



xenith

# Independent Environmental Audit

Liddell Battery and Bayswater Ancillary Works Project  
AGL Macquarie Pty Limited  
March 2026

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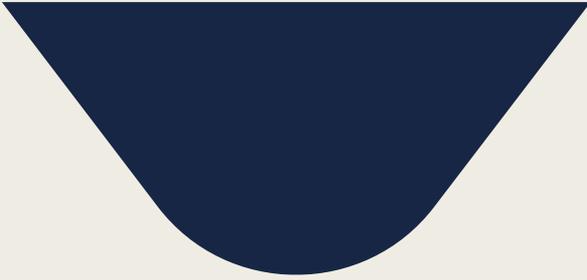
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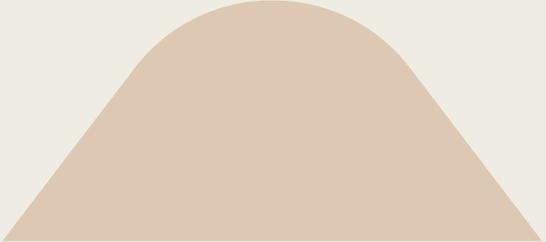
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# 1. INTRODUCTION

## 1.1 Background

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

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

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

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

SSD 8889679 was approved subject to conditions on the 8 March 2022 by the Director Resources Assessments in accordance with Section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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

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

## 1.2 Audit Team

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

## 1.3 Audit Objectives

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

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

## 1.4 Audit Scope

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

## 1.5 Audit Period

The IEA covers the period from 10 July 2025 to 14 January 2026 (the day of the IEA site visit).

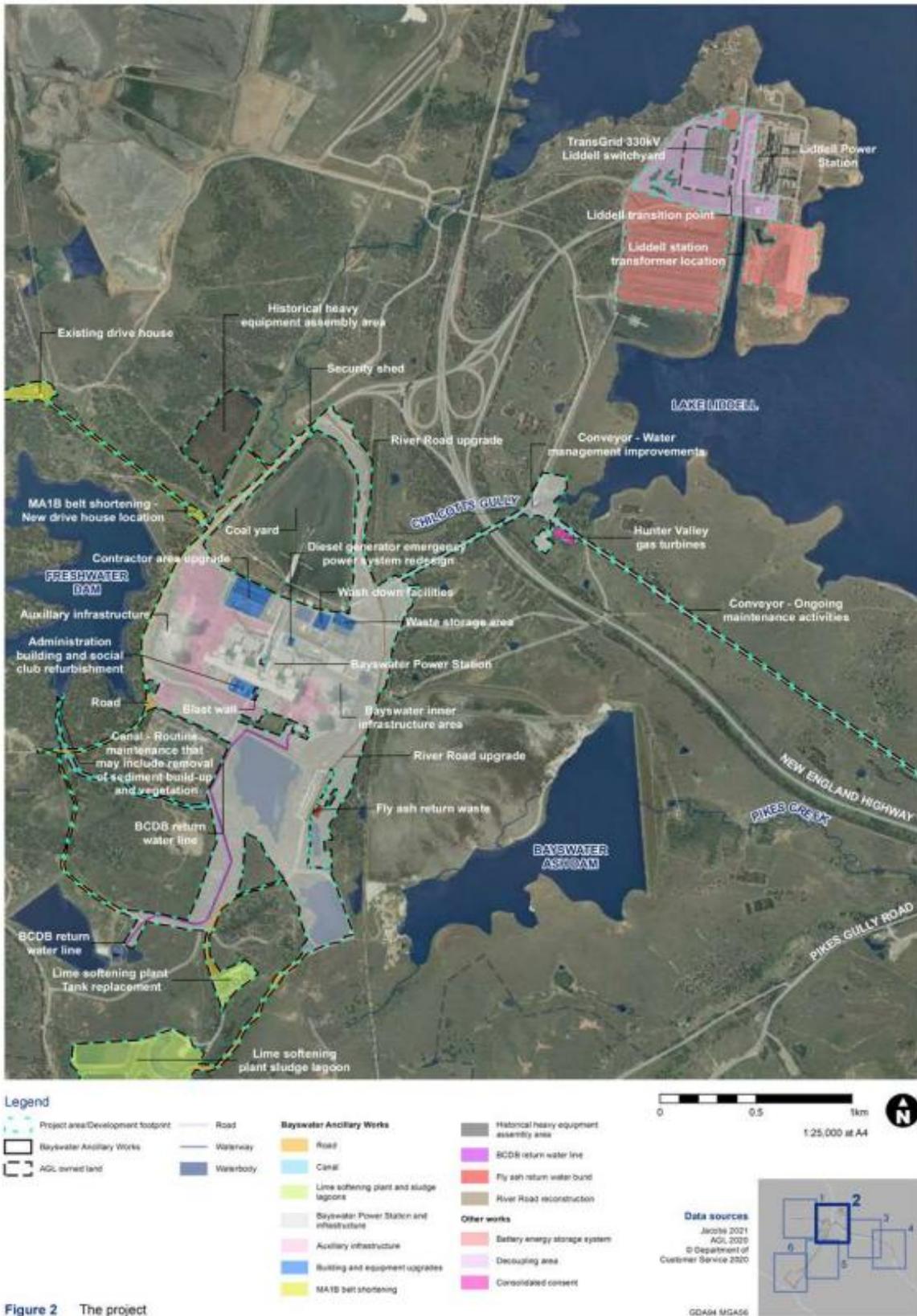
**Table 1 IEA Guideline Requirements**

Requirement			Report Section												
Independent Audits must be properly documented, and their outcomes reported in an Independent Audit Report. This communicates an independent evaluation of a project's environmental performance and compliance status			This IEA report												
The appointment of the auditor and technical experts must be agreed in writing by the Planning Secretary before each audit is commissioned. Each member of the audit team must receive the Department's agreement			<b>Appendix A</b>												
The Planning Secretary may direct a proponent to undertake Independent Audits in addition to those provided for in an Independent Audit when considered necessary to address a particular issue, for example, following an incident			N/A; No requests made by DPHI to change IEA frequency												
<p>Audit Frequency:</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Initial Independent Audit</th> <th>Ongoing Independent Audit Intervals</th> </tr> </thead> <tbody> <tr> <td>Construction</td> <td>Within 12 weeks of the commencement of construction</td> <td>At intervals, no greater than 26 weeks from the date of the initial Independent Audit or as otherwise agreed by the Secretary.</td> </tr> <tr> <td>Operation</td> <td>Within 26 weeks of the commencement of operation</td> <td>At intervals, no greater than 3 years or as otherwise agreed by the Secretary.</td> </tr> <tr> <td>Closure / Rehabilitation</td> <td>Within 52 weeks from notifying of suspension/ceasing of operations</td> <td>At intervals no greater than 1 year or as otherwise agreed by the Secretary.</td> </tr> </tbody> </table> <p>The timeframes in Table 1 include completion of all activities required in undertaking an Independent Audit.</p>			Phase	Initial Independent Audit	Ongoing Independent Audit Intervals	Construction	Within 12 weeks of the commencement of construction	At intervals, no greater than 26 weeks from the date of the initial Independent Audit or as otherwise agreed by the Secretary.	Operation	Within 26 weeks of the commencement of operation	At intervals, no greater than 3 years or as otherwise agreed by the Secretary.	Closure / Rehabilitation	Within 52 weeks from notifying of suspension/ceasing of operations	At intervals no greater than 1 year or as otherwise agreed by the Secretary.	<p><b>Section 2.4;</b> Xenith conducted the IEA site inspection on 14 January 2026. AGLM notified DPHI over the extended audit period for this IEA in December 2025 (see <b>Appendix C</b>).</p>
Phase	Initial Independent Audit	Ongoing Independent Audit Intervals													
Construction	Within 12 weeks of the commencement of construction	At intervals, no greater than 26 weeks from the date of the initial Independent Audit or as otherwise agreed by the Secretary.													
Operation	Within 26 weeks of the commencement of operation	At intervals, no greater than 3 years or as otherwise agreed by the Secretary.													
Closure / Rehabilitation	Within 52 weeks from notifying of suspension/ceasing of operations	At intervals no greater than 1 year or as otherwise agreed by the Secretary.													
A recommended action must be proposed to address each non-compliance and/or incident identified by the auditor.			<b>Section 4</b>												
The proponent must submit their response to the audit findings to the Department in a separate document to the final Independent Audit Report.			N/A; AGLM to complete												
The final Independent Audit Report and the proponent's response to audit findings must be submitted to the Department within 2 months of undertaking the independent audit site inspection, unless otherwise agreed by the Department.			N/A; AGLM to complete												



Figure 2 - 3 The Battery and Decoupling layout

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



**Figure 2 Bayswater Ancillary Works (Stage 3) Development Layout**

## 2. AUDIT METHODOLOGY

### 2.1 Overview

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

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

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

### 2.2 IEA Preparation

Preparation of the IEA involved:

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

### 2.3 Compliance Evaluation

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

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

Maris Steele (Environmental and Compliance Manager - Construction), Andrew Speechly (AGLM Senior Manager Environment), Alex Ristoski (Environment Advisor) and Keith Simkin (Environment Advisor (Contractor)) were the primary AGLM contacts for the audit and were present during the audit site inspection and interviews.

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

## 2.4 Site Inspection

A site inspection of the SSD 8889679 development site was conducted by Xenith on 14 January 2026 and undertaken to ensure that all aspects of environmental management and performance of the Project were reviewed.

At the time of audit, AGLM had:

- › Completed construction of the Transformer Yard for the Liddell Power Station Decoupling Works (SSD 8889679 Stage 1);
- › Completed demolition of the existing solar array site which is required prior to the development the Battery Energy Storage System (BESS) (SSD 8889679 Stage 2);
- › Installed all of the batteries at the BESS facility and were progressing with the commissioning phase (SSD 8889679 Stage 2) (see Plate 4 in **Appendix F**);
- › Completing construction of a permanent operations and maintenance building for the BESS facility (see Plate 1 in **Appendix F**) (SSD 8889679 Stage 2);
- › Commenced final BESS facility site works, including construction of operational roads, landscaping, and general site clean-up to prepare the facility for operational hand-over (see Plate 3 in **Appendix F**) (SSD 8889679 Stage 2);
- › Relocated material for stockpiling within to the former Liddell Power Station coal bays (SSD 8889679 Stage 2);
- › Completed the shortening of the existing Liddell M1 conveyor for the Baywater Ancillary Works component of the Project (SSD 8889679 Stage 3). This aspect of Stage 3 had been completed prior to the last IEA;
- › Completed upgrade works to the contractors carpark (SSD 8889679 Stage 3).

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

### 2.4.1 Opening Meeting

The IEA site inspection completed by Xenith commenced with an opening meeting at BPS; attendees included Dorian Walsh (Xenith), Sarah Moore (Xenith), Andrew Speechly (AGLM Senior Manager Environment), Maris Steele (AGLM Environmental and Compliance Manager – Construction), Keith Simkin (AGLM Environment Advisor (Contractor)) and Alex Ristoski (AGLM Environment Advisor). The briefing included clarification of the audit objectives, scope, resources required and the methodology of the IEA, including the input that would be provided by the technical experts endorsed by DPHI.

### 2.4.2 Site Overview and Orientation Session

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

### 2.4.3 IEA Interviews

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

AGLM personnel interviewed by Xenith during the audit process included:

- › Andrew Speechly (AGLM Senior Manager Environment);
- › Maris Steele (AGLM Environmental and Compliance Manager – Construction);
- › Keith Simkin (Environment Advisor (Contractor));
- › Alex Ristoski (AGLM Environment Advisor);
- › Sam Magennis (Liddell BESS Environment Advisor – Enerven); and
- › Chris Stewart (Liddell BESS Environmental Manager – Fluence).

#### **2.4.4 Focused Site Inspection**

A focused site inspection was conducted on 14 January 2026 by Xenith following the initial site overview. The purpose of the site inspection was to review specific operation and environmental aspects of the Project that were completed during the audit period and to assess Project environmental management systems and performance in detail.

#### **2.4.5 Site Documentation Review**

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

#### **2.4.6 Follow Up Auditing**

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

#### **2.4.7 Exiting Briefing**

Attendees of the exit briefing included Dorian Walsh, Sarah Moore, and Maris Steele. The exit meeting included the discussion of preliminary audit findings, recommendations and explanation of actions required by AGLM and by Xenith to complete the audit process required under the IEA Guidelines.

### **2.5 Audit Consultation**

Correspondence was sent to the DPHI, EPA, MSC and Singleton Council, requesting their input into the scope of the IEA (see **Appendix D**). No formal responses requesting the consideration of specific issues were received from the agencies consulted.

## 3. AUDIT FINDINGS

### 3.1 Approval and Document List

AGLM documentation for the IEA was sighted during a detailed desktop review and the audit site inspection of 14 January 2026. Approvals and documents assessed during the audit were related to:

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

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

### 3.2 Compliance Status Descriptors

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

### 3.3 Compliance Performance

**Table 2** provides a summary of compliance for key AGLM approvals and licensing during the audit period. A description of each identified non-compliance is provided in **Section 3.6** and **Appendix C**.

**Table 2** Summary of Compliance

Document	C	NC	NT	Note*	Total
SSD 8889679	42	4	23	5	69
SSD 8889679 Statement of Commitments	56	1	11	-	68

\* Notes are not included in the 'Total' column

### 3.4 Summary of Agency Notices and Orders

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

### 3.5 Actions from Previous Audit

A summary of the actions arising from the previous SSD 8889679 IEA (Xenith, September 2025) is provided in **Table 4**.

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

**Table 3 Status of Actions Arising from Previous IEA**

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
<b>SSD 8889679 Non-Compliances &amp; Recommendations</b>			
Schedule 2, Condition A2	Non-compliances (NC) with SSD 8889679 conditions were identified during this IEA.	N/A	Refer to non-compliances below
Schedule 2, Condition B3	It is recommended that AGLM document the process for regular inspection and review of the measures documented in the approved Fire Safety Study.	December 2025	Compliant. In response to the previous IEA finding, AGLM are maintaining a spreadsheet (as sighted) titled 'FSS Commitments' which provides a site compliance register for the commitments from the Preliminary Hazard Analysis [PHA] (Planager Pty Ltd, 2021)). The register of commitments (Appendix 1 of the PHA) is integrated into Appendix 5 of 'Fire Safety Study' (Fluence, 2024). The compliance register outlines the status and evidence the Project has to demonstrate that the relevant requirements of the FSS study.
Schedule 2, Condition B4	It is recommended that AGLM confirm that all external fuel storages in Project construction areas comply with Australian Standard requirements.	December 2025	Compliant. AGLM include a review hazardous material storage and management in their weekly site environmental inspection checklists. Viewed bunded containers used by Project Stage 2 contractors for the storage of small volumes of hazardous chemicals / dangerous goods stored on site (see Plate 8, Plate 9, and Plate 10 in <b>Appendix F</b> ). Signage on new storage container indicated compliance with AS1940-2004.
Schedule 2, Condition B5	It is recommended that AGLM continue to engage with the Rural Fire Service and with Fire and	December 2025	Compliant. Sighted:

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
	Rescue NSW to finalise and implement the Project Emergency Response Plans prior to commissioning of the BESS.		<ul style="list-style-type: none"> <li>› Letter from Fire and Rescue NSW (FRNSW) dated 01/08/25 acknowledging submission of an Emergency Plan on 09/05/25 and issuing a recommended update to the ESIP;</li> <li>› Letter from FRNSW dated 17/09/25 acknowledging resubmission of the Emergency Services Plan and ESIP, and advising they will retain a copy of the Emergency Plan and ESIP;</li> <li>› Email from Fluence to the RFS dated 22/09/25 providing copies of the updated ESIP (dated 02/09/25); and</li> <li>› Photos of RFS personnel visiting the BESS site for an inspection that occurred on 20/10/25.</li> </ul>
Schedule 2, Condition B15	It is recommended that AGLM review opportunities to establish vegetation cover on Project stockpiles that will remain in place in the medium to long-term.	Ongoing	Compliant. Since the previous IEA, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent (see Plate 28 and Plate 29 in <b>Appendix F</b> ).
Schedule 2, Condition B17	It is recommended that AGLM document the process for introduction of new lighting plants to site, to ensure any external lighting complies with SSD 8889679 conditions.	December 2025	Compliant. Sighted 'Enerven Design Report – Lighting Study' dated 30/09/25 (Enerven, 2025). The study proposed the new lighting layout and strategy, along with an obtrusive lighting assessment.

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
Schedule 2, Condition B25	<p>It is recommended that AGLM retain correspondence between Project contractors that documents transfers from the Project to the Liddell Power Station water management system prior to discharge under Environment Protection Licence (EPL) 2122.</p> <p>It is also recommended that the Soil, Stormwater, Flood and Spoil Management Plan is updated to clarify that water of a quality outside of EPL 2122 criteria may be transferred to the adjacent Liddell Power Station water management system for treatment / settling prior to discharge in accordance with the EPL.</p>	December 2025	<p><b>Non-compliant.</b> Evidence was not available at the time of the audit that AGLM has updated the Stage 2 Soil, Stormwater, Flood and Spoil Management Plan. See recommendation against Schedule 2, Condition B25 in <b>Table 5</b>.</p> <p>There was one discharge event during the audit period which was reported to the Environment Protection Authority (EPA) and DPHI (refer to <b>Section 3.7.13</b> for further details). AGLM have since varied EPL 2122 to include an additional licensed discharge point (Point 27) directly into Lake Liddell from the Liddell BESS construction site. Therefore, AGLM will now discharge directly from the BESS site.</p>
Schedule 2, Condition B26	<p>It is recommended that the Stage 2 Progressive Erosion and Sediment Control Plan document is updated to reflect erosion and sediment control arrangements for the coal bays area and battery laydown area being used for Stage 2.</p> <p>It is also recommended that requirements from 'methodology' documents are communicated to the Project workforce and evidence retained, if permanent fencing is extended to other sections of the Project Boundary.</p>	Completed	Compliant. Sighted the updated 'Liddell BESS Progressive ESCP No. 1 – Fluence Laydown Area, Carpark and Stockpile Area', Version 1 dated 07/11/25.
Schedule 2, Condition B28	It is recommended that AGLM review opportunities to establish vegetation cover on Project stockpiles that will remain in place in the medium to long-term.	December 2025	Compliant. Since the previous IEA, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent (see Plate 28 and Plate 29 in <b>Appendix F</b> ).

