p>
<i>Protection of the Environmental Operations Act 1997 (NSW)</i>	<p><i>The Protection of the Environment Operations Act 1997</i> (POEO Act) establishes the State’s environmental regulatory framework and includes licensing requirements for certain Operations and is administered by the EPA.</p>
<i>Local Land Service Amendment Act 2016 (NSW)</i>	<p>The <i>Local Land Service Amendment Act</i> provides a framework for the management and conservation of native vegetation in NSW, in accordance with Ecologically Sustainable Design principles, with an aim of preventing broad scale clearing unless it improves the condition of high conservation value native vegetation and encourage rehabilitation of the land.</p>
<i>Biodiversity Conservation Act 2016 (NSW)</i>	<p>The <i>Biodiversity Conservation Act 2016</i> (BC Act) governs the management and conservation of biodiversity in NSW, which includes all flora, fauna and ecological communities, consistent with principles of ecologically sustainable development of the <i>Protection of the Environment Administration Act 1991</i> (NSW).</p>
<i>Biodiversity Conservation Regulation 2017 (NSW)</i>	<p>Section 6.8 of the <i>Biodiversity Conservation Regulation 2017</i> (the BC Regulation) requires that a Biodiversity Development Assessment Report (BDAR) for a development application must include details of offsets for impacts, including the number and classes of biodiversity credits required to be retired in accordance with the like-for-like requirements of the offset rules. The credentials of the assessors that established these offsets and the date of the assessment is also required under the BC Regulation.</p>
<i>Environment Protection and Biodiversity</i>	<p>The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna,</p>



Regulatory and Other Requirements	Description and Relevance
<i>Conservation Act 1999 (Commonwealth)</i>	<p>ecological communities and heritage places — defined in the EPBC Act as Matters of National Environmental Significance (MNES).</p> <p>The purpose of the EPBC Act is to ensure that actions likely to cause a significant impact on MNES undergo an assessment and approval process. Under the EPBC Act, an ‘action’ includes a project, undertaking, or activity. An action that ‘has, will have or is likely to have a significant impact on a matter of national environmental significance’ is deemed to be a ‘controlled action’ and may not be undertaken without prior approval from the Commonwealth Minister for the Environment (the Minister).</p>
<i>National Parks & Wildlife Act 1974 (NSW)</i>	<p>The National Parks & Wildlife Act 1974 (NPW Act) protects Aboriginal heritage (places, sites and objects) within NSW. Protection of Aboriginal heritage is outlined in s86 of the Act, as follows:</p> <ul style="list-style-type: none"> • “A person must not harm or desecrate an object that the person knows is an Aboriginal object” s86(1), • “A person must not harm an Aboriginal object” s86(2) • “A person must not harm or desecrate an Aboriginal place” s86(4).
<i>National Parks & Wildlife Regulation 2009 (NSW)</i>	<p>The National Parks and Wildlife Regulation 2009 (“NPW Regulation”) provides a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage. The NPW Regulation 2009 outlines the recognised due diligence codes of practice which are relevant to this report, but it also outlines procedures for Aboriginal Heritage Impact Permit (AHIP) applications and Aboriginal Cultural Heritage Consultation Requirements (ACHCRs); amongst other regulatory processes.</p>
<i>Heritage Act 1977 (NSW)</i>	<p>The NSW Heritage Act 1977 makes provisions to conserve the State’s historic heritage. It provides for;</p> <ul style="list-style-type: none"> • The identification and registration of items of State heritage significance;



Regulatory and Other Requirements	Description and Relevance
	<ul style="list-style-type: none"> • The interim protection of items of State heritage significance; and • Constitutes the Heritage Council of New South Wales.
<i>Native Title Act 1993 (Commonwealth)</i>	<p>The Native Title Act provides a national framework for the recognition and protection of native title i.e. the rights and interests, recognised by common law, possessed under traditional laws and customs of Aboriginal and Torres Strait Islander people.</p> <p>The Act recognises the ownership of land or waters by Aboriginal and Torres Strait Islander groups prior to European settlement and provides a mechanism for determining where native title exists, who holds it, and identifies compensation for actions affecting it. The Act establishes ways in which future dealings affecting native title may proceed and sets standards for those dealings.</p>
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)</i>	<p>The Aboriginal and Torres Strait Islander Heritage Protection Act 1984 enables the Australian Government to respond to requests to protect areas and objects of particular significance to Aboriginal people, if it appears that state or territory laws have not provided effective protection.</p>
<i>Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010)</i>	<p>The purpose of the guidelines is to establish the requirements for consultation with the registered Aboriginal parties as part of the heritage assessment process to determine potential impacts of proposed activities on Aboriginal objects and places and to inform decision making for any application for an Australian Heritage Impact Permit (AHIP).</p>
<i>Biosecurity Act 2015 (NSW)</i>	<p>The <i>Biosecurity Act 2015</i>) establishes a system for the identification and control of noxious weeds in NSW. The Biosecurity Act divides noxious weeds into five categories which determine the level of control required. Responsibility for the control of noxious weeds lies with the owner and/ or occupier of private land and crown land, local councils and other public authorities.</p>