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
Schedule 2, Condition C3	It is recommended that AGLM complete a review of the Project management plans by 18/09/25, to reflect the determination of SSD 8889679 MOD3.	As required by Schedule 2, Condition C3	<p>Compliant. Sighted letter from AGLM to DPFI dated 18/09/25. AGLM advised DPFI that the Project management plans were reviewed after the following triggers:</p> <ul style="list-style-type: none"> <li>› Submission of the last IEA on 09/09/25; and</li> <li>› Modification of SSD 8889679 on 18/06/25.</li> </ul> <p>AGLM advised no further updates to plans are required.</p>
Schedule 2, Condition C19	It is recommended that AGLM publish the remaining documents required by Condition C19 on the Project website, or list documents individually and provide direct links to the Major Projects Portal, to ensure these documents are easily accessible to the general public.	Completed	Compliant. Viewed AGLM Project website on 22/01/25. The website contains the document required by Condition C19.
Schedule 2, Condition D1	It is recommended that AGLM implement a process for the regular inspection of the Low Pressure Pump Station site, to document and obtain evidence to demonstrate that appropriate environmental controls remain in place to minimise erosion and water quality impacts or any identify corrective actions required.	November 2025	Compliant. AGLM have implemented a program of regular inspections of the Low Pressure Pump Station site, to confirm that appropriate environmental controls remain in place.

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
Schedule 2, Condition D3	<p>It is recommended that the ANOEMP is revised incorporate the relevant surface water management commitments from the 1997 HLA-Envirosciences EIS, to allow these requirements to be monitored and managed.</p> <p>It is also recommended that AGLM retain records of evidence to confirm that care and maintenance of Ravensworth Coal Unloader Facility is being managed generally in accordance with the requirements of the 1997 HLA-Envirosciences EIS and the ANOEMP.</p>	This recommendation will be considered during update of site documents	<p>Compliant. Evidence from the operators of the Ravensworth Coal Unloader Facility was provided by AGLM, regarding monthly inspections of the development that are completed during care and maintenance.</p> <p>See recommendation against Schedule 2, Condition D3 in <b>Table 5</b>, to align the Aurizon care and maintenance checklist with the relevant requirements of SSD 8889679.</p>
Schedule 2, Condition D5	It is recommended that the ANOEMP is revised to incorporate the relevant requirements from Condition D5 of SSD 8889679 and where each requirement is addressed.	This recommendation will be considered during update of site documents	<p>Compliant. Evidence was not available at the time of the audit that the ANOEMP has been revised.</p> <p>See recommendation against Schedule 2, Condition D5 in <b>Table 5</b>, to align the ANOEMP with the relevant requirements of SSD 8889679.</p>
Schedule 2, Condition D6	<p>It is recommended that the ANOEMP is revised to incorporate the relevant requirements of the HLA-Envirosciences SEE (2000).</p> <p>It is also recommended that AGLM retain records to confirm that care and maintenance of the facility is being managed generally in accordance with the requirements of the HLA-Envirosciences SEE (2000) and the ANOEMP.</p>	This recommendation will be considered during update of site documents	<p>Compliant. Evidence was not available at the time of the audit that the ANOEMP has been revised.</p> <p>See recommendation against Schedule 2, Condition D6 in <b>Table 5</b>, to align the ANOEMP with the relevant requirements of SSD 8889679.</p>
<b>SSD 8889679 EIS Commitments</b>			
HR1	It is recommended that AGLM incorporate the risk management measures from Planager (2021) relevant to Stage 2 in the Project	Prior to commissioning	Compliant. AGLM are maintaining a spreadsheet (as sighted) titled 'FSS Commitments' which provides a site compliance

Ref	Previous IEA Findings	AGLM Proposed Completion Date	Current IEA Status
	compliance register prior to commissioning of the BESS.		register for this Commitment, along with the commitments from the Preliminary Hazard Analysis [PHA] (Planager Pty Ltd, 2021)). The compliance registers outline the status and evidence the Project has to demonstrate that the relevant requirements are being met.
AQ6	It is recommended that AGLM review opportunities to establish vegetation cover on Project stockpiles that will remain in place in the medium to long-term.		Compliant. Since the previous IEA, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent (see Plate 28 and Plate 29 in <b>Appendix F</b> ).
BIO5	It is recommended that the locations of stockpiles from Project Stage 1 are added to the 'Liddell BESS' stockpile register for the Project maintained by Enerven.	December 2025	Compliant. Sighted 'Liddell BESS – Stockpile Register' which identifies the location of stockpiles in the Stage 2 area.
V6	It is recommended that AGLM review opportunities to establish vegetation cover on Project stockpiles that will remain in place in the medium to long-term.	December 2025	Compliant. Since the previous IEA, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent (see Plate 28 and Plate 29 in <b>Appendix F</b> ).
W3	It is recommended that AGLM review opportunities to establish vegetation cover on Project stockpiles that will remain in place in the medium to long-term.	December 2025	Compliant. Since the previous IEA, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent (see Plate 28 and Plate 29 in <b>Appendix F</b> ).

### 3.6 Non-Compliances During the Audit Period

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

**Table 4 IEA Non-Compliances**

Ref	Non-Compliance
<b>SSD 8889679</b>	
Schedule 2, Condition A2	Non-compliances (NC) with SSD 8889679 conditions were identified during this IEA (see below).
Schedule 2, Condition B5	Sighted 'Liddell BESS Site Plan' dated 12/05/24 which shows the Asset Protection Zone. However, this plan is separate and not included in either the O&M Emergency Plan or ESIP. In addition, neither the O&M Emergency Plan or ESIP contain any details about the ongoing management or maintenance of the Asset Protection Zone.
Schedule 2, Condition B9	The Stage 3 BMP outlines a commitment for stockpiles to be located away from drainage lines and covered with a waterproof membrane until required. Salvaged was topsoil was stockpiled in the existing unsealed overflow carpark at the Stage 3 work area and was not covered by a waterproof membrane on it. KS indicated that AGLM does not intend to install a waterproof membrane on it, but rather the Stage 3 BMP should be updated to reflect current site practices.
Schedule 2, Condition B25	AGLM noted that a discharge incident occurred on 26/11/25 which was reported to the EPA and DPHI. Sighted 'Notification of Incident Report' dated on 1/12/25 from AGLM to the EPA, in relation to a stormwater overflow event that occurred at the Liddell BESS [Stage 2] construction site on 26/11/25. AGLM stated that the rainfall received prior to the incident exceeded the design capacity of the erosion and sediment control basins which were designed to accommodate a five-day rainfall event and as a result, an uncontrolled release of stormwater occurred.
<b>SSD 8889679 EIS Commitments</b>	
GHG1	Table 25 within the Stage 3 EMS advises that the Principal Contractor is required to include GHG mitigation measures in their CEMP. Sighted 'Construction Environmental Management Plan – Civil Road Works – Contractor Carpark, Hardstand Area and Exit Road Remediation Works' (Fulton Hogan, 2025) [Stage 3 CEMP] for Stage 3 works. The Stage 3 CEMP does not include requirements for identifying and minimising greenhouse gases (GHG) during construction.

## 3.7 Environmental Performance

### 3.7.1 Site Inspection Summary

The site inspection of 14 January 2026 included a review of the Project site, focussing on the Stage 2 and Stage 3 development sites where construction work was ongoing during the audit period (see **Figure 1** and **Figure 2**). Selected images taken during the site inspection are included as **Appendix F**.

It is noted that construction of Stage 1 of the Project has been completed and the facility commissioned prior to the audit period. As such, Stage 1 was not reviewed during this IEA.

The site inspection of Stage 2 construction areas found that these are generally being maintained. Disturbance boundaries and 'no-go' areas were observed to be flagged in the field during the audit site inspection (see Plate 16 and Plate 17 in **Appendix F**), however areas of the delineation flagging required reinstating. Some of the erosion and sediment control fencing also required reinstating (see Plate 33 and Plate 34 in **Appendix F**). Evidence that regular inspections of these controls were carried out by the Project contractor was available. Project contractors were in the process of commissioning a permanent operations and maintenance building and the BESS units during the audit site inspection (see Plate 1 in **Appendix F**). In addition, construction of operational roads, landscaping, and general site clean-up was occurring to prepare the facility for operational hand-over (see Plate 3 and Plate 4 in **Appendix F**).

The site inspection of the Stage 3 carpark upgrade construction and laydown areas found that this area is generally being well maintained. At the time of the audit, upgrade works to the Stage 3 contractor's carpark were completed and evidence that regular inspections of these controls were carried out by AGLM personnel was available (see Plates 9 and Plate 20 in **Appendix F**).

Evidence provided by AGLM and the Project contractor also showed that maintenance and corrective actions (e.g. water management, erosion and sediment controls, waste management and housekeeping) recorded during internal environmental inspections were being tracked and completed.

The audit site inspection also confirmed that dust emissions from exposed surfaces within the Stage 2 construction area were being well controlled at the time of the audit and that a water cart was in operation (see Plate 27 in **Appendix F**). The designated refuelling area for mobile equipment had been relocated to another location within the Stage 2 work area during the audit period (see Plate 11 in **Appendix F**).

Non-compliances and recommendations identified in relation to the audit site inspection are listed in **Table 4** and **Table 5**.

### 3.7.2 Environmental Management Documents

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

Management plans and strategies reviewed as part of this IEA included the AGLM Stage 2 BESS Environmental Management Strategy (EMS) and the associated supporting plans including the Soil and Water Management Plan (SWMP), Noise Management Plan (NMP), Air Quality Management Sub Plan (AQMP), Contamination Management Sub Plan (CMP), Waste Management Sub Plan (WMP), Aboriginal Cultural Heritage Management Plan (ACHMP), Biodiversity Management Plan (BMP), Traffic Management Sub Plan (TMSP), Fire Safety Study (FSS) and Emergency Plan.

Management Plans and strategies reviewed for Stage 3 works included the AGLM Stage 3 Bayswater Ancillary Works EMS and the associated support plans including the Stage 3 SWMSP, NMSP, AQMSP, CMSP, WMSP, Cultural Heritage Management Plan (CHMP), and BMP.

A review of the projects referred to in Part D of SSD-8889679 (the Low Pressure Pump Station Stabilisation, Ravensworth Coal Unloader Facility and Coal/Rail Unloader Augmentation projects) found that management

documentation for these facilities is in place, however updates to these documents are recommended to ensure that the requirements of relevant conditions from Part D of SSD-8889679 are captured. It is also recommended that AGLM has a process in place with Aurizon to confirm that inspections for the Ravensworth Coal Unloader and Coal/Rail Unloader Augmentation Facilities are effective in appropriately managing these sites.

Non-compliances and recommendations identified in relation to Project management plans are listed in **Table 4** and **Table 5**.

### 3.7.3 Waste Management

The Stage 2 Waste Management Plan identifies the key waste streams and management controls for the Project. The site inspection confirmed the active construction areas for Stage 2 were generally well-managed, with only minor housekeeping required. During the audit site inspection, waste materials were being contained within the designated boundaries of the Project construction area and waste segregation bins were in place and being used appropriately (see Plates 37 and Plate 38 in **Appendix F**). As installation of the BESS batteries was completed during the audit period, contractors have commenced demobilising off-site and most waste receptacles within the construction area have been removed.

Discussions with key AGLM and Project contractor personnel confirmed that Stage 2 waste continues to be removed from the Project site by waste contractors and taken to licenced facilities for disposal. The desktop review confirmed that waste removal is being tracked via a waste register. It is recommended AGLM retain copies of all waste tracking records for the BESS Project, including associated certificates for the transportation of scheduled waste.

Discussions with key AGLM personnel confirmed that due to the limited works completed for Stage 3 (upgraded carpark) there was no specific waste bins required for construction work, and that waste was disposed of within the existing Bayswater Power Station waste disposal area (see Plate 39 in **Appendix F**).

A review of related waste records confirmed that no potentially asbestos-contaminated waste was identified in Stage 2 or Stage 3 during the audit period.

### 3.7.4 Erosion and Sediment Control

Stage 2 of the Project operates in accordance with the Liddell BESS Primary Erosion and Sediment Control Plan (ESCP) which was updated during the audit period. As noted in **Section 3.7.1**, some of the erosion and sediment control fencing for Stage 3 required reinstating (see Plate 33 and Plate 34 in **Appendix F**). Within the Stage 3 construction area, there was an area erosion within a drain that transfers runoff from the new carpark into the existing Bayswater Power Station coal settling pond (see Plate 35 and Plate 36 in **Appendix F**). AGLM personnel were aware of this area of erosion and it was being actively monitored and managed at the time of audit.

Discussions with key AGLM personnel confirmed that one water pollution incident was recorded during the audit period as a result of Stage 2 construction works (see **Section 3.7.13**).

Non-compliances and recommendations identified in relation to erosion and sediment control are listed in **Table 4** and **Table 5**.

### 3.7.5 Operation of Plant and Equipment

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

Interviews with key Project contractors during the site inspection confirmed that operators working on Stage 2 continue to complete site inductions, which include content on the safe operation of plant and equipment.

A desktop review of maintenance reports verified that plant and equipment are appropriately assessed prior to mobilisation to site (including completion of pathogen inspections during the mobilisation of equipment to site). Example evidence was also provided to show that daily inspections of equipment and regular maintenance actions were being completed.

Equipment in operation during the audit site inspection was seen to be operating effectively to minimise dust emissions.

### 3.7.6 Air Quality

Dust emissions from Project work areas and stockpiles within the Stage 2 and Stage 3 construction areas was observed to be well controlled at the time of audit (see Plates 2 -3 and Plate 19 in **Appendix F**).

Discussions with key AGLM personnel confirmed that water carts are retained on site for dust suppression and water carts were operating in the Stage 2 construction area at the time of audit (see Plate 27 in **Appendix F**).

No complaints in relation to air quality impacts from the Project were received during the audit period.

### 3.7.7 Biodiversity

As noted above, the disturbance boundary of Stage 2 is clearly delineated in the field and daily inspections are being completed to verify that environmental controls from the Biodiversity Management Plan are being implemented.

Discussions with key AGLM personnel confirmed that additional clearing was not undertaken during the audit period. Flagging and signage remains in place around the extent of the Project disturbance boundary to confirm 'no-go' zones for the workforce, however areas of the delineation flagging required reinstating (see Plate 16 and Plate 17 in **Appendix F**).

During the audit period Stage 3 works included upgrading the existing contractor's carpark which included vegetation clearing of garden beds in accordance with SSD 8889679 (see Plate 20 in **Appendix F**). The carpark had existing security fencing which was extended to delineate the construction area prevent unauthorised clearing (see Plate 21 in **Appendix F**).

Evidence was provided to confirm that contractor inductions include content on biodiversity management requirements. Regular inspections completed by the Project contractor during the audit period document checks for native fauna species and the treatment of areas within the Stage 2 works area to control the presence of weeds.

### 3.7.8 Visual Amenity and Lighting

Discussions with key AGLM personnel confirmed that Project works are only undertaken during daylight hours. AGLM continue to maintain a sign-in and sign-out register for all personnel coming onto the Stage 2 Project site, which records working hours. The selected examples of completed sign-in and sign-out registers that were reviewed during the IEA site inspection indicated that Project works were being completed within approved hours.

During the audit period, permanent lighting was installed for at the BESS in the Stage 2 area (see Plate 30 in **Appendix F**) as construction nears completion. The lighting design for Stage 2 was constructed in accordance with a 'Enerven Design Report – Lighting Study' (Enerven, 2025) which included an obtrusive lighting assessment. The colour and layouts of the site offices and temporary construction areas were generally non-intrusive and located in an area that is not readily visible to private receptors.

During the audit period the existing lighting plants at the Stage 3 contractor's carpark were re-installed when the carpark was upgraded. Night works were not required during Stage 3 construction works completed during the audit period (see Plate 20 in **Appendix F**).

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

### **3.7.9 Noise**

Discussions with key AGLM personnel confirmed that the Project operates in accordance with the Stage 2 and Stage 3 NMP. The desktop review confirmed that site inspections are being completed which includes the consideration of noise and vibration impacts. AGLM employees and contractors also undertake site inductions which includes content on noise management considerations.

AGLM confirmed that construction phase attended noise monitoring did not occur for the Stage 2 works during the audit period due to peak noise generating period of construction is complete and construction work is nearing completion.

Due to the limited construction work that has occurred at the contractor's carpark and its location in relation to Baywater Power Station, noise verification monitoring has not been required to date for Stage 3 works.

No complaints regarding Project noise impacts were received during the audit period.

### **3.7.10 Aboriginal Heritage**

The desktop review confirmed that the Project operates in accordance with an ACHMP for Stage 2, and a CHMP for Stage 3, which note the procedures to be followed in the event of any unanticipated heritage items being identified during construction. A review of Project induction packages confirmed that all Project staff and contractors are briefed on Aboriginal heritage obligations and response procedures.

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

### **3.7.11 Rehabilitation**

No rehabilitation establishment activities were undertaken during the audit period.

The IEA site inspection confirmed that the topsoil stockpiles from Stage 2 construction areas remain delineated in the field, with mulched vegetation respread in non-working areas. Since the last audit, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent within the audit period (see Plate 28 and Plate 29 in **Appendix F**).

Within the Stage 3 construction area, a topsoil stockpile was established during the audit period and recovered organic material has been spread (Plate 22 to Plate 24 in **Appendix F**).

### **3.7.12 Bushfire Management**

The desktop review also confirmed that a hot work management system is in place and that personnel carrying out any hot work for the Project are required to complete AGLM Hot Works inductions, permits and risk assessments. The site inspection confirmed that fire response equipment is in place within Stage 2 construction areas and at the Project site offices (see Plate 5 and Plate 6 in **Appendix F**).

AGLM have developed fire safety and emergency response management plans for Stage 2 during the audit period, and are generally implementing the required controls in this document as the BESS is commissioned.

### **3.7.13 Environmental Incidents**

Discussions with key AGLM personnel confirmed that a discharge incident in relation to a stormwater overflow event that occurred at the Stage 2 Liddell BESS construction site on 26 November 2025. Overflow of stormwater occurred from the BESS construction area erosion and sediment control attenuation basin into Lake Liddell, due to a heavy rainfall event. AGLM reported the incident to the Environmental Protection

Authority (EPA) and DPHI in accordance with Schedule 2, Condition C4 of SSD 8889679. Further detail regarding the incident is outlined under Schedule 2, Conditions B25 and C4 in **Appendix C**.

Non-compliances and recommendations identified in relation to the environmental incident are listed in **Table 4** and **Table 5**.

### **3.7.14 Environmental Complaints**

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

### **3.7.15 Environmental Impact Comparison**

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

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

## 4. Recommendations

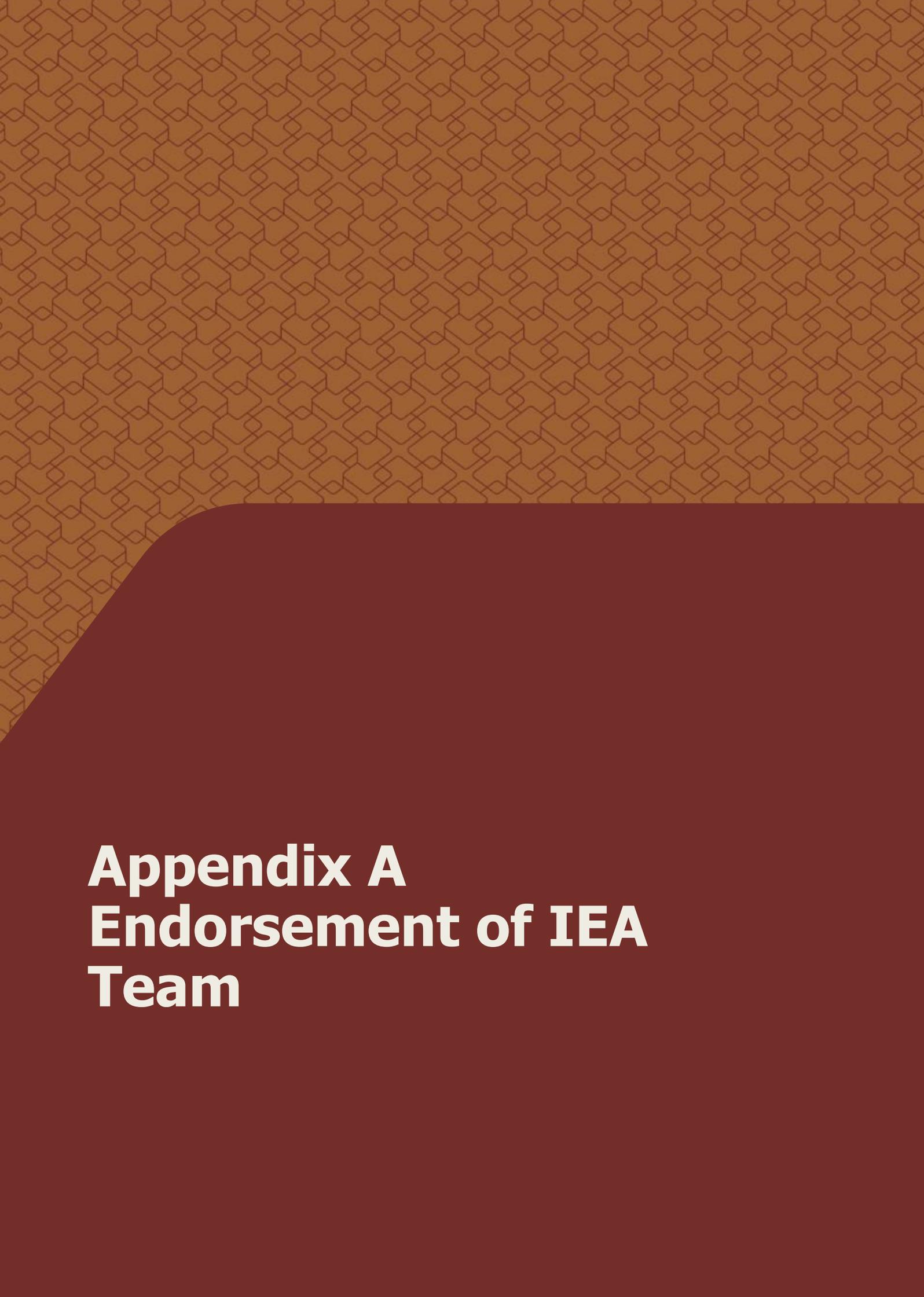
A summary of the non-compliances with SSD 8889679 approvals identified during the audit period is provided in **Table 4**. Recommendations made to respond to these non-compliances, as well as opportunities identified to improve AGLM's general environmental performance for the Project are provided in **Table 5**.

**Table 5 IEA Recommendations**

Ref	Recommendation Description
<b>SSD 8889679</b>	
Schedule 2, Condition A9	It is recommended that AGLM ensure that a building certificate is issued for the BESS operations and maintenance building, if required.
Schedule 2, Condition B5	It is recommended AGLM implement a process to ensure that emergency contact details on the Liddell BESS 'Emergency Board' are maintained.
Schedule 2, Condition B5(j)	It is recommended that AGLM update the Operational and Maintenance Emergency Plan to include details of the location, management, and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of this area for Stage 2.
Schedule 2, Condition B7	It is recommended that AGLM inspect 'no-go zone' flagging in the Stage 2 Liddell BESS area and undertake maintenance to reinstate any fallen or damaged sections.
Schedule 2, Condition B9	It is recommended that AGLM revised the Stage 3 Biodiversity Management Plan to reflect current practices regarding stockpile management.
Schedule 2, Condition B15(c)	It is recommended that AGLM establish a topsoil stockpile register for the Stage 3 area and review opportunities for long term stabilisation of the stockpiles of material salvaged for the car park construction for Stage 3.
Schedule 2, Condition B25	It is recommended that AGLM update the Stage 2 SWMP to ensure that Figure 6-1 shows the location of EPL 2122 Discharge Point No. 27, and outline procedures to be followed when discharging from Stage 2 attenuation basins.
Schedule 2, Condition B26	It is recommended that AGLM inspect the erosion and sediment controls within the Stage 2 and Stage 3 areas and undertake maintenance works to reinstate any sediment fences and review opportunities to prevent or minimise further erosion.
Schedule 2, Condition B27(c)	It is recommended that AGLM retain copies of all waste tracking records for the BESS Project, including associated certificates for the transportation of scheduled waste.

Ref	Recommendation Description
Schedule 2, Condition C4	<p>It is recommended that AGLM:</p> <ul style="list-style-type: none"> <li>› Review and update the internal document 'AGL-HSE-GUI-011.1.1 Obligations to notify Regulatory Authorities – Guideline' (2023). The sub-section of the guideline referring to general incident notification, response and reporting processes for NSW does not discuss EP&amp;A Act requirements for incidents, or refer to the incident reporting requirements associated with Development Consent conditions;</li> <li>› Prepare a Project Reporting Procedure and template for site personnel to follow in the event of a future incident, to ensure that the requirements of Schedule 2, Condition C4 and Appendix 4 of SSD 8889679 are followed and reports to DPHI include all required details; and</li> <li>› Retain copies of all Project incident notification and reporting records provided to DPHI through the Planning Portal.</li> </ul>
Schedule 2, Condition C8	<p>It is recommended that AGLM consult with DPHI to confirm when Compliance Reports for the Project must be carried out, given that the Project is staged, with Stage 1 being completed, and Stage 2 nearing completion.</p>
Schedule 2, Condition C16	<p>It is recommended that AGLM add a date on the response document to this IEA prior to submission and publishing on the AGLM public website.</p>
Schedule 2, Condition D3	<p>It is recommended that AGLM consult with Aurizon to ensure that the Ravensworth Coal Unloader Facility maintenance inspection checklist for care and maintenance is updated to include items that align with the relevant confirm that care and maintenance inspections and monitoring are being completed in generally in accordance with the requirements of the 1997 EIS, ANOEMP and 2000 SEE.</p> <p>It is also recommended that AGLM has a process in place with Aurizon to confirm that inspections for the Ravensworth Coal Unloader and Coal/Rail Unloader Augmentation Facilities are effective in appropriately managing these sites.</p>
Schedule 2, Condition D5	<p>It is recommended that AGLM consult with Aurizon to revise the ANOEMP documents to note the relevant requirements from Condition D5 of SSD 8889679 and where each requirement is addressed (as relevant to care and maintenance activities).</p>
<b>SSD 8889679 EIS Commitments</b>	
GHG1	<p>It is recommended that AGLM revise the Stage 3 Construction Environmental Management Plan to include requirements for identifying and minimising greenhouse gases (GHG) during construction.</p>

Ref	Recommendation Description
WR01	It is recommended that AGLM retain copies of all waste tracking records for the BESS Project, including associated certificates for the transportation and disposal of scheduled waste.



# **Appendix A Endorsement of IEA Team**

NSW Planning ref: SSD-8889679-PA-87

James McNamara  
Environment Manager Construction  
AGL Macquarie Pty Ltd  
Wonnarua Country  
New England Highway  
MUSWELLBROOK NSW 2333

25 June 2025

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Sent via the Major Projects Portal only

Subject: Liddell Battery and Bayswater Ancillary Works - Independent Auditor Proposal

Dear Mr McNamara

I refer to your letter to the NSW Department of Planning, Housing and Infrastructure dated 20 June 2025 requesting the Planning Secretary's approval of suitably qualified, experienced, and independent persons to conduct the next Independent Audit of the Liddell Battery and Bayswater Ancillary Works project submitted as required by Schedule 2, Condition C14 of development consent SSD-8889679 as modified (the consent).

The Department has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed audit team is suitably qualified, experienced, and independent.

In accordance with Schedule 2, Condition C14 of the consent and the Department's *Independent Audit Post Approval Requirements (2020)*, as nominee of the Planning Secretary, I endorse the following independent audit team to undertake audits for the preconstruction and construction phases of the Liddell Battery and Bayswater Ancillary Works development while they remain independent of the development:

- Dorian Walsh, Lead Auditor
- Sarah Moore, Assisting Auditor

This letter replaces our letter dated 9 December 2024 (reference: SSD-8889679-PA-72) endorsing the previous audit team.

Please ensure this correspondence is appended to the Independent Audit Report.

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

Please note that the lead auditor must attend the site inspection/s.

We request that the audit team consult with us to develop the scope of the next Independent Audit.

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

Yours sincerely

A handwritten signature in black ink that reads "H Watters".

Heidi Watters  
Team Leader  
Compliance

As nominee of the Planning Secretary



# **Appendix B**

## **IEA Declaration**

## Appendix E – Independent Audit Report Declaration Form Template

### Independent Audit Report Declaration Form

Project Name: Bayswater Power Station, Liddell Power Station

Consent Number: SSD 8889679

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

Project Address: New England Highway, MUSWELLBROOK NSW 2333

Proponent: AGL Macquarie Pty Limited

Title of Audit: AGL Macquarie SSD 8889679 Independent Environmental Audit March 2026

Date: 13 March 2026

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

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

Notes:

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

Name of Auditor: Dorian Walsh

Sarah Moore

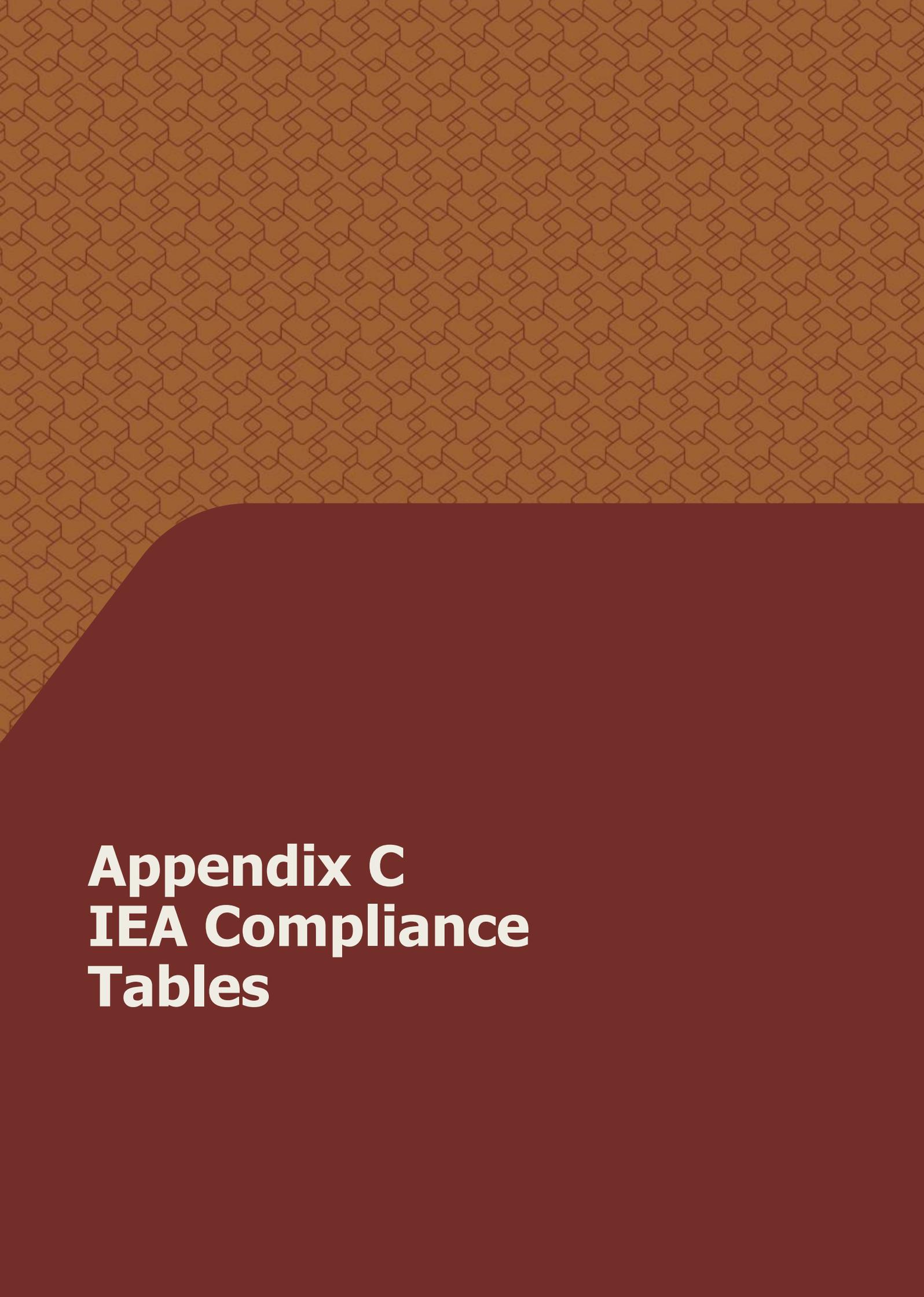
Signature: 



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

Company: Xenith Consulting

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



# **Appendix C**

# **IEA Compliance**

# **Tables**

**Table C1 Project Approval SSD 8889679**

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

*Blue Type represents the April 2025 Modification (SSD 8889679 MOD2)*

*Green Type represents the June 2025 Modification (SSD 8889679 MOD3)*

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
<b>SCHEDULE 2: PART A - ADMINISTRATIVE CONDITIONS</b>				
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
A1	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	C	A review of AGLM records and inspection of the SSD 8889679 Project site found that reasonable and feasible controls are in place to minimise the potential for material environmental impacts from site operations.  AGLM environmental controls for the Project are discussed under relevant conditions below.	
<b>TERMS OF CONSENT</b>				
A2	The development may only be carried out: (a) in compliance with the conditions of this consent	<b>NC</b>	<b>Non-compliances (NC) with SSD 8889679 conditions were identified during this IEA.</b>  Findings and recommendations in relation to each non-compliance are provided against the relevant conditions below.	
	(b) in accordance with all written directions of the Planning Secretary	C	Andrew Speechly (AS) (pers	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			comms) confirmed that no written directions have been made by the Department of Planning, Housing and Infrastructure (DPHI) during the audit period. Correspondence from DPHI regarding documents required under SSD 8889679 are noted against the relevant conditions below.	
	(c) generally in accordance with the EIS; and	C	A review of AGLM information found that the development is being carried out generally in accordance with the EIS.	
	(d) generally in accordance with the Development Layout.	C	The site layout is generally consistent with that shown in Appendix 1 of SSD 8889679.	
	<b>Note:</b> The general layout of the development is shown in Appendix 1.			
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and	C	Directions from DPHI on SSD 8889679 documentation are noted against the relevant conditions below.	
	(b) the implementation of any actions or measures contained in any such document referred to in paragraph (a).	NT	AS (pers comms) confirmed that DPHI did not make any directions during the audit period on AGLM implementation of actions from SSD 8889679 documents.	
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and the document/s	NT	Keith Simkin (KS) (pers comms) confirmed that	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	listed in condition A2(b). In the event of an inconsistency, ambiguity or conflict between any of the document/s listed in condition A2(b), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.		inconsistencies were not identified during the audit period.	
<b>SURRENDER OF EXISTING CONSENTS</b>				
A5	At a time determined by the Secretary, being no later than 12 months after the date of commencement of development, or other timeframe agreed by the Planning Secretary in writing, the following development consents are to be surrendered in accordance with section 68 of the EP&A Regulation:	C	Deemed compliant in previous IEA.	
	(a) 8/2016 (MSC)	C	See Schedule 2, Condition A5 above.	
	(b) 74/2018 (MSC)	C	See Schedule 2, Condition A5 above.	
	(c) 8.2018.273.1 (SC)	C	See Schedule 2, Condition A5 above.	
	(d) 8.2018.23.1 (SC)	C	See Schedule 2, Condition A5 above.	
	(e) 8.2018.23.2	C	See Schedule 2, Condition A5 above.	
	(f) 54_86 (MSC)	C	See Schedule 2, Condition A5 above.	
	(g) 29_98 (SC)	C	See Schedule 2, Condition A5 above.	
	(h) 114_2016 (MSC)	C	See Schedule 2, Condition A5 above.	
	(i) 223_2004	C	See Schedule 2, Condition A5 above.	
	(j) 401_2000 (SC)	C	See Schedule 2, Condition A5 above.	
	(k) 460_2001 (SC)	C	See Schedule 2, Condition A5	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			above.	
	<i><b>Note:</b> Condition A5 does not extend to the surrender of construction or occupation certificates for existing and proposed building works under former Part 4A or Part 6 of the EP&amp;A Act (as Part 6 applies from 1 September 2018). The surrender required by this condition A5 should not be understood to mean that works legally constructed under a valid consent or approval can no longer be legally maintained or used.</i>	Note	Note only.	
A6	Upon the date of commencement of development under this consent, and before the surrender of the existing development consents specified in condition 5, the conditions of this consent prevail to the extent of any inconsistency.	C	KS (pers comms) confirmed that no inconsistencies have been identified and the project is operating under SSD 8889679 conditions.	
<b>STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS</b>				
A7	With the approval of the Planning Secretary, the Applicant may:	NT	AS (pers comms) confirmed AGLM did not seek to stage the preparation of any SSD 8889679 documents during the audit period.	
	(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);			
	(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and	NT	AS (pers comms) confirmed AGLM did not seek to combine any SSD 8889679 documents during the audit period.	
	(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development). If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	C	Viewed letter from DPHI dated 29/07/25 approving the revised Stage 3 Biodiversity Management Plan (BMP) (Revision 4, dated 23/07/25) which was submitted by AGLM on 23/07/25.	