Regulatory and Other Requirements	Description and Relevance
<i>Water Management Act 2000 (NSW)</i>	The objectives of the <i>Water Management Act 2000</i> are to provide for the sustainable and integrated management of the water sources of NSW for the benefit of both present and future generations.
<i>Roads Act 1993 (NSW)</i>	The <i>Roads Act 1993</i> (Roads Act) provides a framework for the management of roads in NSW. It provides for the classification of roads and the declaration of the Roads and Maritime Services (RMS) and other public authorities for both classified and unclassified roads. The Roads Act confers functions on RMS and other roads authorities and allows distribution of such functions between RMS and other roads authorities.

5. LEADERSHIP AND COMMITMENT

All members of Fluence Field Services Team and Senior Management are committed to address Environmental issues through visible proactive leadership to achieve the highest attainable standards in the workplace, natural and local environments.



5.1 Organisation Chart

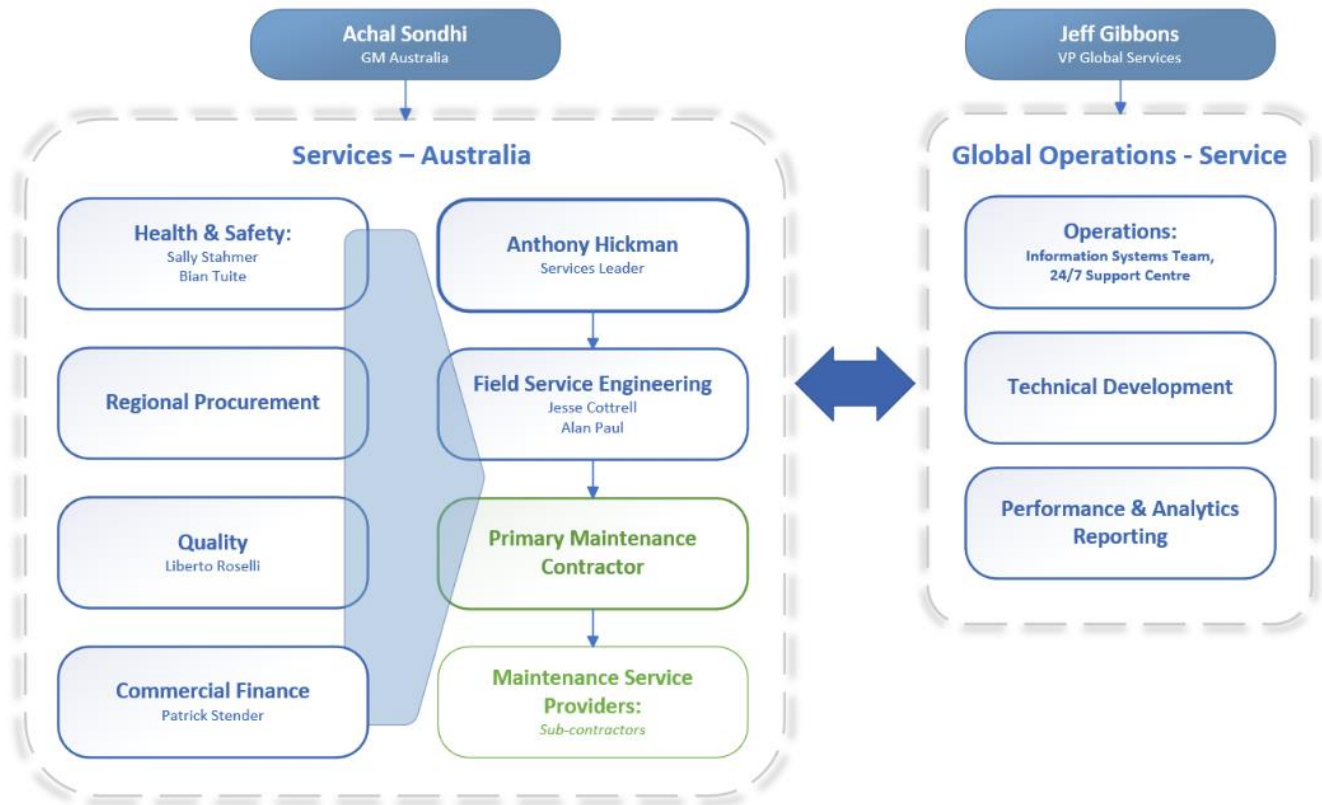


Figure 3 – Fluence Organisational Chart

5.2 Roles and Responsibilities

Table 4 – Roles and Responsibilities

Roles	Responsibilities
Senior Management (GM Australia)	<p>Fluence Senior Management sets policy develops strategic programs and provides overall governance for environmental and cultural heritage.</p> <p>To achieve the desired level of environmental commitment and performance, we must:</p> <ul style="list-style-type: none"> • Ensure implementation of the Fluence Environmental Management Systems. • Actively support and encourage efforts for Continuous Improvement. • Actively manage environmental performance.



Roles	Responsibilities
	<ul style="list-style-type: none"> • Be accountable for regulatory compliance. • Ensure accidents, injuries, near-misses, and environmental incidents are reported in a timely manner.
Services Leader / Manager	<ul style="list-style-type: none"> • Allocate specific actions to responsible persons to ensure the effective implementation of this strategy and associated plans. • Appoint responsible persons authorised to carry out activities defined in the strategy and associated plans. • Promote the identification of hazards and management of risk for health safety, environmental and quality aspects. • Ensure controls measures are implemented
HSE Advisor	<p>The HSE Department shall assist to:</p> <ul style="list-style-type: none"> • Serve as consultants to Service Lead. • Educate management and employees on environmental issues. • Monitor and interpret applicable environmental and cultural heritage regulations. • Determine trends based on previous incidents and provide guidance on how to improve performance in areas as needed. • Assist management in workplace audits and inspections. • Assist in conducting incident investigations and developing corrective actions.
All Workers	<p>Fluence and its Contract personnel are responsible for complying with this Strategy to assure they meet environmental and cultural heritage obligations and to protect the environment.</p> <p>Site Personnel shall:</p> <ul style="list-style-type: none"> • Complete Site-specific inductions prior to conducting work. • Immediately report to services lead any environmental issues



Roles	Responsibilities
	<ul style="list-style-type: none"> • Request instructions from their site lead or Field Services Engineers whenever they are in doubt as to the proper environmental procedures associated with any task. • Not undertake any job for which they have not received adequate or required training or for which they are not fully qualified to do. <p>Any employee or Fluence appointed contractor who deliberately violates an environmental regulation or procedure, or acts shall be subject to disciplinary action, up to and including termination.</p>

6. ENVIRONMENTAL OBJECTIVES AND TARGETS

Environmental objectives and targets for operations of the Broken Hill BESS are established by the Field Services Team in consultation with the HSE Team. Objectives and targets are recorded within this strategy and are continually monitored through the Management Review function and monthly reporting.

Fluence continually monitors all shortcomings or opportunities for improvement that have been identified. Opportunities for improvement goals set by Management for the business may be identified through any of the following:

- Management Review.
- Significant non-conformances and corrective actions.
- Prestart meetings and Toolbox Talks.
- Client and Contract Meetings.
- Internal and external audit reports.
- Incidents and near miss investigations; and
- Identified Environmental impacts.

The EMS Objectives and Targets are aligned to the overarching policies documented within the COA's summarised below.



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6.1 Applicable Objectives and Targets

Table 5 – Objectives and Targets

Objective	Target	Indicator	Responsibility
Operation of the BESS in accordance with COA's and relevant permits and licenses	Compliance to Statutory Approvals	Internal and Independent Audit Feedback.	Services Lead and Field Service Team
Operations of the BESS in accordance with approved Environmental Management Plans.	Compliance to approved Management Plans	Internal and Independent Audit Feedback	Services Lead and Field Service Team
Operation of the facility will not impact on identified endangered ecological communities or threatened species habitat	No degradation of endangered ecological communities or threatened species habitat	Internal and Independent Audit Feedback	Services Lead and HSE Team
There is Nil Environmental Harm from operational activities and all plant and equipment is properly maintained.	Nil Environmental Harm	All environmental impacts are analysed and responded too to ensure no Environmental Harm	Services Lead and Field Service Team
Client and Public complaints are rectified 100% of the time	100% Rectification	Customer complaints, NCR's and OFI's will be closed out as per the assigned dates	Services Lead and Field Service Team
Fluence Plan works to achieve to minimise pollution (e.g. noise, waste and Dust)	Meet Client and public Expectations. Adhere to COA's	Client, Internal and Independent Audit Feedback	Services Lead and Fluence HSE Team



Objective	Target	Indicator	Responsibility
Continuous system improvement	Complete Internal Audits and relevant Corrective Actions within assigned timeframes	Audits completed and Corrective Actions Closed out.	Field Service Team

7. ENVIRONMENTAL ASPECTS, IMPACTS AND RISKS

Environmental aspects as referred to in this document are those activities associated with the Broken Hill BESS that have the potential to cause, or result in, environmental harm.