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<b>NOTIFICATION OF COMMENCEMENT</b>				
A8	At least two weeks prior to the commencement of the following activities, the Applicant must notify the Department in writing of the date of:	C	Maris Steele (MS) (pers comms) confirmed that notifications to DPFI were not required during the audit period. Stages 1 - 3 of the Project remain applicable to the audit period.	
	(a) physical commencement of the development;	C	Deemed compliant in previous IEA.	
	(b) pre-construction activities;	C	Deemed compliant in previous IEA.	
	(c) construction of the battery energy storage system;	C	Deemed compliant in previous IEA.	
	(d) construction of the decoupling works;	C	Deemed compliant in previous IEA.	
	(e) construction of the Bayswater ancillary works; and	C	Deemed compliant in previous IEA.	
	(f) decommissioning.	NT	See Schedule 2, Condition A8.	
<b>STRUCTURAL ADEQUACY</b>				
A9	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.	C	<b>Stage 2</b> Since the last Independent Environmental Audit (IEA) a permanent operations and maintenance building was constructed in Stage 2 for the Battery Energy Storage System (see <b>Plate 1</b> ). Chris Stewart (CS) confirmed the building was in the process of being commissioned and receiving a	<b>It is recommended that AGLM ensure that a building certificate is issued for the BESS operations and maintenance building, if required.</b>

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			building and occupation certificate had not been completed yet. <b>Stage 3</b> No new buildings or structures have been constructed within the audit period as part of Stage 3 works.	
	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the development.</li> </ul>	Note	Noted.	
<b>DEMOLITION</b>				
A10	The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	NT	CS (pers comms) confirmed that no demolition work was undertaken during the audit period.	
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
A11	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:	NT	Maris Steele (MS) (pers comms) confirmed that repairs to public infrastructure have not been required during the audit period.	
	<p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.</p>	NT	See Condition A11(a) above.	
<b>OPERATION OF PLANT AND EQUIPMENT</b>				
A12	The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:	C	<b>Stage 2 and Stage 3</b> Viewed completed examples of Project contractor documents for plant and equipment	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>maintenance during the audit period, including:</p> <ul style="list-style-type: none"> <li>• Log of service completed on 02/11/25 for hydraulic excavator ACG105;</li> <li>• Log of service completed on 01/09/25 for ACG032 dual cab tipper;</li> <li>• Log of service completed on 01/10/25 for ACG150 posi-track loader;</li> <li>• Log of service completed on 08/08/25 for truck VIS620</li> <li>• Risk Management Report for Kobelco 12079493 dated 28/07/25</li> <li>• Enerven 'Plant/ Equipment Approval Forms' completed for the introduction of new equipment to site on 08/09/25 and 28/11/25. The approval form has a declaration to confirm that the equipment has been cleaned and is free from weeds, seeds, and pests (e.g. parthenium, dieback disease);</li> <li>• Subcontractor Plant Register dated, updated until 17/12/25. The register lists and tracks approval status and inspection date for plant on-site;</li> </ul>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<ul style="list-style-type: none"> <li>• BESS Decoupler Maintenance Schedule showing completed and planned maintenance tasks out to 2027; and</li> <li>• Fulton Hogan 'Asset Repair &amp; Maintenance History Report' for truck DE44LY from year 2021 to 2025.</li> </ul>	
	(b) operated in a proper and efficient manner.	C	<p><b>Stage 2 and Stage 3</b></p> <p>Viewed examples of completed assessments / competencies for personnel including:</p> <ul style="list-style-type: none"> <li>• Excavator Assessment;</li> <li>• OHS Construction Card;</li> <li>• Grader Competency;</li> <li>• Skid Steer;</li> <li>• Excavator; and</li> <li>• Dozer Competency.</li> </ul> <p>Viewed examples of worker competencies as listed for seven contractors working on the Stage 3 works.</p> <p>Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which outlines pre-requisites for operators and requirements for the management of plant and machinery.</p> <p>Plant and equipment in operation during the audit site inspection were observed to be operating efficiently and</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			generally in accordance with commitments in Project management documents (see <b>Plate 2</b> and <b>Plate 3</b> ).	
<b>SCHEDULE 2: PART B - GENERAL ENVIRONMENTAL CONDITIONS</b>				
<b>BATTERIES</b>				
<b>Battery Storage Restriction</b>				
B1	<p>The battery energy storage system or systems associated with the development must not exceed a total delivery capacity of 500 MW or a storage capacity of 2 GWh.</p> <p><i><b>Note:</b> This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage system in the future.</i></p>	C	<p>MS confirmed that all batteries were installed at the time of the audit inspection and approximately 5 MW of capacity had been commissioned. The battery storage area was inspected during the audit site inspection (see <b>Plate 4</b>).</p> <p>Viewed an example of the live 'Visual Tracker' available to Project supervisors dated 31/01/26. The tracker identifies that all batteries have been installed, and shows commissioning status as either 'not yet started' / 'cold commissioning' / 'hot commissioning'. The tracker shows progress toward the total 500 MW battery capacity.</p>	
<b>HAZARDS</b>				
<b>Fire Safety Study</b>				
B2	B2. Prior to commencing construction of the battery energy storage system, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of	C	Deemed compliant in previous IEA.	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	FRNSW and the Planning Secretary. The study must: <ul style="list-style-type: none"> <li>(a) be consistent with the:               <ul style="list-style-type: none"> <li>(i) Department's <i>Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline</i>;</li> <li>(ii) NSW Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems; and</li> </ul> </li> </ul>			
	<ul style="list-style-type: none"> <li>(b) describe the final design of the battery energy storage system and verify that the final design is consistent with all findings and recommendations in the Preliminary Hazard Analysis dated 25 March 2021.</li> </ul>	C	Deemed compliant in previous IEA.	
B3	The Applicant must implement the measures described in the Fire Safety Study approved by the Planning Secretary.	C	<p>Since the last IEA, AGLM are now maintaining a spreadsheet (as sighted) titled 'FSS Commitments' which provides a site compliance register for the commitments from the Preliminary Hazard Analysis [PHA] (Planager Pty Ltd, 2021)). The register of commitments (Appendix 1 of the PHA) is integrated into Appendix 5 of 'Fire Safety Study' [FSS] (Fluence, 2024). The compliance register outlines the status and evidence that AGLM are using to demonstrate that the relevant requirements of the FSS study are being met.</p> <p>Two firewater tanks were recently installed in the Stage 2 area as part of the fire safety measures described in 'Fire Safety Study Liddell Battery Energy Storage System', Planager Pty Ltd, 2024). (see</p>	

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			<p><b>Plate 5).</b> Portable fire extinguishers were also noted throughout the Stage 2 area (see <b>Plate 6</b> and <b>Plate 7</b>). Sighted the following support documentation:</p> <ul style="list-style-type: none"> <li>• 'Enerven Design Report – Overall Earthing System Study' (Enerven, 2025), which outlines the earthing design for the Liddell BESS. The study was undertaken to align with a mitigation measure outlined in the FSS, to ensure that earthings are designed according to code requirements;</li> <li>• 'Enerven Design Report – Overall Earthing System Study' (Enerven, 2025), which outlines the earthing design for the Liddell BESS. The study was undertaken to align with a mitigation measure outlined in the FSS to ensure that earthings are designed according to code requirements;</li> <li>• Viewed examples of Fluence 'Hot Works' Permits for the Project dated 17/11/25, 15/12/25, and 18/12/25. The permits were signed off and outlined</li> </ul>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			control measures required for each task; <ul style="list-style-type: none"> <li>• 'Site Closure / Shutdown Inspection Checklist' completed on 22/12/25 which included a check that fire risks have been addressed in advance of the Christmas 2025 period; and</li> <li>• 'Liddell Battery Project Inspection and Test Plan Civil Foundations for Electrical Equipment Installations', which was signed off and dated 08/12/25.</li> </ul>	
<b>Storage and Handling of Dangerous Goods</b>				
B4	The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with: <ul style="list-style-type: none"> <li>(a) the requirements of all relevant Australian Standards; and</li> </ul>	C	<b>Stage 2</b> During the audit period, all batteries were installed and the Project is in the stages of commissioning ready for operational hand-over. Key minor chemical storages have been removed off-site by contractors. Viewed bunded containers used by Project contractors for the storage of small volumes of hazardous chemicals / dangerous goods stored on site (see <b>Plate 8</b> , <b>Plate 9</b> , and <b>Plate 10</b> ). Signage on new container indicated compliance with	

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			<p>AS1940-2004.</p> <p>The designated refuelling area for the Project was relocated within the Stage 2 area during the audit period and was being maintained (see <b>Plate 11</b>).</p> <p>Stocked spill kits were observed to be in place at key locations within the Stage 2 work area, including at the refuelling area and at diesel storage tanks (see <b>Plate 12</b> and <b>Plate 13</b>).</p> <p>Sighted examples of 'Environmental Inspection Checklist Liddell BESS' completed by SLR Consulting on 18/12/25, 22/12/25 and 08/01/26 for Fluence. The checklist includes a chemical register and spill kit review. Also sighted Weekly 'Site Environmental Checklist – Liddell BESS Project' completed by Enerven on 05/12/2025, 12/12/25, 19/12/25, 23/12/25, and 30/12/25. The Enerven checklist includes a review of chemical storage bunding and spill kits.</p> <p><b>Stage 3</b></p> <p>Fulton Hogan (Stage 3 contractor) had demobilised from the Stage 3 area following completion of the carpark upgrade, hence there</p>	

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			<p>were no chemicals being stored in the work area. Sighted 'FHIS Eastern – Civil Sites – Environmental Inspection' completed by Fulton Hogan on 04/08/25 and 28/08/25. The Stage 3 checklist also includes a review of chemical storage bunding and spill kits.</p>	
	<p>(b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.</p> <p>In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	C	See Schedule 2, Condition B4(a) above.	
<b>Emergency Plan</b>				
B5	<p>Prior to commissioning the battery energy storage system, the Applicant must prepare a comprehensive Emergency Plan and detailed emergency procedures for the battery energy storage system in consultation with FRNSW and the NSW RFS.</p> <p>(a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's Planning for Bushfire Protection 2019 (or equivalent);</p>	C	<p>MS confirmed that Project BESS is not commissioned at the time of audit. It is forecast that commissioning may be completed by late April / early May 2026.</p> <p>Evidence sighted:</p> <ul style="list-style-type: none"> <li>• Fluence 'Liddell BESS Emergency Response Plan' dated 19/03/25;</li> <li>• Fluence 'Liddell BESS Emergency Services Information Package (ESIP)' dated 02/09/25;</li> <li>• Fluence 'Liddell BESS O&amp;M Emergency Response Plan (O&amp;M ERP)' dated 02/05/25;</li> </ul>	<p><b>It is recommended AGLM implement a process to ensure that emergency contact details on the Liddell BESS 'Emergency Board' are maintained.</b></p>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<ul style="list-style-type: none"> <li>• Sighted 'Bushfire Threat Assessment Fluence Energy' dated 18/04/24;</li> <li>• Letter from Fire and Rescue NSW (FRNSW) dated 01/08/25 acknowledging submission of an Emergency Plan on 09/05/25 and issuing a recommended update to the ESIP;</li> <li>• Letter from FRNSW dated 17/09/25 acknowledging resubmission of the Emergency Services Plan and ESIP, and advising they will retain a copy of the Emergency Plan and ESIP;</li> <li>• Email from Fluence to the RFS dated 22/09/25 providing copies of the updated ESIP (dated 02/09/25); and</li> <li>• Photos of RFS personnel visiting the BESS site on 20/10/25.</li> </ul> <p><b>An 'Emergency Board' was sighted at the Stage 2 Project offices at the time of audit, however the board did not have contact details for the different work zones (see Plate 39).</b></p>	
	(b) identify the fire risks and hazards and detailed measures for the development to prevent or mitigate fires igniting;	C	Section 1 of the O&M ERP provides a list of the fire risks	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			and hazards, and Section 6 outlines the management measures.	
	(c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site;	C	Sections 7 to 9 of the ESIP outline the procedures that would be implemented if there was a fire on-site.	
	(d) list works that should not be carried out during a total fire ban;	C	Section 9.8.1 of the O&M ERP advise that during a Total Fire ban general purpose hot works (such as welding, grinding or gas cutting or any activity that produces a spark or flame) are not to be done in the open.	
	(e) include availability of fire suppression equipment, access, and water;	C	Section 6 in the ESIP has a figure showing the location of the firewater tanks which are now installed in the Stage 2 work area (see <b>Plate 5</b> ).	
	(f) include procedures for the storage and maintenance of any flammable materials;	C	Appendix 1 - 4 of the ESIP contains a site manifest and site plans showing location of all hazardous and dangerous goods, and outlines commitment to undertake regular inspections to ensure compliance against relevant Australian Standards.	
	(g) notification of the local RFS Fire Control Centre for any works that have the potential to ignite surrounding vegetation proposed to be carried out during a bushfire danger period to ensure whether conditions are appropriate	C	Section 9.8.1 of the O&M ERP outlines that it is the responsibility of the Health, Safety & Environment Manager to monitor the bushfire warning levels in consultation	

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			with the Emergency Response Team, and advises that actions will be driven from the NSW RFS recommendations as outlined on the RFS website. Section 9.8.1 also outlines the procedure and approvals required for carrying out proposed activities in a Total Fire Ban period. Section 4.3 outlines the communication procedures and contact number for the NSW RFS.	
	(h) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;	C	Section 4.4 of the O&M ERP outline contact details for six site contacts (and outlines the order to contact them). Section 7.2 outlines details associated with accessing site.	
	(i) include location of hazards (physical, chemical, and electrical) that may impact on firefighting operations and procedures to manage identified hazards during firefighting operations;	C	Appendices 2 – 4 of the ESIP contain site plans showing the location of all hazardous chemicals and dangerous goods. Section 9 of the O&M ERP outlines all relevant Emergency Response procedures which also include response to hazards such as lighting or flooding.	
	(j) include details of the location, management, and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone;	<b>NC</b>	Sighted 'Liddell BESS Site Plan' dated 12/05/24 which shows the Asset Protection Zone. <b>However, this plan is separate and not included in either the O&amp;M</b>	<b>It is recommended that AGLM update the Operational and Maintenance Emergency Plan to include details of the</b>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<b>Emergency Plan or ESIP. In addition, neither the O&amp;M Emergency Plan or ESIP contain any details about the ongoing management or maintenance of the Asset Protection Zone.</b>	<b>location, management, and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of this area for Stage 2.</b>
	(k) include bushfire emergency management planning; and	C	Section 9.8.1 of the O&M ERP outlines responsibilities of the Health and Safety Manager in relation to bushfire emergency management planning.	
	(l) include details of the how RFS would be notified, and procedures that would be implemented, in the event that: <ul style="list-style-type: none"> <li>(i) there is a fire on-site or in the vicinity of the site;</li> <li>(ii) there are any activities on site that would have the potential to ignite surrounding vegetation; or</li> <li>(iii) there are any proposed activities to be carried out during a bushfire danger period; and</li> </ul>	C	See Schedule 2, Condition B5(g).	
	(m) include details on how the battery storage facility and sub-systems can be safely isolated in an emergency.	C	Sections 7 to 9 of the ESIP outline the fire response scenarios and isolation requirements associated with equipment fires.	
B6	The Applicant must implement the Emergency Plan for the duration of the development, provide a copy of the plan to the local Fire Control Centre and keep two copies of the plan on- site in a prominent position adjacent to the site entry point at all times.	C	See Schedule 2, Condition B5(a). During the audit site inspection copies of the Emergency Plan were noted at the site access road and entry to contractors offices (see <b>Plate 14</b> and <b>Plate 15</b> ).	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
<b>BIODIVERSITY</b>				
<b>Vegetation clearance</b>				
B7	The Applicant must not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.	C	<p><b>Stage 2</b></p> <p>MS (pers comms) noted that clearing outside of the EIS disturbance boundary had not been identified, and no planned vegetation clearance occurred during the audit period.</p> <p>Disturbance areas were verified during regular inspections of the Stage 2 work areas. Examples of inspections completed during the audit period were viewed, including:</p> <ul style="list-style-type: none"> <li>• 'Environmental Inspection Checklist Liddell BESS' completed by SLR Consulting on 18/12/25, 22/12/25 and 08/01/26 for Fluence. The checklist includes an item for review of Project disturbance, ecological, noise, dust and erosion and sediment controls, and actions for follow up;</li> <li>• Weekly 'Site Environmental Checklist – Liddell BESS Project' completed by Enerven on 05/12/2025, 12/12/25, 19/12/25, 23/12/25, and 30/12/25. The checklists include fields</li> </ul>	<p><b>It is recommended that AGLM inspect 'no-go zone' flagging in the Stage 2 Liddell BESS area and undertake maintenance to reinstate any fallen or damaged sections.</b></p>