Environmental harm is defined by the Environmental Protection Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value.

It may be caused by direct or indirect result of an activity. An environmental value is a quality or physical characteristic of the environment that is conducive to ecological health or public amenity; or another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

An environmental risk management assessment has been utilised to identify and assess the environmental aspects associated with the facility operations, and to recommend appropriate mitigation strategies to minimise the likelihood of environmental risks associated with each aspect. This process involves:

- Identifying the risk/aspect.
- Analysing the risk/aspect (determining likelihood and consequence).
- Evaluating the risk/aspect; and
- Treating the risk.

8. SIGNIFICANT ENVIRONMENTAL IMPACTS - OPERATIONS

Using the EIS (Summary of Management and Mitigation Measures) and the above Risk Assessment, the significant environmental impacts have been listed below, with a summary of control measures to be implemented and monitored. Detailed mitigation measures are defined in relevant Environmental Sub-Plans identified in Section 2.1 of this EMS.



8.1 Biodiversity

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. Controls specific to operations to further minimise the ongoing impact to biodiversity is outlined in the Biodiversity Management Plan

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) and shall include the following:

Table 6 – Operational Controls

Mitigation Measures and Timing	Responsibility
All waste will be managed and removed from the Project Area	Fluence Operations and Maintenance
Weed Control Measures (as required)	Fluence Operations and Maintenance

8.2 Traffic

As per the Traffic and Access Impact Assessment, the Operations of the Broken Hill BESS is likely to result in a negligible impact on the surrounding road network as there are expected to only be up to three employees on-site during operations. The Project is also not expected to result in any changes to the active transport, public transport networks or on private property access.

Further Operational controls are outlined in the TMP and include but not limited to: -

- Transport Routes
- Driving and Parking Protocols
- Traffic and Vehicle Safety requirements
- Driver Management Systems
- Driver Training requirements

8.3 Soil and Water Quality

Operation and maintenance of the Broken Hill BESS facility is not anticipated to result in ground disturbance or modification or altering of soil and water management infrastructure at the site which has been designed and installed in accordance with Managing Urban Stormwater: Soils



and Construction (Landcom, 2004) Manual, or its latest version. The operational team will monitor and maintain the soil and water infrastructure to minimise impacts on surface water, localised flooding, and groundwater at the site.

The Soil and Water Management Plan further outlines control measures to be implemented during operation and maintenance and shall include the following (But not limited to):

- Water supply and pollution;
- Erosion and sediment controls;
- Operating conditions and controls;
- Drainage and stormwater management;
- Spill containment;
- Aqueous Wastes
- Unexpected finds and contamination(s)

8.4 Noise

Fluence will ensure that the BESS does not exceed 35 dB(A), 15min” during the night in accordance with “NSW Noise Policy for Industry (EPA, 2017).”

Fluence will undertake Noise Monitoring at the commencement of Operations and on an annual basis. Fluence will raise a non-conformance if levels exceed the stated requirements above.

8.5 Dust Generation

Operation and maintenance of the Broken Hill BESS facility is not anticipated to result in ground disturbance or modification or altering of infrastructure at the site. Therefore, dust mitigating measures will only be undertaken as required if maintenance activities generate dust. Controls such as water trucks will be utilised as required.

A speed limit of 10 km/h must be observed within the facility to minimise dust, unless otherwise shown by signage. Violations to speed limit will be dealt with as per section 8 of the Traffic Management Plan (0775-ENV-GEN-90-015-RE0-IFR Broken Hill Traffic Management Plan).

8.6 Visual Amenity

The Broken Hill BESS is located within an industrial area of Broken Hill. During construction the buildings and fences have been constructed similar to the surrounding workshops. During Operations approved paint colours will be maintained and only required signs and logos will be mounted on-site.



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8.7 Lighting Impacts

During night-time, low level security lighting will be present at the Site. Impacts would be negligible given the low volume of receivers present at night, distance to residential receivers and the potential for lighting to be absorbed into the wider industrial setting. Lighting of the Site has been designed in accordance with AS 4282:2019 Control of the obtrusive effects of outdoor lighting.

8.8 Hazardous Substances

The primary environmental risk related to chemical storage is uncontained release of hydrocarbons or hazardous substances. This has the direct risk of localised soil contamination and the indirect risk of aquatic contamination through rainfall run off into drains and waterways. Hazardous substances will be managed in the following way.

- A register of chemicals and their SDS will be maintained readily available for each workplace.
- SDS will have Australian emergency numbers and be less than five years old, or the most recent version.
- A bunded chemical storage area (e.g. cabinet) will be provided to store small quantities of hazardous substances as required.
- Hazardous substances will be stored in their designated storage area when not in use.
- Designated chemical storage areas must be away from any drains, waterways or other similar features posing a direct risk of aquatic contamination.
- Chemical handling equipment and drip trays will be provided where appropriate.
- Chemical containers will be maintained in good condition, and decanted containers will be labelled with the product name and any significant safety information.
- Appropriate fire extinguishers, spill kits and PPE will be provided in case of an incident. These will be of a type, quantity and rating suitable to the nature and volume of chemicals at the workplace.

8.9 Waste Management

During operations of the BESS there will be minimal waste generated.

- The waste generated in operations will be minimised as far as reasonably practical.
- All waste will be classified on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version).
- During operations all waste on site will be stored and managed in accordance with its classification.
- During operations no waste will be received or disposed of onsite, and all waste will be removed from site as soon as practicable,



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- All waste will be reused, recycled, or sent to an appropriately licensed waste facility for disposal.

9. MONITORING AND REVIEW

All aspects of the EMS and Sub Plans 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 environmental aspects are not being controlled.

9.1 Operational Monitoring Requirements

Table 7 – Monitoring Requirements

Item	Frequency	Responsibility
Weed Control – Observe the emergence of any identified weed species and ensure appropriate control measures are implemented to reduce potential spread throughout operations of the Broken Hill BESS	Quarterly Review	Fluence Operations and Maintenance
Waste – Ensure that the BESS is kept clean and free from material waste. This will be completed via visual inspection.	Quarterly	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 Pre-Start	Fluence Operations and Maintenance
Environmental Inspections - Inspections are to be completed monthly and focus on weed control and waste. All corrective actions are to be captured in Salesforce.	Monthly	Fluence Operations and Maintenance

Fluence are committed to repair/pay full cost of repair for any public infrastructure that is damaged or needs to be relocated because of the development.



9.2 Review and Update of Management Plans

Fluence will review and, if necessary, revise the strategies, plans or programs required under the consent to the satisfaction of the Planning Secretary within 1 month of the:

- Submission of an incident report under condition 7 of Schedule 4;
- Submission of an audit report under condition 11 of Schedule 4; or Any modification to the conditions of this consent.
- Any modification to the conditions of consent

Fluence is committed to complying with any requirements arising from the assessment of strategies, plans, or correspondence by the Planning Secretary.

9.3 Inspections and Auditing

Regular environmental inspections of operations are conducted by Fluence as outlined above. These inspections determine, in conjunction with the environmental monitoring and incident reporting procedures, onsite compliance with this EMS.

An independent environmental audit will be conducted in accordance with the project development consent to the following frequency:

- Within 3 months of commencing construction; and
- Within 3 months of commencing operations.

The auditor will be determined in agreement by writing with the Planning Secretary prior to the commencement of an independent audit. Further audits may be undertaken at different times through the Planning Secretary providing 4 weeks' notice to the applicant of the date upon which the audits are to be commenced.

In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant will:

a) review and respond to each Independent Audit Report prepared under condition 11 of Schedule 4 of this consent, or condition 13 of Schedule 4 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.

Independent Audit Reports and the Applicant's response to audit findings will 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



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All corrective actions for non-conformance findings from audits and inspections are monitored through the Fluence Sales Force System and will be actioned as per the direction from the Auditor or Planning Secretary.

Fluence are committed to comply with requirements arising from assessment of “any reports, reviews, or audits” by the Planning Secretary.

10. EMERGENCY MANAGEMENT

Fluence have developed an Emergency Response Plan for the Operations of the Broken Hill BESS (0775-HAS-GEN-90-006-R01 BHBESS OM Emergency Response Plan). This Emergency Response Plan has been developed in consultation with RFS.

An “Emergency” is an unexpected situation or sudden event, which in anyway endangered or threatens to endanger the safety or health of any person on site, or which damages, destroys or threatens to damage or destroy any assets and can involve physical, medical and/or chemical hazards. Some examples are injuries, hazardous chemical releases, oil spills, fires, bomb threats, explosions, plant roll over and natural disasters.

Fluence and its contractors are primarily required to:

- a) Follow the safety and evacuation procedures contained within this Emergency Response Plan.
- b) Administer first aid to injured employees, if trained and safe to do so.
- c) Notify the Fluence services manager/safety.

10.1 Emergency Management Team (EMT)

In the event of an emergency, the role of the Emergency Management Team (EMT) is to facilitate the emergency management plan and lead site personnel to ensure, as far as reasonably practicable, the safety of **all** persons and assets, and if required the orderly evacuation or part evacuation of the worksite.