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			<p>to review the status of Project 'no-go' zones and the Project disturbance footprint;</p> <ul style="list-style-type: none"> <li>• Enerven 'Daily Diary, Liddell BESS' dated 05/01/26, 06/01/26 and 07/01/26 signed off by Project Construction Manager and HSE Coordinator. The 'Daily Diary' includes a component that documents general environmental conditions and the results from daily HSE checks and follow up actions;</li> <li>• 'Civil Works Pre/Post Rainfall Inspection Checklists' completed on 10/12/25 and 22/12/25. The inspections include a check to ensure all erosion and sediment controls are in good repair prior to expected rainfall.</li> <li>• Extract from the Fluence 'Corrective Action Register' (CAR) spreadsheet for the Project for actions between 02/10/25 and 04/12/25. The CAR identifies the source of corrective actions (including from SLR inspections) and summarises the closeout of each; and</li> </ul>	

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			<ul style="list-style-type: none"> <li>Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which shows a map outlining no-go zones.</li> </ul> <p>Disturbance boundaries and 'no-go' areas were observed to be flagged in the field during the audit site inspection (see <b>Plate 16</b> and <b>Plate 17</b>). Some sections of the disturbance delineation flagging in place for Stage 3 required maintenance.</p> <p>A permanent fence was constructed during the audit period within the perimeter of the Stage 2 disturbance boundary, to replace the existing temporary fence (see <b>Plate 18</b>).</p> <p><b>Stage 3</b></p> <p>During the audit period Stage 3 works included upgrading the existing contractor's carpark which included vegetation clearing of garden beds in accordance with SSD 8889679 (see <b>Plate 20</b>). The carpark had existing perimeter security fencing which was extended to prevent unauthorised clearing (see <b>Plate 21</b>).</p> <p>Viewed examples of inspections and documentation</p>	

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			<p>completed during the audit period, including:</p> <ul style="list-style-type: none"> <li>• Sighted 'FHIS Eastern – Civil Sites – Environmental Inspection' completed by Fulton Hogan on 04/08/25 and 28/08/25. The checklist includes items for flora and fauna, chemicals, dust, noise, weeds and heritage;</li> <li>• Screenshot of tasks in AGLM's myHSE system, demonstrating evidence of action completion;</li> <li>• 'Ground and Vegetation Disturbance Approval' dated 23/07/25 for Northern carpark refurbishment upgrades (the only element of Stage 3 work during the audit period) which outlines the controls associated with clearing for the upgraded carpark, including demarcation of the 'No-go' zone (fencing);</li> <li>• 'Ground and Vegetation Disturbance Approval' dated 28/07/25 for Stage 2 Northern carpark refurbishment upgrades which outlines the controls associated with pavement works for the upgraded carpark; and</li> </ul>	

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			<ul style="list-style-type: none"> <li>'Environmental Impact Assessment and Completion Report – Contractors Carpark Development Liddell Battery and Bayswater Ancillary Works' dated 30/07/25 (Enright Land Management). The report documents the completion of environmental management actions undertaken by Enright Land Management during the vegetation removal during the carpark upgrades within the Stage 3 work area.</li> </ul>	
<b>Biodiversity Management Plan</b>				
B8	<p>Prior to commencement of native vegetation clearance, unless otherwise agreed by the Secretary, the Applicant must prepare a Biodiversity Management Plan to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared by a suitably qualified and experienced biodiversity expert/s;</p>	C	<p><b>Stage 2</b> Deemed compliant in previous IEA. The approved BMP is Revision 6, dated 05/05/25.</p> <p><b>Stage 3</b> Viewed letter from DPHI dated 29/07/25 to AGLM approving the Stage 3 Biodiversity Management Plan (Stage 3 BMP). The approved Stage 3 BMP is dated 23/07/25. Section 1.5 of the Stage 3 BMP confirms that the plan was prepared by Jamie McMahon and Alana Mitchell (AECOM), deemed as suitably qualified and experienced personnel.</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	(b) be prepared in consultation with the CPHR;	C	<p><b>Stage 2</b> Appendix A of the Stage 2 BMP includes review comments from BCS (now CPHR) and how these comments were addressed.</p> <p><b>Stage 3</b> Appendix A of the Stage 3 BMP includes review comments from CPHR and how these comments were addressed.</p>	
	(c) describe the short, medium and long-term measures to be undertaken to manage vegetation and fauna habitat on the site;	C	<p><b>Stage 2</b> Deemed compliant in the previous IEA. Section 5.2 of the Stage 2 BMP identifies short, medium and long-term measures to be undertaken to manage vegetation and fauna habitat on site.</p> <p><b>Stage 3</b> Management actions and monitoring requirements are included in Table 5-2 and Table 7-1 of the Stage 3 BMP. On long-term measures and revegetation activities, AGLM states in the Stage 3 BMP Appendix A that 'no areas subject to works covered by the Stage 3 BMP are proposed to be revegetated due to the operational nature and location of the activities proposed.'</p>	
	(d) describe measures to be implemented within the site to minimise:	C	<p><b>Stage 2</b></p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	<ul style="list-style-type: none"> <li>(i) the amount of clearing, including investigation of design options to minimise disturbance of native vegetation for the battery energy storage system and decoupling works;</li> <li>(ii) impacts on fauna, including undertaking pre-clearance surveys and maximising the salvage of resources for habitat enhancement;</li> <li>(iii) impacts on threatened flora and fauna species or ecological communities within the development footprint and its surrounds;</li> <li>(iv) the spread of weeds and fungal pathogens;</li> <li>(v) the generation and dispersion of sediment to watercourses; and</li> <li>(vi) light spill from night works; and</li> </ul>		<p>Deemed compliant in the previous IEA. Section 5.1 of the Stage 2 BMP describes the relevant measures implemented.</p> <p>MS confirmed that during the audit period no clearing occurred during the audit period, however tree trimming of vegetation occurred within the transmission line easement to facilitate the installation of the overhead transmission line to the existing TransGrid 330 kV substation (see <b>Plate 21</b>). Sighted email from Umwelt Pty Ltd to James McNamara (AGLM) dated 22/09/25, providing a summary of a pre-clearance site inspection undertaken on the same day for the trimming of vegetation to 2 metres (m) tall. Umwelt did not recommend an ecologist be present during the trimming works.</p> <p>Sighted 'HLM General Daily Work Record' dated 16/10/25. The report documents weeds identified and locations treated, along with erosion and sediment controls. Also sighted Weekly 'Site Environmental Checklist – Liddell BESS Project' completed by Enerven on 05/12/2025, 12/12/25, 19/12/25, 23/12/25, and</p>	

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			<p>30/12/25. The checklist includes biodiversity items to review including a weed check and inspection of erosion and sediment controls.</p> <p>Frog-proof fencing was installed in the Stage 2 area where works occur near waterbodies (see <b>Plate 24</b>).</p> <p>MS (pers comms) noted that limited lighting outside of the site offices was required during the audit period due to approved construction hours Stage (see to Schedule 2, Condition B13).</p> <p><b>Stage 3</b></p> <p>Table 1-1 within the Stage 3 BMP outlines this consent condition and lists where each item (i) to (v) is addressed within the plan. All relevant management measures are listed within Table 5-1 (mitigation measures as listed in the Projects Environmental Impact Statement (EIS)) and Table 5-2 (management actions to manage biodiversity impacts).</p> <p>See Schedule 2, Condition B7 for details regarding vegetation clearance of the carpark during the audit period.</p> <p>Salvaged material including tree trunks and topsoil was</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>stockpiled in the existing unsealed overflow carpark within the Stage 3 work area (see <b>Plate 22</b> and <b>Plate 24</b>). Organic matter was also salvaged re-spread over an adjacent area that had already been cleared during historic MPPS activities (<b>Plate 23</b>).</p> <p>Sighted Enright Land Management 'Daily Work Diary' dated 19/12/25 which outlines weed management works conducted at the Bayswater overflow contractors carpark.</p> <p>Sighted Assessment and Completion Report – Contractors Carpark Development Liddell Battery and Bayswater Ancillary Works' dated 30/07/25 (Enright Land Management). Appendix A contains a pre-clearing assessment for the clearing associated with upgrades to the contractor's carpark.</p> <p>KS (pers comms) confirmed that the existing lighting plants at the contractor's carpark were re-installed when the carpark was upgraded and night works were not required during construction works.</p>	
	(e) include a program to monitor, evaluate and report on the effectiveness of the measures.	C	<p><b>Stage 2</b> Deemed compliant in previous IEA. Section 7.1 of the Stage 2</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>BMP outlines the Project monitoring and reporting requirements during construction.</p> <p><b>Stage 3</b></p> <p>Section 7.1 of the Stage 3 BMP outlines Project monitoring and reporting requirements during construction.</p>	
B9	The Applicant must implement the Biodiversity Management Plan approved by the Planning Secretary.	<b>NC</b>	<p>See Schedule 2, Condition B7 and B8.</p> <p>The Stage 3 BMP outlines a commitment for stockpiles to be located away from drainage lines and covered with a waterproof membrane until required. <b>Salvaged was topsoil was stockpiled in the existing unsealed overflow carpark at the Stage 3 work area and was not covered by a waterproof membrane on it (see Plate 24). KS indicated that AGLM does not intend to install a waterproof membrane on it, but rather the Stage 3 BMP should be updated to reflect current site practices.</b></p>	<b>It is recommended that AGLM revised the Stage 3 Biodiversity Management Plan to reflect current practices regarding stockpile management.</b>
<b>Biodiversity Offsets</b>				
B10	The Applicant must retire the biodiversity credits for Offset Stages 1, 2A, 2B, 3A, 3B, 4 and 5 as specified in Table 1 below, prior to commencing native vegetation clearing in those stages. The retirement of credits must be carried out in accordance with the Biodiversity Offsets Scheme of the BC Act. <b>Written evidence of the retirement of these</b>	C	<p><b>Stage 2</b></p> <p>Deemed compliant in previous IEA.</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	<p>credits must be provided to the Department prior to commencing construction activity in each stage.</p>		<p><b>Stage 3</b>            Sighted Section 6.33 Certificates titled 'Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation', noting that payment from AGLM was received on 21/07/25 for 107 credits, for SSD 8889679 (Stage 2A as per SSD 8889679 Table 1). Also sighted Section 6.33 Certificate titled 'Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation' confirming that payment from AGLM was received on 10/12/25 for another 23 credits (Stage 3B requirements as per SSD 8889679 Condition B11, Table 1 below).</p>	
B11	<p>The Applicant may review and update the ecosystem and species credit requirements in Table 1 to reflect the final construction footprint and resulting extent and type of plant community types to be cleared. Amendments to the ecosystem and species credit requirements must be undertaken in consultation with CPHR and approved by the Planning Secretary prior to the commencement of construction of the relevant offset stage.</p>	NT	<p>AS (pers comms) confirmed that AGLM have not sought to review credit requirements, outside those amendments approved by DPHI during the SSD 8889679 MOD3 process.</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations																																																																																																											
	<p><b>Table 1: Ecosystem Credit Requirements</b></p> <table border="1"> <thead> <tr> <th rowspan="2">Vegetation Community</th> <th colspan="8">Credits Required</th> </tr> <tr> <th>Stage 1</th> <th>Stage 2A</th> <th>Stage 2B</th> <th>Stage 3A</th> <th>Stage 3B</th> <th>Stage 4</th> <th>Stage 5</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td colspan="9"><b>Ecosystem credits</b></td> </tr> <tr> <td>Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter - Moderate</td> <td>-</td> <td>9</td> <td>-</td> <td>-</td> <td>7</td> <td>22</td> <td>-</td> <td>38</td> </tr> <tr> <td>1681 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter - Rehabilitation</td> <td>-</td> <td>7</td> <td>-</td> <td>-</td> <td>1</td> <td>154</td> <td>24</td> <td>186</td> </tr> <tr> <td>1681 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter - Native Grassland</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>22</td> <td>-</td> <td>22</td> </tr> <tr> <td>1731 Swamp Oak - Weeping Grass grassy riparian forest of the Hunter Valley - Moderate-Good</td> <td>-</td> <td>1</td> <td>-</td> <td>-</td> <td>-</td> <td>6</td> <td>-</td> <td>7</td> </tr> <tr> <td>1682 Bull Oak grassy woodland of the central Hunter Valley - Moderate-Good</td> <td>-</td> <td>-</td> <td>-</td> <td>10</td> <td>-</td> <td>7</td> <td>-</td> <td>17</td> </tr> <tr> <td>1011 Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion - Moderate</td> <td>-</td> <td>40</td> <td>-</td> <td>-</td> <td>-</td> <td>42</td> <td>-</td> <td>82</td> </tr> <tr> <td colspan="9"><b>Species credits</b></td> </tr> <tr> <td>Southern myotis</td> <td>-</td> <td>44</td> <td>107</td> <td>21</td> <td>-</td> <td>-</td> <td>24</td> <td>196</td> </tr> <tr> <td>Striped legless lizard</td> <td>1</td> <td>6</td> <td>10</td> <td>15</td> <td>15</td> <td>214</td> <td>18</td> <td>279</td> </tr> </tbody> </table>	Vegetation Community	Credits Required								Stage 1	Stage 2A	Stage 2B	Stage 3A	Stage 3B	Stage 4	Stage 5	Total	<b>Ecosystem credits</b>									Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter - Moderate	-	9	-	-	7	22	-	38	1681 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter - Rehabilitation	-	7	-	-	1	154	24	186	1681 Narrow-leaved Ironbark - Grey Box grassy woodland of the central and upper Hunter - Native Grassland	-	-	-	-	-	22	-	22	1731 Swamp Oak - Weeping Grass grassy riparian forest of the Hunter Valley - Moderate-Good	-	1	-	-	-	6	-	7	1682 Bull Oak grassy woodland of the central Hunter Valley - Moderate-Good	-	-	-	10	-	7	-	17	1011 Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion - Moderate	-	40	-	-	-	42	-	82	<b>Species credits</b>									Southern myotis	-	44	107	21	-	-	24	196	Striped legless lizard	1	6	10	15	15	214	18	279			
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	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>To identify the surface disturbance areas associated with Offset Stages 1, 2A, 2B, 3A, 3B, 4 and 5 in Table 1, refer to the Figure in Appendix 3.</li> <li>The credits in Table 1 were calculated in accordance with Biodiversity Assessment Methodology (BAM) (DPIE, 2020).</li> <li>The available credit retirement options for the development include purchase and retirement of open market available biodiversity credits, payment into the Biodiversity Conservation Fund or establishment of a Biodiversity Stewardship Site.</li> </ul>	Note	Note only.																																																																																																												
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B12	<p>The Applicant must:</p> <p>(a) ensure that noise generated by any construction is managed in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009), or its latest version; and</p>	C	<p><b>Stage 2</b></p> <p>Viewed SLR Consulting Construction Noise Impact</p>																																																																																																												