The roles and responsibilities of the EMT is outlined in the BHBESS OM Emergency Response Plan (0775-HAS-GEN-90-006-R01).

11. COMMUNICATION

Effective communication between all key stakeholders is important for the successful implementation and operation of this EMS. Specific communication mechanisms are outlined below.



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11.1 Internal Communication

Channels are maintained within the Fluence for internal communication of environmental aspects and at relevant levels throughout the organisation. These include meetings, regular reporting, and training programs Fluence will communicate relevant procedures and requirements to suppliers, customers and contractors via contractual agreements, regular meetings, and training programs.

11.2 Consultation With the Local Community

Nominated AGL and Fluence personnel 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 EMS. Regular consultation to be held with Council's manager for social and community services.

11.3 External Communication

At various times specific information, relevant to environmental aspects and impacts, is communicated to external stakeholders, including the community and government authorities.

AGL as the proponent to speak to the public on behalf of this project, as detailed within the supporting Environmental Impact Statement. Although it is anticipated that the Operations of the BESS will not generate significant stakeholder interest, AGL will continue to maintain its engagement with current neighbours to the site, local community and key local stakeholders. It is the role of Fluence to maintain its communication with AGL and keep AGL, as the project owner, fully informed of any issues and/or impacts.

Further project information, including current statutory approvals, contact details for complaints submission and project updates / news will also be maintained and available to the public by the project owner, AGL via Broken Hill Battery Energy Storage System (agl.com.au). Specifically, the following details will be made available on the website: -

- a) the EIS;
- b) the final layout plans for the development.
- c) current statutory approvals for the development.
- d) approved strategies, plans or programs required under the conditions of this consent.
- e) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged.
- f) how complaints about the development can be made.
- g) complaints register.



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- h) any independent environmental audit, and the Applicant’s response to the recommendations in any audit; and
- i) any other matter required by the Planning Secretary.

This information will be kept up to date by AGL.

11.4 Complaint Management Process

At the BHBESS complaints can be made by calling 1300 FLUENCE (3583623). Person making the complaint can then follow the prompts to talk with the relevant services team member or call centre.

This number can be found on the Fluence website, Project Website and on applicable signage at the site.

Complaints shall then 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 Field Services Technician 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.

The Services Field Technician 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.



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11.5 Issue Resolution

Should the matter remain unresolved, it will then be addressed between the workers' Health and Safety Representative (if in place), Fluence Site HSE Advisor and their direct Supervisor.

If still unresolved, it will then be referred to the Fluence Services Manager and HSEQ Manager. If the issue is still unresolved, the issue shall be elevated to the Fluence Australia General Manager.

All workers will be encouraged to discuss all environmental matters with their direct Supervisor and any worker at any time in an informal manner; however environmental issues must first be directed through the individual's direct Supervisor as per the steps set out above.

12.COMPETENCY & TRAINING

Fluence and contractor employees shall only perform work for which they are qualified, competent, and trained. Contractors are required to assign employees to perform work based on their qualifications and competency and shall never require a worker to perform work they are not qualified and competent to perform.

Prior to job assignments, contractors must upload all their relevant tickets and qualifications into Fluence HBESS training portal Altor. At any time, Fluence BESS Services Manager may ask for proof of specific qualifications and competency of employees performing work tasks either as a desktop review or during in field critical activity checks.

Contractors and employees operating heavy equipment on site shall always carry proof of their qualification and competency to operate that equipment on their person while using that equipment.

13.INCIDENT REPORTING

Environmental incidents or noncompliance's (including the classifications) will be managed in accordance with the Fluence Incident Reporting and Investigation Procedure against the AGL Incident Reporting Criteria and investigated to a depth proportionate with the actual and potential environment impacts of the event. All Environmental incidents will be reported verbally immediately to AGL. Where incidents are defined as those that cause or have the potential to cause material environmental harm, AGL will submit a written incident notification immediately to the Planning Secretary via the Major Projects website as required under Schedule 4 Condition 7. The Planning Secretary will be notified in writing via the Major Projects



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website within seven days after the Applicant becomes aware of any non-compliance as required Schedule 4 Condition 8.

Environmental issues reported to the Planning secretary will either be reported as an incident or non-compliance (not both) dependent on the classification of the issue.

Fluence are required to provide notification to AGL of all incidents based upon incident type within the timeframes as set out within the Operations Schedule 4 and shown in Table 8 below.