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			<p>Statement Liddell Power Station BESS' (CNIS), completed for Fluence, dated 25/03/25. The CNIS was prepared to assess construction noise during general out of hours work, to meet the requirements of the Stage 2 Noise Management Plan (NMP). The CNIS modelled a typical equipment fleet for the Project (Appendix B of the CNIS) and found that works would comply with noise criteria at sensitive receiver locations.</p> <p>MS confirmed that no construction phase attended noise monitoring occurred during the audit period because the peak noise generating period of construction has concluded and construction work is nearing completion. MS confirmed that Umwelt's recommendation was baseline and peak period monitoring which was previously completed.</p> <p>Viewed example Weekly 'Site Environmental Checklist – Liddell BESS Project' completed by Enerven on 05/12/2025, 12/12/25, 19/12/25, 23/12/25, and 30/12/25. The checklist</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>fields includes a review of noise controls.</p> <p><b>Stage 3</b></p> <p>Viewed Stage 3 Noise Management Plan (Stage 3 NMP) dated 08/12/23. The Stage 3 NMP is a sub-plan of the Stage 3 Environmental Management Strategy which was approved by DPHI on 29/04/24. Section 6.2.1 references the relevant requirements of the 'Interim Construction Noise Guideline' (DECC, 2009) and Section 6 outlines the noise control measures to be undertaken to ensure noise levels remain below relevant limits.</p> <p>KS confirmed that due to the limited construction work that has occurred at the contractor's carpark, noise verification monitoring or a Construction Noise Impact Statement has not been required to date for Stage 3 works. Sighted 'FHIS Eastern – Civil Sites – Environmental Inspection' completed by Fulton Hogan on 04/08/25 and 28/08/25. The inspection checklist also includes a review of noise management and whether there is any excessive or unusual noise on site. The</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			example inspections viewed did not identify any noise issues that required action.	
	(b) take all reasonable and feasible steps to minimise noise from construction and operational activities.	C	<p><b>Stage 2 and Stage 3</b></p> <p>See Schedule 2, Condition A12 above. Plant and equipment in operation during the audit site inspection were observed to be operating efficiently and generally in accordance with commitments in Project management documents.</p> <p>See Schedule 2, Condition B7 above. Examples of environmental inspections completed during the audit period include verification of noise controls and equipment operation.</p> <p>No noise complaints were received during the audit period.</p> <p>Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which outlines key general noise management controls on-site for all Stage 2 contractors.</p>	
<b>Hours of construction</b>				
B13	All construction work at the premises must be conducted between 7 am and 6 pm Monday to Friday and between 8 am and 1 pm Saturdays and at no time on Sundays and public holidays, unless an out of hours protocol is included within an approved Construction Environment Management Plan or the Planning Secretary agrees otherwise.	C	<p><b>Stage 2</b></p> <p>The audit team undertook contractor induction where the team was advised of the approved operating hours, and</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>completion of training required a 'sign off' to verify awareness.</p> <p>Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which outlines that construction hours are between:</p> <ul style="list-style-type: none"> <li>• Weekdays: 7am to 6pm</li> <li>• Saturday: 8am to 1pm</li> <li>• No work on Sundays or public holidays</li> </ul> <p>Viewed the completed Enerven 'HIRAC / Pre-Start / Job Sheet' forms dated 14/01/26 (day of the audit site inspection). Sign-in and sign out times are generally consistent with approved construction hours.</p> <p>Section 7.1 of the approved Stage 2 NMP includes an out of hours work protocol for construction work (OOH Protocol).</p> <p>Viewed examples of completed Enerven 'Notice of Out of Hours Work' for:</p> <ul style="list-style-type: none"> <li>• 29/11/25 – 30/11/25;</li> <li>• 06/12/25 – 07/12/25; and</li> <li>• 13/12/25.</li> </ul> <p>The Enerven notices document the proposed activities, include an estimate of noise predictions, and required noise mitigation measures,</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>consistent with the OOH Protocol in the NMP.</p> <p><b>Stage 3</b></p> <p>Section 6.2 of the approved Stage 3 NMP includes an OOH Protocol.</p> <p>KS confirmed that due to the limited construction work that has occurred at the contractor's carpark, working out of hours was not required during the audit period.</p> <p>Sighted 'FHIS Eastern – Civil Sites – Environmental Inspection' completed by Fulton Hogan on 04/08/25 and 28/08/25. The checklist includes a check of whether works are being carried out outside of restricted hours.</p>	
<b>Exceptions to construction hours</b>				
B14	<p>The following activities may be carried out outside the recommended construction hours:</p> <p>(a) construction that causes LAeq (15minute) noise levels that are:</p> <p>(i) no more than 5 dB above Rating Background Level at any residence in accordance with the <i>Interim Construction Noise Guideline</i> (DECC, 2009); and</p> <p>(ii) no more than the Noise Management Levels specified in Table 3 of the <i>Interim Construction Noise Guideline</i> (DECC, 2009) at other sensitive land uses; or</p>	C	See Schedule 2, Condition B13 above.	
	(b) Decoupling works required to be completed during station outages; or	C	See Schedule 2, Condition B13 above.	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	(c) for the delivery of materials required by the police or other authorities for safety reasons; or	C	See Schedule 2, Condition B13 above.	
	(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.	C	See Schedule 2, Condition B13 above.	
<b>Dust and air emissions</b>				
B15	The Applicant must take all reasonable and feasible steps to: (a) minimise odour, fume and dust emissions of the development;	C	<b>Stage 2</b> Generation of dust from project equipment and exposed areas was adequately managed during the audit site inspection (see <b>Plate 25</b> ). No odour or fume was observed. A watercart was also operating to minimise dust from Stage 2 operational areas at the time of audit (see <b>Plate 26</b> ). <b>Stage 3</b> Sighted 'FHIS Eastern – Civil Sites – Environmental Inspection' completed by Fulton Hogan on 04/08/25 and 28/08/25. The checklist also includes a check of smoke and dust emissions.	
	(b) eliminate or minimise the risk of spontaneous combustion; and	C	MS (pers comms) confirmed spontaneous combustion was not identified during the audit period.	
	(c) minimise to the greatest extent practicable, dust generating surfaces exposed on the site.	C	<b>Stage 2</b> See Schedule 2, Condition B7 above. Regular inspections completed for the Project contractor during the audit	<b>It is recommended that AGLM establish a topsoil stockpile register for the Stage 3 area and review</b>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>period assess dust generation from exposed areas required for construction work on a daily basis.</p> <p>Since the last audit, the topsoil stockpiles in the Stage 2 area have been sprayed with soil stabilising agent (see <b>Plate 28</b> and <b>Plate 29</b>).</p> <p>Sighted 'Liddell BESS – Stockpile Register' which identifies the location of stockpiles in the Stage 2 area.</p> <p><b>Stage 3</b></p> <p>It was noted during the audit period a topsoil stockpile was established at the Stage 3 work area (<b>Plate 24</b>) and recovered organic material has been spread (<b>Plate 23</b>). <b>The topsoil stockpile had not yet been treated / stabilised and a stockpile register has not been developed to date for the Stage 3 area.</b></p>	<p><b>opportunities for long term stabilisation of the stockpiles of material salvaged for the car park construction for Stage 3.</b></p>
<b>Visual</b>				
B16	<p>The Applicant must:</p> <p>(a) minimise the off-site visual impacts of the development;</p>	C	<p>See Schedule 2, Condition B7 above. Regular inspections completed for the Project contractors during the audit period also reviewed off-site visual impacts, the appearance of infrastructure and that no advertising or related signage</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			is present. No significant visual impacts from Project infrastructure were observed at the time of audit and no advertising signage was observed.	
	(b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and	C	See Schedule 2, Condition B16(a) above.	
	(c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.	C	See Schedule 2, Condition B16(a) above.	
<b>Lighting</b>				
B17	The Applicant must: (a) minimise the off-site lighting impacts of the development; and	C	<b>Stage 2</b> A commitment to minimise lighting impacts is outlined in Section 7 of the Project Stage 2 EMS (see Schedule 2, Condition 2, Condition C1) and Stage 2 BMP (see Schedule 2, Condition 2, Condition B8). <b>Stage 3</b> A commitment to minimise lighting impacts is outlined in Section 7 of the Project Stage 3 EMS and Stage 3 BMP.	
	(b) ensure that any external lighting associated with the development: <ul style="list-style-type: none"> <li>is installed as low intensity lighting (except where required for safety or emergency purposes);</li> <li>does not shine above the horizontal; and</li> <li>complies with <i>Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version.</li> </ul>	C	MS (pers comms) noted that limited lighting outside of the site offices was required during the audit period due to approved Stage 2 construction hours (see to Schedule 2, Condition B13). During the audit period permanent lighting was installed for at the BESS in	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>the Stage 2 area (see <b>Plate 30</b>). Sighted 'Enerven Design Report – Lighting Study' dated 30/09/25 (Enerven, 2025). The study proposed the lighting layout and strategy, along with an obtrusive lighting assessment. Also sighted 'Liddell BESS Equipment Layout Overall Site – Lighting' dated 10/09/24.</p> <p><b>Stage 3</b></p> <p>A commitment to minimise lighting impacts is outlined in Section 8.10 of the Project Stage 3 EMS (see Schedule 2, Condition 2, Condition C1) and Table 5-2 of the Stage 3 BMP (see Schedule 2, Condition 2, Condition B8).</p> <p>KS (pers comms) confirmed that the existing lighting plants at the contractor's carpark were re-installed when the carpark was upgraded and night works were not required during Stage 3 construction works (see <b>Plate 20</b>).</p>	
<b>HERITAGE</b>				
<b>Protection of Heritage Items</b>				
B18	The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items located outside the development footprint.	C	<p><b>Stage 2 and Stage 3</b></p> <p>KS and MS (pers comms) confirmed no new heritage items were identified during</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>the audit period and no known heritage sites were impacted.</p> <p>Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which includes 'Heritage – Unanticipated Finds Protocol' which outlines heritage obligations for all Project personnel.</p> <p>See Schedule 2, Condition B7 above. Regular inspections completed for the Project contractors during the audit period include a confirmation check that new heritage items have not been identified.</p>	
B19	<p>If any previous unknown Aboriginal object of Aboriginal place is discovered on the site, or suspected to be on the site:</p> <p>(a) all work in the immediate vicinity of the object or place must cease immediately;</p> <p>(b) a 10m buffer area around the object or place must be cordoned off; and</p> <p>(c) Heritage NSW must be contacted immediately.</p>	NT	See Schedule 2, Condition B18 above.	
B20	<p>Work in the immediate vicinity may only recommence if:</p> <p>(a) the potential Aboriginal object is confirmed by Heritage NSW, in consultation with the Registered Aboriginal Parties, not to be an Aboriginal object or Aboriginal place;</p> <p>(b) the Cultural Heritage Management Plan is revised to include the Aboriginal object and appropriate measures in respect of it; or</p> <p>(c) the Planning Secretary is satisfied with the measures to be implemented in respect of the Aboriginal object and makes a written direction in that regard.</p>	NT	See Schedule 2, Condition B18 above.	
B21	<p>The Applicant must ensure that all known Aboriginal objects or Aboriginal places on the site and within any offset areas are properly recorded, those records are kept up to date and are reported to the Aboriginal Heritage Information Management System (AHIMS).</p>	C	<p><b>Stage 2 and Stage 3</b></p> <p>KS confirmed AGLM keeps soft copies of heritage site cards stored on file, and the AHIMS</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			locations are in a Global Information System (GIS) format stored on the AGLM spatial portal. Sighted the AGLM spatial portal and heritage site mapping during the audit site inspection.	
<b>Cultural Heritage Management Plan</b>				
B22	<p>B22. The Applicant must prepare an Aboriginal Cultural Heritage Management Plan for the development. The plan must</p> <p>(a) be prepared by suitably qualified and experienced persons approved by the Secretary;</p>	C	<p><b>Stage 2</b> Deemed compliant in previous IEA. The approved Stage 2 Aboriginal Cultural Heritage Management Plan (ACHMP) is Revision 6, dated 05/05/25.</p> <p><b>Stage 3</b> Viewed letter from DPHI dated 26/06/24 approving the Stage 3 Cultural Heritage Management Plan (CHMP). The approved CHMP is Revision 6, dated 22/05/25. Appendix B of the Stage 3 CHMP contains a letter from DPHI approving Vicki Brady as suitably qualified to prepare the Stage 3 CHMP.</p>	
	(b) be prepared in consultation with Registered Aboriginal Parties and Heritage NSW;	C	<p><b>Stage 2</b> Deemed compliant in previous IEA. Evidence of consultation with RAPs and Heritage NSW is included in Sections 5 – 6 and Appendices B – C of the Stage 2 ACHMP.</p> <p><b>Stage 3</b> Evidence of consultation with</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			RAPs and Heritage NSW is included in Sections 4.2 and Appendices D - F of the Stage 3 CHMP.	
	(c) be submitted to the Planning Secretary for approval prior to carrying out construction under this consent;	C	<p><b>Stage 2</b> Deemed compliant in previous IEA.</p> <p><b>Stage 3</b> Viewed letter from AGLM to DPHI dated 07/11/24 notifying of commencement of Stage 3 works on 11/11/24. DPHI approved the Stage 3 CHMP on 26/06/24, prior to commencement of Stage 3 construction.</p>	
	<p>(d) describe the measures to be implemented on the site to:</p> <ul style="list-style-type: none"> <li>(i) comply with the heritage-related operating conditions of this consent;</li> <li>(ii) ensure all workers receive suitable Aboriginal cultural heritage inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or Aboriginal places, and that suitable records are kept of these inductions;</li> <li>(iii) protect, monitor and/or manage identified Aboriginal objects and Aboriginal places (including investigation of design options to avoid disturbance of Aboriginal objects) in accordance with the commitments made in the document/s listed in condition A2(c);</li> <li>(iv) protect Aboriginal objects and Aboriginal places located outside the approved disturbance area from impacts of the development;</li> <li>(v) manage the discovery of suspected human remains and any new Aboriginal objects or Aboriginal places, including provisions for burials, over the life of the development;</li> <li>(vi) maintain and manage reasonable access for relevant Aboriginal stakeholders to Aboriginal objects and Aboriginal places (outside of the</li> </ul>	C	<p>AS (pers comms) confirmed that no requests for access were made by Registered Aboriginal Parties (RAPs) during the audit period. AS also confirmed AGLM continue ongoing engagement through the regular CCC meetings. Viewed the minutes of the AGLM Hunter CCC from 20/11/25, which showed a Wanaruah Local Aboriginal Land Council member was present.</p> <p><b>Stage 2</b> Deemed compliant in previous IEA. Viewed Fluence Project</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	<p>approved disturbance area); and</p> <p>(vii) facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site; and</p> <p>(viii) include a strategy for the care, control and storage of Aboriginal objects salvaged on the site, both during the life of the development and in the long term.</p>		<p>Induction, Liddell BESS (Version 3.0), which includes 'Heritage – Unanticipated Finds Protocol' which outlines heritage obligations for all Project personnel.</p> <p><b>Stage 3</b></p> <p>Table 3-1 with Section 3.2.1 of the Stage 3 CHMP lists the requirements as per this condition and where they are met within the relevant section of the plan.</p> <p>KS confirmed that salvage of sites for Stage 3 work has not been triggered.</p> <p>Sighted the AGLM spatial portal during the audit site inspection to view where known Aboriginal heritage sites are in proximity to Stage 2 and Stage 3 work areas. There are no sites within close proximity of the current work areas that require management measures such as high visibility fencing.</p>	
B23	The Applicant must implement the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary.	C	See Schedule 2, Conditions B18 and B22 above.	
<b>SOIL AND WATER</b>				
<b>Water Supply</b>				
B24	<p>The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.</p> <p><b>Note:</b> Under the Water Act 1912 and/or the Water Management Act 2000, the</p>	C	AS (pers comms) confirmed that there were no changes to water supply arrangements during the audit period.	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	<p><i>Applicant is required to obtain the necessary water licences for the development.</i></p>		<p><b>Stage 2</b></p> <p>The approved Stage 2 Soil and Water Management Plan (SWMP) is Revision 6, dated 05/05/25. Section 4.3 of the SSFSMP outlines AGLM water allocations and confirms that projected BESS construction demand will not impact on AGLM water supply or licensing needs.</p> <p>Sighted 'Liddell Water Tracking Register – Liddell BESS' that records water use for Stage 2 works during the audit period. Examples of ACG reporting of monthly water use (including watercart volumes) to Enerven were viewed for September and November 2025.</p> <p><b>Stage 3</b></p> <p>Viewed letter from DPHI dated 29/04/24 approving the Stage 3 Environmental Management Strategy (EMS). Appendix E of the Stage 3 EMS is the Stage 3 SWMP. The approved SWMP is Revision B, dated 08/12/23. Section 5.2.3 of the SWMP outlines AGLM water allocations and states that... 'The construction of each Project element may require water for ground improvement, dust suppression and wash down purposes that would be</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>drawn from within the existing AGLM water allocations and would be negligible compared to existing uses.'</p> <p>Sighted examples of Fulton and Hogan tracked estimates of water usage used for upgrades to the contractor's carpark from 31/08/25 to 20/08/25.</p>	
<b>Water Pollution</b>				
B25	<p>The Applicant must ensure that all surface discharges from the development comply with all relevant provisions of the POEO Act, including any discharge limits (both volume and quality) set for the development in any EPL.</p>	<b>NC</b>	<p>MS (pers comms) noted that a discharge incident occurred on 26/11/25 which was reported to the Environment Protection Authority (EPA) and DPHI. Sighted 'Notification of Incident Report' dated on 1/12/25 from AGLM to the EPA, in relation to a stormwater overflow event that occurred at the Liddell BESS [Stage 2] construction site on 26/11/25. In the notification, AGLM advised that overflow of stormwater occurred from the construction erosion and sediment control attenuation basin into Lake Liddell, due to a heavy rainfall event. The overflow occurred over approximately three hours from a stormwater drainage system channel located on the eastern side of the Project site adjacent to Lake Liddell. AGLM stated that the rainfall received</p>	<p><b>It is recommended that AGLM update the Stage 2 SWMP to ensure that Figure 6-1 shows the location of EPL 2122 Discharge Point No. 27, and outline procedures to be followed when discharging from Stage 2 attenuation basins.</b></p>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>prior to the incident exceeded the design capacity of the erosion and sediment control basins which were designed to accommodate a five-day rainfall event and as a result, an uncontrolled release of stormwater occurred. In response, AGLM conducted sampling from the erosion and sediment control basins immediately following the incident and advised that stormwater management at the Liddell BESS construction site will now be undertaken in accordance with the conditions of EPL 2122. DPHI confirmed in a letter dated 15/01/26 that water samples collected from the eastern attenuation basin on 27/11/25, considered to be representative of the water discharged from the site on 26 November 2025, contained total suspended solids, chlorine and vanadium which exceeded the limits for Point 27 in EPL No. 2122.</p> <p>MS (pers comms) advised that at the time of the incident, AGLM were in the process of varying EPL 2122 to include an additional licensed discharge point (Point 27) directly into Lake Liddell from the Liddell BESS main attenuation basin.</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>The variation was approved by the NSW EPA on 27/11/25 (day after the incident).</p> <p>Sighted current Enerven 'Liddell BESS – Pump Plan Version 5' and completed Enerven 'Dewatering Logbook Register, Liddell BESS' that records the volumes and quality (with certificates of lab analysis) of water discharged following rainfall events. Only one dewatering logbook was completed by Enerven representatives on 02/10/25. The 'Dewatering Logbook' listed the discharge limits in accordance with the varied EPL 2122 and copy of Certificate of Analysis.</p> <p><b>Figure 6-1 of the approved Stage 2 SWMP (Revision 6, dated 05/05/25) depicts the location of environmental monitoring points across the AGLM EPL premises site, however it does not show EPL 2122 Discharge Point No. 27. The SWMP does not document the procedures to be followed when discharging from Stage 2 attenuation basin. The SWMP has not been updated to reflect the updated conditions of EPL</b></p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<b>2122.</b>	
<b>Operating Conditions</b>				
B26	<p>The Applicant must:</p> <p>(a) ensure the development is designed, constructed and maintained to minimise impacts on surface water, flooding and groundwater at the site;</p>	C	<p><b>Stage 2</b></p> <p>The approved Stage 2 SWMSP is Revision 6, dated 05/05/25.</p> <p>Sighted examples of the following progressive Erosion and Sediment Control Plans for Stage 2:</p> <ul style="list-style-type: none"> <li>• 'Liddell BESS Primary Erosion and Sediment Control Plan', Version 2 dated 05/06/25;</li> <li>• 'Liddell BESS Coal Bay 3 Segregated Stockpile Area – Progressive ESCP', Revision 4 dated 13/05/25;</li> <li>• 'Liddell BESS Progressive ESCP No. 6 Stage 2 – Earthworks &amp; Services', Version 6 dated 08/07/25; and</li> <li>• 'Liddell BESS Progressive ESCP No. 1 – Fluence Laydown Area, Carpark and Stockpile Area', Version 1 dated 07/11/25.</li> </ul> <p>Erosion and sediment attenuation basins, sumps and drains were observed to be well maintained at the time of audit, with pumps in place to managed stored water levels as required (see <b>Plate 31</b> and</p>	<p><b>It is recommended that AGLM inspect the erosion and sediment controls within the Stage 2 and Stage 3 areas and undertake maintenance works to reinstate any sediment fences and review opportunities to prevent or minimise further erosion.</b></p>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p><b>Plate 32).</b>            Regular inspections completed for the Project contractor during the audit period include the review of erosion and sediment controls and attenuation basins (see Schedule 2, Condition B7 above).</p> <p>It is noted that in 'Liddel BESS Environmental Inspection Checklist' dated 18/12/25 that SLR noted that... <i>"As previously noted sediment controls have not worsened since the previous site inspection. While some sediment fencing had been repaired, some sections remain outstanding"</i>. <b>During the audit site inspection, it was evident that some of the Stage 2 erosion and sediment control fencing required maintenance (see Plate 33 and Plate 34).</b></p> <p><b>Stage 3</b>            The approved Stage 3 SWMSP is Revision B, dated 08/12/23. The Stage 3 SWMSP outlines an erosion and sediment control strategy in Section 7, and provides a concept Erosion and Sediment Control Plan (ESCP) in Section 6.1.1.            Regular inspections completed for the Project contractor</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>during the audit period include the review of erosion and sediment controls for the contractor's carpark upgrade works (see Schedule 2, Condition B7 above).</p> <p><b>At the time of the audit there was an area erosion within a drain that reports from the Stage 3 carpark into an adjacent coal settling pond (see Plate 35 and Plate 36). KS and AR confirmed this area was being actively monitored and managed.</b></p>	
	(b) minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom, 2004) manual, or its latest version;	C	See Schedule 2, Condition B26(a) above.	
	(c) ensure the battery energy storage system and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and	C	See Schedule 2, Condition B26(a) above.	
	(d) ensure all works are undertaken in accordance with the <i>Guidelines for Controlled Activities on Waterfront Land</i> (NRAR, 2018), or its latest version unless DPE Water agrees otherwise.	NT	MS (pers comms) confirmed that work areas for Stage 2 are unchanged and not located on Waterfront Land. Sighted drone image of Liddell BESS sight dated 28/07/25 which shows the buffer between the Stage 2 work area and Lake Liddell.	
<b>WASTE</b>				
B27	The Applicant must:	C	<b>Stage 2</b> Deemed compliant in previous	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	(a) take all reasonable steps to minimise the waste generated by the development;		<p>IEA. The approved Stage 2 Waste Management Plan (WMP) is Revision 6, dated 05/05/25. Section 5 of the WMP outlines waste management measures for the Project.</p> <p>See Schedule 2, Condition B7 above. Regular inspections completed for the Project contractor during the audit period reviewed waste management and housekeeping, including the location of waste bins and spill kits.</p> <p>Segregated waste bins were in place at key locations within the Stage 2 work area at the time of inspection (see <b>Plate 38</b> and <b>Plate 39</b>).</p> <p><b>Stage 3</b></p> <p>Viewed letter from Planning dated 29/04/24 approving the Stage 3 Environmental Management Strategy (EMS). Appendix I of the Stage 3 EMS outlines waste management measures for that part of the Project.</p> <p>KS advised that due to the limited construction works completed for Stage 3 during the audit period (upgraded carpark) there was no Stage 3-specific waste bins required.</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			Waste was disposed of within the Bayswater Power Station waste management system (see <b>Plate 39</b> ).	
	(b) classify all waste in accordance with the <i>Waste Classification Guidelines</i> (EPA, 2014);	C	Viewed 'Waste Tracking Register – Liddell BESS' updated until 03/02/26. Within the register, waste is classified by type, in accordance with EPA guidelines.	
	(c) dispose of all waste at appropriately licensed waste facilities or as expressly permitted in an applicable EPL; and	C	Sighted example Remondis invoices for the 'Enerven Liddell – Bess Project' dated 31/10/25, 30/11/25, and 31/12/25. Also sighted Viewed 'Waste Tracking Register – Liddell BESS' updated until 03/02/26. Within the register, waste is classified by type on a monthly basis, in accordance with EPA guidelines. <b>Waste tracking certificates for the audit period were not available at the time of the site inspection to confirm that waste had been disposed of at appropriate facilities.</b>	<b>It is recommended that AGLM retain copies of all waste tracking records for the BESS Project, including associated certificates for the transportation of scheduled waste.</b>
	(d) manage any asbestos or asbestos-contaminated materials identified during construction and operation of the development in accordance with the requirements under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> .	C	<b>Stage 2</b> Section 5.4 of the Stage 2 WMP outlines the requirements for the management of any asbestos waste identified from the Project, including conformance with the POEO	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>Waste Regulation. Section 5.1 of the Project CMP also provides a procedure to be implemented for any unexpected asbestos finds.</p> <p>MS confirmed that during the audit period, no additional material with potential asbestos contamination was identified within the Stage 2 works area.</p> <p>MS confirmed that EPL 2122 has an obligation for a contaminated land audit across the EPL boundary and that sampling of the coal bay material stockpiled during previous IEA period continued during the audit period in accordance with EPL obligations. MS confirmed AGLM is awaiting a contamination assessment report on the material stockpiled in the coal bays.</p> <p><b>Stage 3</b></p> <p>Section 5.1 of the Stage 3 WMP outlines the requirements for the management of any asbestos waste identified from the Project, including conformance with the POEO Waste Regulation. Section 5.1.1 of the Project CMP also provides a procedure to be implemented for any</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations						
			unexpected asbestos finds. KS confirmed that no material with potential asbestos contamination was identified within the Stage 3 works area during the audit period.							
<b>DECOMMISSIONING AND REHABILITATION</b>										
B28	<p>The Applicant must rehabilitate the development to the satisfaction of the Planning Secretary.</p> <p>The rehabilitation must comply with the objectives in Table 2.</p> <p><i>Table 2: Rehabilitation Objectives</i></p> <table border="1" data-bbox="271 628 1240 826"> <thead> <tr> <th data-bbox="271 628 584 667">Features</th> <th data-bbox="584 628 1240 667">Objectives</th> </tr> </thead> <tbody> <tr> <td data-bbox="271 667 584 799">All areas of the site affected by the development</td> <td data-bbox="584 667 1240 799"> <ul style="list-style-type: none"> <li>• → Safe, stable and non-polluting</li> <li>• → All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise</li> <li>• → Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul> </td> </tr> <tr> <td data-bbox="271 799 584 826">Community</td> <td data-bbox="584 799 1240 826">• → Ensure public safety at all times</td> </tr> </tbody> </table>	Features	Objectives	All areas of the site affected by the development	<ul style="list-style-type: none"> <li>• → Safe, stable and non-polluting</li> <li>• → All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise</li> <li>• → Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul>	Community	• → Ensure public safety at all times	C	MS (pers comms) confirmed that no rehabilitation work has been completed for the Project.	
Features	Objectives									
All areas of the site affected by the development	<ul style="list-style-type: none"> <li>• → Safe, stable and non-polluting</li> <li>• → All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise</li> <li>• → Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul>									
Community	• → Ensure public safety at all times									
<b>SCHEDULE 2: PART C – ENVIRONMENTAL MANAGEMENT AND REPORTING</b>										
<b>ENVIRONMENTAL MANAGEMENT</b>										
<b>Environmental Management Strategy</b>										
C1	<p>Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) provide the strategic framework for environmental management of the development;</p>	C	<p><b>Stage 2</b></p> <p>Deemed compliant in previous IEA. The approved Stage 2 EMS is Revision 6, dated 05/05/25.</p> <p><b>Stage 3</b></p> <p>Viewed letter from AGLM to DPHI dated 07/11/24 notifying of commencement of Stage 3 works on 11/11/24. DPHI approved the Stage 3 EMS on 29/04/24 prior to the</p>							

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			commencement of Stage 3.	
	(b) identify the statutory approvals that apply to the development;	C	<b>Stage 2</b> Deemed compliant in previous IEA. <b>Stage 3</b> Section 3 of the Stage 3 EMS identifies 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;	C	<b>Stage 2</b> Deemed compliant in previous IEA. <b>Stage 3</b> Section 7.3 of the Stage 3 EMS outlines roles and responsibilities for key AGLM and contractor personnel in relation to the Project.	
	(d) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>(ii) receive, handle, respond to, and record complaints;</li> <li>(iii) resolve any disputes that may arise;</li> <li>(iv) respond to any non-compliance;</li> <li>(v) respond to emergencies; and</li> </ul>	C	<b>Stage 2</b> Deemed compliant in previous IEA. <b>Stage 3</b> The EMS includes procedures for: <ul style="list-style-type: none"> <li>(i) Stakeholder engagement (Section 6);</li> <li>(ii) Complaints response (Section 6.3);</li> <li>(iii) Dispute resolution (Section 6.3);</li> <li>(iv) Response to non-compliances (Section</li> </ul>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			7.7.1); (v) Response to emergencies and incidents (Section 7.5).	
	(e) include: <ul style="list-style-type: none"> <li>(i) the following subplans:               <ul style="list-style-type: none"> <li>• soil, stormwater, water quality, flood and spoil management;</li> <li>• construction and decommissioning noise, including an out-of-hours works protocol;</li> <li>• air quality management;</li> <li>• contamination, including an unexpected finds protocol</li> <li>• waste management; and</li> <li>• traffic.</li> </ul> </li> <li>(ii) references to any strategies, plans and programs approved under the conditions of this approval; and</li> <li>(iii) a clear plan depicting monitoring to be carried out under the conditions of this approval.</li> </ul>	C	<b>Stage 2</b> Deemed compliant in previous IEA. <b>Stage 3</b> Section 8 of the Stage 3 EMS refers to approved Project documents, with approved sub-plans attached to the Stage 3 EMS as Appendices E - J. Section 10 of the Stage 3 EMS describes the environmental monitoring program for the Project and provides a plan of monitoring locations.	
C2	Applicant must implement the Environmental Management Strategy approved by the Planning Secretary.	C	<b>Stage 2 and 3</b> A review of the following documents found that AGLM were generally implementing the Project EMS documents during the audit period: <ul style="list-style-type: none"> <li>• AGLM and contractor induction and training records (refer to Schedule 2, Condition A12(b));</li> <li>• AGLM and contractor inspections and closeout of corrective actions (refer to Schedule 2, Condition B7); and</li> </ul>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<ul style="list-style-type: none"> <li>The general layout and condition of the site during the audit site inspections (see <b>Appendix C</b>).</li> </ul> <p>Viewed the minutes of the AGLM Hunter Community Consultative Committee (CCC) from 20/11/25, which note that an update on the Project was provided to all attendees.</p> <p>Viewed the 'AGLM Complaints Register 2025' up to November 2025. No Project-related complaints have been received.</p> <p>Environmental incidents are recorded in the AGLM 'myHSE' system. One reportable incident occurred during the reporting as detailed against Schedule 2, Condition B25. A minor / low risk incidents had been recorded in myHSE on 13/01/26. On 13/01/26 a sewage leak occurred below the asphalt at the upgraded contractor's carpark. The area was inspected on 14/01/26 during the audit site inspection (see <b>Plate 42</b>).</p> <p>AGLM were co-ordinating contractors to clean up and fix the leak at the time of the audit. Sighted myHSE records showing incident entry and tasks associated with closing out the incident. Following the</p>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			IEA site inspection, AGLM provided photos taken on 5/03/26, to show the condition of temporary erosion and sediment controls and exclusion fencing established around the section of carpark asphalt that had been taken up to access the leak.	
<b>Revision of Strategies, Plans and Programs</b>				
C3	<p>Within 3 months, unless the Planning Secretary agrees otherwise, of:</p> <p>(a) the submission of an incident report under condition C4 below;</p> <p>(b) the submission of an audit report under condition C13 below; and</p> <p>(c) the approval of any modification to the conditions of this consent; or</p> <p>(d) a direction of the Secretary under condition A3 of Schedule 2;</p> <p>the Applicant must review and, if necessary, revise the studies, strategies or plans required under the conditions of consent to the satisfaction of the Secretary.</p> <p>Where this review leads to revisions in any such document, then within 4 weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.</p>	C	<p>See Schedule 2, Condition C2 above. The submission of incident reports to DPHI were not required during the audit period.</p> <p>Sighted letter from AGLM to DPHI dated 18/09/25. AGLM advised DPHI that the Project management plans were reviewed after the following triggers:</p> <ul style="list-style-type: none"> <li>• Submission of the last IEA on 09/09/25; and</li> <li>• Modification of SSD 8889679 on 18/06/25.</li> </ul> <p>AGLM advised no further updates to plans are required.</p> <p>During the audit period one incident report was submitted to DPHI on 28/11/25 (see Schedule 2, Condition C4), and therefore a 3 month review has not been triggered yet.</p>	
	<b>Note:</b> This is to ensure the strategies, plans and programs are updated on a regular	Note	Noted.	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	<i>basis and incorporate any recommended measures to improve the environmental performance of the development.</i>			
<b>COMPLIANCE</b>				
<b>Incident Notification, Reporting and Response</b>				
C4	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4.	C	<p>Sighted Major Projects Portal record dated 28/11/25 whereby AGLM provided notification of an incident that occurred on 26/11/25 (refer to Schedule 2, Condition B25 above for a summary of incident details). The notification included an attached email from AGLM to DPHI dated 27/11/25 which outlined the relevant following SSD 889679 requirements in accordance with Appendix 4 of the SSD 8889679:</p> <ul style="list-style-type: none"> <li>• Identification of the development;</li> <li>• Date, time and location were defined;</li> <li>• Brief description was provided;</li> <li>• Actions taken;</li> <li>• Identification of potential non-compliance with conditions of consent; and</li> <li>• The letter outlines immediate steps and a contact person (MP) for the incident.</li> </ul>	<p><b>It is recommended that AGLM:</b></p> <ul style="list-style-type: none"> <li>• <b>Review and update the internal document 'AGL-HSE-GUI-011.1.1 Obligations to notify Regulatory Authorities – Guideline' (2023). The sub-section of the guideline referring to general incident notification, response and reporting processes for NSW does not discuss EP&amp;A Act requirements for incidents, or refer to the incident reporting requirements associated with Development Consent conditions;</b></li> <li>• <b>Prepare a Project Reporting Procedure and template for site personnel to follow in the event of a</b></li> </ul>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			<p>Sighted DPHI letter to AGLM dated 15/01/26 whereby DPHI advised that it has reviewed the initial information, and additional information provided on 12/12/25 and considers it to generally satisfy the notification and reporting requirements in Appendix 4 of the consent.</p> <p><b>It is noted that in the email sent from AGLM to DPHI on 27/11/25, DPHI's response was a request for AGLM to lodge the notification via the Major Projects portal, hence the notification was not initially made via the portal. DPHI requested additional information through the Planning Portal, which was provided as the Incident Report. Improvement recommendations have been proposed to ensure future incident reporting aligns with the obligations under SSD 8889679.</b></p>	<p><b>future incident, to ensure that the requirements of Schedule 2, Condition C4 and Appendix 4 of SSD 8889679 are followed and reports to DPHI include all required details; and</b></p> <ul style="list-style-type: none"> <li><b>Retain copies of all Project incident notification and reporting records provided to DPHI through the Planning Portal.</b></li> </ul>
<b>Non-Compliance Notification</b>				
C5	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	NT	MS and KS (pers comms) confirmed that no non-compliances were identified during the audit period.	
C6	A non-compliance notification must identify the development and the application	NT	See Schedule 2, Condition C5	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.		above.	
C7	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	NT	See Schedule 2, Condition C5 above.	
<b>Compliance Reporting</b>				
C8	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020).	NT	<p>KS and MS (pers comms) confirmed that Compliance Reports were not required during the audit period.</p> <p>Sighted AGLM letter dated 10/01/24 notifying DPFI of the completion of construction activities of Stage 1 Liddell Decoupling Works on 22/12/23. MS has advised that completion of construction of the Liddell BESS is anticipated to be completed by May 2026. It is noted that the Compliance Reporting Post Approval Requirements (2020) requires compliance reports at intervals, no greater than 52 weeks from the date of commencement of operation (annually). Given that the Project is staged (Stages 1, 2 and 3) <b>it is recommended that AGLM consult with DPFI to confirm when Compliance Reports for the project must be carried out.</b></p>	<p><b>It is recommended that AGLM consult with DPFI to confirm when Compliance Reports for the Project must be carried out, given that the Project is staged, with Stage 1 being completed, and Stage 2 nearing completion.</b></p>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
C9	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed to by the Planning Secretary.	NT	See Schedule 2, Condition C8 above.	
C10	The Applicant must make each Compliance Report publicly available within 60 days of submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	NT	See Schedule 2, Condition C8 above.	
C11	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020, or its latest version), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	NT	See Schedule 2, Condition C8 above.	
<b>NOTIFICATIONS</b>				
<b>Notification of Department</b>				
C12	<p>Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.</p> <p>If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.</p>	NT	MS (pers comms) confirmed that notifications to DPHI were not required during the audit period as no additional stages of the Project had commenced.	
<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>				
C13	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020, or its latest version).	C	According to the 'Independent Audit Post Approval Requirements', audits are required every six months. Sighted AGLM letter to DPHI dated 02/12/25 requesting that 'the IEA commence on 14 January 2026 (site visit) due to auditor availability and the site reopening on 5 January 2026 following the Christmas	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			shutdown period.' The IEA covers the period from 10 July 2025 to 14 January 2026 (greater than six months). Sighted email from DPFI to AGLM dated 09/12/25 acknowledging receipt of the upcoming IEA notification and advising that DPFI 'has no comments on the document at this time'.	
C14	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	C	Sighted DPFI letter dated 25/06/25 endorsing the Xenith audit Dorian Walsh (Lead Auditor) and Sarah Moore (Assisting Auditor) to undertake audits for the preconstruction and construction phases of the Liddell Battery and Bayswater Ancillary Works development.	
C15	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Compliance Reporting Post Approval Requirements (2020, or its latest version), upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.	NT	The Planning Secretary has not required that audits are completed at different frequencies.	
C16	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020, or its latest version), the Applicant must: <ul style="list-style-type: none"> <li>(a) review and respond to each Independent Audit Report prepared under condition C13 of this approval, or condition C15 where notice is given by the Planning Secretary;</li> <li>(b) submit the response to the Planning Secretary; and</li> </ul>	C	Sighted letter from DPFI to AGLM dated 09/12/25 acknowledging submission of the IEA report and response on 09/09/25 (within 2 months of the audit inspection). DPFI advised that they consider the IEA report to generally satisfy the requirements of the	<b>It is recommended that AGLM add a date on the response document to this IEA prior to submission and publishing on the AGLM public website.</b>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	(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 Post Approval Requirements (2020). <b>The AGLM response to previous IEA is available on the AGLM public website, however it is dated 'September' and the specific date the response was finalised is not documented.</b>	
C17	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection, as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	C	The AGLM response submitted was within two months of the end of the previous IEA period (see Schedule 2, Condition C16)	
C18	Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020, or its latest version), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.	NT	MS (pers comms) confirmed that no requests to cease independent auditing were made.	
<b>ACCESS TO INFORMATION</b>				
C19	The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the development: (i) the EIS; (ii) the final layout plans for the development; (iii) current statutory approvals for the development; (iv) approved strategies, plans or programs required under the conditions of this consent; (v) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; (vi) how complaints about the development can be made;	C	Viewed AGLM Project website on 22/01/26. The public website provides links to: <ul style="list-style-type: none"> <li>EIS and MOD 1, MOD 2, and MOD 3 (via link to the Major Projects Portal);</li> <li>SSD 8889679 which shows final layout plans;</li> <li>Current plans required for Stage 1, Stage 2, and Stage 3 of the Project;</li> </ul>	