Table 8 – Incident Reporting

Incident Type	Verbal Notification	Initial Incident Report
Near Miss (FIRM Low Risk Incident)	Immediately	Within 24 Hours
Near Miss (FIRM Moderate Risk Incident)	Immediately	Within 24 Hours
First Aid	Immediately	Within 4 Hours
Medical Treatment Injury/Illness	Immediately	Within 2 Hours
Lost Time Injury/Illness	Immediately	Within 2 Hours
Environmental: causes or threatens material harm	Immediately	Within 2 Hours
Environmental: does not cause or threaten material harm	Immediately	Within 24 Hours
SIF	Immediately	Within 2 Hours
SIF Potential	Immediately	Within 2 Hours
High Potential (FIRM High Risk and Above Incident) and Regulatory Notifiable Incidents	Immediately	Within 2 Hours

An Environmental incident is considered ‘significant’ and warrants a formal incident investigation by the Fluence HSE Team if the actual consequences are ‘Minor’ or above, or if the potential consequences are ‘Moderate’ or above.

AGL representatives including the HSE Manager and Stakeholder/ Approvals Manager will be invited to participate in the conduct of the Incident Investigation Process. Incidents will be investigated to a depth proportionate to their complexity and level of risk, using a formal root cause analysis method where appropriate. Witness statements will be treated as private and confidential. A copy of the Incident Investigation Report will be forwarded to AGL for review/feedback prior to final submission at the conclusion of the investigation and within 14 days of the event.

The HSE Leads will coordinate regulatory reporting with AGL and other involved parties whenever it is required.



Where an incident has found that the controls within the EMS or related documents were not effective in mitigating the incident, the EMS and aspects and risks register shall be reviewed and appropriately updated.

All Fluence projects personnel shall report Safety Walks, Stop Work Authority invocations, Near Misses, and Incidents in the company Safety Portal Salesforce as per the Fluence Incident Reporting Process.

It is imperative that every Incident be reported via the Safety Portal so that a designated team can determine what happened, identify Triggering Events and Root Causes of the Incident, and determine appropriate corrective/preventive actions so that similar events do not recur at the same or other Fluence project sites.

14.UNEXPECTED FINDS PROTOCOL

An unexpected find is defined as potential contaminated land or asbestos that was not previously identified in the EIS, during pre-construction investigations or construction works. For the purposes of this plan, contaminated land comprises land within the BESS area that meets the definition of contamination in Contaminated Land Management Act 1997. This includes asbestos.

14.1 Management of Unexpected Finds

Where unexpected contamination is identified or suspected by personnel involved in Operations of the BESS, works will be temporarily suspended in the affected area. This area will be isolated to minimise the potential for disturbance of the affected material, soil and/or water. Field personnel are to notify the Services Manager who will then contact AGL to inform of the impact to site and surrounding area. The Services Manager, with guidance from the Fluence HSE Team, will be responsible for organising the evaluation of the nature of the unexpected find.

As the BHBESS is already constructed there will be minimal excavation required within the facility footprint and unlikely occurrence of contaminated material. However, a summary and description of the types of potential unexpected finds that may be encountered during operations are presented below.



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14.2 Responsibilities

Table 9 – Unexpected Finds Responsibilities

Roles	Responsibilities	Type of Contaminant/Issue
Buried dry waste materials	May include a variety of construction and demolition waste materials including wood, plastic, metal fragments, building rubble (e.g. concrete, brick, asphalt, asbestos containing materials etc.).	Asbestos, heavy metals
Buried or surface bonded ACM, asbestos fines/friable asbestos.	<p>Cement-bound asbestos containing material (ACM) (e.g. compressed cement sheeting) may be present in building waste or pipes. Friable forms of asbestos including lagging and insulation. Textured coatings and vinyl floor tiles may also contain asbestos.</p> <p>Asbestos fines and asbestos fibres are not typically visible to the unaided eye. Laboratory analysis is required to identify asbestos in soil.</p>	Asbestos
Buried organic materials.	Such materials may be associated with decomposed plant matter found within the natural alluvial soils. Although this process is generally naturally occurring, by-products of the decomposing natural material shall be considered if encountered.	Nutrients (ammonia, sulphates, phosphates), gaseous emissions (CH4, CO2, H2S)

The below objectives outline the purpose and intent of the unexpected finds procedure:

- Prevent exposure of contaminated soil, sediment and groundwater to the human population whilst occupying, working on or using the site.
- Appropriately manage and/or dispose of soil, water and sediment waste disturbed during operational activities in accordance with relevant EPA guidelines.
- Removal of potential ongoing sources of environmental contamination (unexpected finds such a historical sub-surface petroleum storage, if encountered);
- Given asbestos in soil has not currently been identified during limited intrusive investigation activities, should asbestos be identified, its occurrence will be assessed and managed via application of the Unexpected Finds Protocol



- In the event that oily materials are encountered, the provisions outlined in the unexpected finds protocol will be implemented, comprising inspection, testing and appropriate action as advised by the Remediation Consultant.
- Record details of the unexpected find and the actions undertaken, including the following, and notify the planning secretary, auditor, landowner; local council and/or NSW EPA (As outlined in the below table.

The table below details the process in the event an unexpected find has occurred and the environmental controls measures and compliance requirements to be completed by all personnel associated with the project.

Table 10 – Unexpected Finds Process

Step #	Description	Action
1	Potential contaminated soil, groundwater or surface water, or ACM, is encountered during construction activities.	<ul style="list-style-type: none"> • Cease work in the potentially impacted area as soon as it is safe to do so and move away from the area. • Assess the potential immediate risk to worker health and surrounding environment posed by the unexpected find and assess if evacuation or assistance of emergency services is required. • Follow recording requirements as detailed in Step 4 below.
2	Environmental management and work health safety management	<ul style="list-style-type: none"> • Delineate an exclusion zone around the impacted area using fencing and/or appropriate barriers and signage. • Additional control measures may be required for <ul style="list-style-type: none"> ○ Odours and/or volatile compound (e.g., odours suppression and no flames/sparks signage). ○ Potential asbestos containing materials: if the area is small cover with weighted plastic sheeting or geofabric. For larger areas, use regular dust suppression as conditions require – refer to the Work Health and Safety Plan for required controls. • Install environmental controls around the site to contain the contaminated material including diversion of water to minimise potential spread



Step #	Description	Action
		<p>via surface water runoff in accordance with the Soil & Water Management Plan (SWMP).</p> <ul style="list-style-type: none"> Personal Protective Equipment (PPE) will be worn if conditions have changed as per the relevant Safety Data Sheet (SDS) and worker safety requirements.
3	Assess the unexpected find	<p>A Contaminated Land Consultant should assess the unexpected find and provide:</p> <ul style="list-style-type: none"> Preliminary assessment of the nature of suspected contamination and immediate management controls if needed. Advise what further assessment and/or remediation works are required and how such works are to be undertaken in accordance with contaminated site regulations and guidelines. <p>The assessment may include a requirement to undertake a targeted site investigation to sample and analyse contaminated media. Suspected or identified contamination will be characterised with consideration of ASC NEPM (NEPC, 2013) and soil material will be classified in accordance with the Waste Classification Guidelines (NSW EPA, 2014).</p>
4	Management mitigation action and reporting or	<p>Based on advice of the Contaminated Land Consultant, implement necessary management or mitigation actions to minimise risk to human health and the environment and to allow the operational activities to recommence.</p> <p>Record details of the unexpected find and the actions undertaken, including the following, and notify the auditor, landowner; local council and/or NSW EPA:</p> <ul style="list-style-type: none"> Location, nature and extent of unexpected find Scope, methodology and results of any investigation. Scope, methodology and outcomes from any remedial activities completed. Results of any validation sampling or clearance certificates (i.e. for asbestos). Implemented changes to risk control measures.



Step #	Description	Action
5	Recommence works	<p>The Contaminated Land Consultant will provide relevant information and recommendations to Fluence, particularly for considering any changes to existing site management plans.</p> <p>Recommence operational works once mitigation or remediation works have been implemented, sampling has validated that the remediation strategy has been successful and if it is then deemed safe to do so by the AGL, Fluence and the auditor.</p>



Appendix A – HSEQ Policy



A Siemens and AES Company

GLOBAL HSE & QUALITY POLICY

Our mission is to create a more sustainable future by transforming the way we power our world. Fluence brings proven technology solutions that overcome the commercial and regulatory barriers to modernizing our energy networks. We are the partner that can deliver at a global scale with the most experienced and knowledgeable team in the world. Fluence is driving change by opening new global markets to storage and has the largest deployed fleet of energy storage projects of any company.

- Fluence’s actions are always based its values to act with Responsibility, Agility, Leadership and Fun.
- All employees are requested to bring to life, shape and further develop health protection, environmental stewardship, and quality management effectively in an integrated management system based on Fluence’s values and objectives.
- We accommodate the requirements of our customers, partners and other interest groups as well as relevant regulations, laws, standards and internal guidelines in our company processes and seek to continuously improve.
- We promote a learning culture that creates preventive and corrective measures through collaboration of our people, customers, and partners when we find quality non-compliance and safety issues.
- We make our performance in the areas of quality, environment, energy, occupational health and safety and health protection measurable and controllable using concrete targets and performance indicators.
- We assume responsibility and are committed to environmental protection in the design, product development and the management of project execution.
- We work for the long term by investing in well-trained employees, education, health promotion and modern workplaces.
- We use high-quality components and operate with high performance standards of quality leadership to supply a reliable product to our customers and the markets they serve.



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