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations						
	(vii) a complaints register; (viii) any independent environmental audit, and the Applicant's response to the recommendations in any audit; and (ix) any other matter required by the Planning Secretary; and		<ul style="list-style-type: none"> <li>Complaints registers (for each year);</li> <li>Details for how complaints can be made (phone number / email); and</li> <li>IEAs completed.</li> </ul>							
	(b) keep this information up to date.	C	See Schedule 2, Condition C19(a).							
<b>SCHEDULE 2: PART D – CONDITIONS EXTRACTED FROM CONSENTS REFERRED TO IN CONDITION A5</b>										
	<i><b>Note:</b> For the avoidance of doubt, a consent listed in condition A5 will be surrendered and cease to operate from the date on which a valid notice is served on the consent authority pursuant to cl 97 of the EP&amp;A Regulation. The conditions listed in this Part D are drawn from the consents listed in condition A5 but form part of this consent from the date of this consent.</i>	Note	Noted.							
<b>CONDITIONS FROM DA 8.2018.273.2 - LOW PRESSURE PUMP STATION STABILISATION (SINGLETON COUNCIL)</b>										
D1	<p>The development of the Low Pressure Pump Station Stabilisation is to be undertaken in accordance with the mitigation and management measures contained within Table 5-1 of the following document:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Written-By</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td><del>Rawwater</del> <del>Low-Pressure-Pump-Stabilisation</del> Biodiversity-Development-Assessment-Report</td> <td>GHD</td> <td>December-2018</td> </tr> </tbody> </table>	Title	Written-By	Date	<del>Rawwater</del> <del>Low-Pressure-Pump-Stabilisation</del> Biodiversity-Development-Assessment-Report	GHD	December-2018	C	<p>Viewed AGLM spreadsheet 'audit evidence' that reproduces Table 5-1 of GHD (2018) referred to under the audit condition and photos of the facility taken prior to the current audit period.</p> <p>Viewed examples of 'LP Pump Stabilisation Area Inspection' sheets prepared by KS dated 16/09/25 and 9/12/25. The inspections provided include reference photos and no water/erosion and sediment control or amenity impacts were identified.</p>	
Title	Written-By	Date								
<del>Rawwater</del> <del>Low-Pressure-Pump-Stabilisation</del> Biodiversity-Development-Assessment-Report	GHD	December-2018								

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations						
D2	Site Contamination Issued During Construction - Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, the Planning Secretary must be immediately notified by the applicant, and works must cease. Works must not recommence on site until approval is granted by the Planning Secretary.	NT	AS confirmed that no new information has come to light regarding conclusions about site contamination.							
<b>CONDITIONS FROM DA 20_98 - DEVELOPMENT OF RAVENSWORTH COAL UNLOADER FACILITY (SINGLETON COUNCIL)</b>										
D3	<p>The development of the Ravensworth Coal Unloader Facility must be carried out in accordance with the following document:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Written By</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td><i>Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement</i></td> <td>HLA - <del>Envirosciences</del></td> <td>December 1997</td> </tr> </tbody> </table>	Title	Written By	Date	<i>Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement</i>	HLA - <del>Envirosciences</del>	December 1997	C	<p>Viewed AGLM register 'Rav Unloader SEE Compliance' (undated), which outlines the status of the relevant commitments for the Unloader Facility from the 1997 HLA-Envirosciences EIS.</p> <p>KS and AS (pers comm) noted that the Unloader Facility remains in care and maintenance and is being managed in accordance with the Aurizon 'Antiene and Newdell: Operational Environmental Management Plan' dated 17 June 2025 (ANOEMP). The ANOEMP describes management procedures to manage environmental aspects and impacts, and Aurizon manage the ongoing care and maintenance of Antiene and Newdell coal unloading facilities on behalf of AGL.</p> <p>Viewed email from Aurizon Maintenance Planner to AGLM</p>	<p><b>It is recommended that AGLM consult with Aurizon to ensure that that the Ravensworth Coal Unloader Facility maintenance inspection checklist for care and maintenance is updated to include items that align with the relevant requirements of the 1997 EIS, ANOEMP and 2000 SEE.</b></p> <p><b>It is also recommended that AGLM has a process in place with Aurizon to confirm that inspections for the Ravensworth Coal Unloader and Coal/Rail Unloader Augmentation Facilities are effective in appropriately managing these sites.</b></p>
Title	Written By	Date								
<i>Proposed Macquarie Generation Rail Project at Ravensworth Environmental Impact Statement</i>	HLA - <del>Envirosciences</del>	December 1997								

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
			dated 11/03/26, noting that Aurizon documents the status of the Ravensworth Coal Unloader Facility on a monthly basis during care and maintenance using form 'Antiene and Newdell Coal Unloading Facility Security Checklist' (dated 08/08/13).	
D4	The applicant is to liaise with Rail Access Corporation to develop and implement operational protocols and train working procedures to expedite push-pull trains onto and off the Main Northern Line.	C	<p>Deemed compliant in previous audit. AGLM have developed procedures to manage push-pull train movements from the Ravensworth (Newdell Coal Unloader Siding) facility, to account for the use of the siding.</p> <p>AGLM request train services from Aurizon (AGLM rail provider), who liaise with HVCCC to schedule train movements.</p> <p>Viewed a 'Safety Interface Agreement' between Aurizon Operations Ltd and the Ravensworth Coal Terminal Pty Ltd dated 18/09/17 and associated 'SHE Risk Assessment' updated on 22/09/17 for use of the Ravensworth Railway and Newdell Coal Unloader Siding.</p>	
<b>BIODIVERSITY CONSERVATION DIVISION</b>				
D5	(a) The applicant is to prepare and implement a site Environmental Management Plan for the Ravensworth Coal Unloader Facility relating to:	C	Deemed compliant during previous IEA.	<b>It is recommended that AGLM consult with</b>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations						
	<ul style="list-style-type: none"> <li>(i) Locations and designs for clean and contaminated water pathways, with detailed design drawings for all sediment basins.</li> <li>(ii) Segregated pathways and storage facilities for clean and contaminated stormwater runoff, with segregated reuse priority for contaminated water.</li> <li>(iii) A commitment not to allow any excess contaminated runoff to enter Bowmans Creek, and a suitable monitoring programme to demonstrate that no excess contaminated water leaves the site.</li> <li>(iv) A maintenance schedule for the pollution traps identifying cleaning periods and methods of disposal.</li> <li>(v) A maintenance schedule for the sediment ponds identifying cleansing periods and methods of disposal.</li> </ul> <p>(b) The applicant is to demonstrate a commitment to maintaining final drainage lines in a stable condition.</p>		<p>The ANOEMP describes management procedures to manage environmental aspects and impacts, and Aurizon manage the ongoing care and maintenance of Antiene and Newdell coal unloading facilities on behalf of AGL.</p>	<p><b>Aurizon to revise the ANOEMP documents to note the relevant requirements from Condition D5 of SSD 8889679 and where each requirement is addressed (as relevant to care and maintenance activities).</b></p>						
<p><b>CONDITIONS FROM DA 401_2000 - COAL/RAIL UNLOADER AUGMENTATION (SINGLETON COUNCIL)</b></p>										
D6	<p>APPROVAL IN ACCORDANCE WITH PLANS - The development of the Coal/Rail Unloader Augmentation must be carried out generally in accordance with the development application and accompanying plans described as described in the following document:</p> <table border="1" data-bbox="271 914 1218 1066"> <thead> <tr> <th data-bbox="271 914 595 954">Title</th> <th data-bbox="595 914 819 954">Written By</th> <th data-bbox="819 914 1218 954">Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="271 954 595 1066"><i>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation</i></td> <td data-bbox="595 954 819 1066">HLA – <del>Enviro</del>sciences</td> <td data-bbox="819 954 1218 1066">August 2000</td> </tr> </tbody> </table>	Title	Written By	Date	<i>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation</i>	HLA – <del>Enviro</del> sciences	August 2000	C	<p>See Schedule 2, Condition D3 above.</p> <p><b>The ANOEMP does not refer to the management requirements of the HLA-Envirosciences SEE (2000), which was not made available at the time of the audit.</b></p>	<p><b>Refer to action against Schedule 2, Condition D3 above.</b></p>
Title	Written By	Date								
<i>Statement of Environmental Effects – Proposed Ravensworth Rail Unloader Augmentation</i>	HLA – <del>Enviro</del> sciences	August 2000								

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
<b>APPENDIX 4 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS</b>				
<b>WRITTEN INCIDENT NOTIFICATION REQUIREMENTS</b>				
B1	A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 7 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.	C	See Schedule 2, Condition C4.	
B2	Written notification of an incident must: <ul style="list-style-type: none"> <li>(a) identify the development and application number;</li> <li>(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</li> <li>(c) identify how the incident was detected;</li> <li>(d) identify when the applicant became aware of the incident;</li> <li>(e) identify any actual or potential non-compliance with conditions of consent;</li> <li>(f) describe what immediate steps were taken in relation to the incident;</li> <li>(g) identify further action(s) that will be taken in relation to the incident; and</li> <li>(h) identify a project contact for further communication regarding the incident.</li> </ul>	C	See Schedule 2, Condition C4.	
B3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	C	See Schedule 2, Condition C4.	<b>Refer to recommendations made against Schedule 2, Condition C4.</b>
B4	The Incident Report must include: <ul style="list-style-type: none"> <li>(a) a summary of the incident;</li> <li>(b) outcomes of an incident investigation, including identification of the</li> </ul>	C	See Schedule 2, Condition C4.	<b>Refer to recommendations made against Schedule 2, Condition C4.</b>

Cond	Project Approval SSD 8889679	Status	Evidence	Recommendations
	cause of the incident; (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and (d) details of any communication with other stakeholders regarding the incident.			

**Table C2 RTS Updated Mitigation Measures (Jacobs, 2021)**

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
<b>Hazard and risk</b>					
HR1	<p>During detailed design for the Project:</p> <ul style="list-style-type: none"> <li>• A detailed bushfire threat assessment will be conducted for the Project, including establishment of an APZ, in consultation with the RFS</li> <li>• The separation distance between infrastructure within the Battery will be determined in accordance with applicable Codes and Standards and manufacturer’s recommendations so that the preferred strategy of allowing a fire in one Battery enclosure or inverter to burn without the risk of propagating to other infrastructure can be maintained without the need for external firefighting</li> <li>• The separation distance within the Battery will be determined in accordance with applicable Codes and Standards and manufacturer’s recommendations to allow safe escape in case of a fire</li> <li>• The need for active firefighting requirements at the Battery will be determined in consultation with RFS, FRNSW and the DPIE. Detailed fire fighting response and any need for fire water containment will be assessed and reported (e.g. in the format of a Fire Safety Study) post development approval, for review by DPIE, Fire rescue NSW and the RFS. The FSS will be developed in accordance with the requirements of Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines (HIPAP No. 2)</li> <li>• The health and safety associated with EMF on the site and the potential exposure to EMF will be considered for AGLM staff and contractors as part of AGLM’s obligations for their health and wellbeing under the Work Health and Safety Regulations 2011 (NSW)</li> <li>• Measures to prevent a leak occurring from the brine pipeline, the emergency diesel generators and at the Battery, and for secondary containment should a leak occur, will be included as part of the detailed of the Project. The likelihood of a significant loss of containment event associated with this Project (Level 4) will be</li> </ul>	Detailed design	C	<p>Sighted ‘Bushfire Threat Assessment Fluence Energy’ dated 18/04/24. Also sighted ‘Liddell BESS Site Plan’ dated 12/05/24 which shows the Asset Protection Zone.</p> <p>AGLM are maintaining a spreadsheet (as sighted) titled ‘FSS Commitments’ which provides a site compliance register for this Commitment, along with the commitments from the Preliminary Hazard Analysis [PHA] (Planager Pty Ltd, 2021)) for Stage 2. The commitments registers outline the status and evidence AGLM has compiled to demonstrate that the relevant hazard management requirements are</p>	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	<p>designed to Rare in accordance with AGL’s Risk Management and Assessment Standard</p> <ul style="list-style-type: none"> <li>The PHA be progressed to a FHA once the design of the development has been finalised. Commitments identified in the PHA will be integrated into the management for the Project.</li> </ul> <p>The register of commitments (Appendix 1 of the PHA (Planager Pty Ltd, 2021)) will be integrated into the management for the Project. This includes integration of 84 individual commitments, including for the design, installation and maintenance of the Battery automatic shutdown system on exceedance of safe limits; installation of deflagration venting and fire protection inside the Battery enclosures; design of the brine pipeline, waste oil facility, emergency diesel generators and the Battery such that the risk of pollution from a release is reduced to ALARP; installation of protective barriers, including at the transformers; and application of a rigorous and formal management of change process for the Project, including detailed hazard identification and risk assessment processes.</p>			<p>being met.</p> <p>The register of commitments (Appendix 1 of the PHA) is integrated into Appendix 5 of ‘Fire Safety Study’ (Fluence, 2024). Refer to Schedule 2 Condition B2 for further details on the Fire Safety Study.</p> <p>CS advised that water for firefighting will be supplied by two above ground firewater tanks (see <b>Plate 5</b>).</p>	
HR2	<p>Design and selection of all electrical equipment is to minimise EMF levels and comply with International Commission on Non-Ionizing Radiation Protection (ICNIRP) reference levels</p>	Detailed design	C	<p><b>Stage 2</b></p> <p>Sighted ‘Design Report – EMF Study’ dated 25/05/25. The report provides an analysis of Electromagnetic Fields (EMF) within the Liddell BESS. The report outlines the design methodology and inputs utilised in accordance with project requirements and specifications.</p>	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				<b>Stage 3</b> MS (pers comms) confirmed that this commitment was not relevant or Stage 3 works completed during the audit period.	
HR3	Risks associated with the Project will be managed through a Management of Change process. AGLM implements an Asset Change Management Standard, and any major change (defined as a change that has major implications to the strength, stability, operation and design of the asset and/or health and safety of employees) must undergo a detailed risk assessment using the AGL Risk Management and Assessment Standard to assess the risks that may be introduced by the proposed change. This will be undertaken for all Project components and appropriate controls implemented to reduce the risk to an acceptable level.	Prior to construction	C	Deemed compliant in previous IEA.	
HR4	Storage and management of dangerous goods and hazardous materials (if required) will occur in a safe, secure location consistent with the requirements of applicable Australian Standards.	Construction / operation	C	See Schedule 2, Conditions B4 and B27 above.	
HR5	Refuelling will take place in a designated area within the works area, away from ignition sources and trees or vegetation and with appropriate controls to prevent any spills coming into contact with the ground.	Construction / operation	C	See Schedule 2, Conditions B4 and B27 above. A designated refuelling area has been set up for Project equipment.	
HR6	Appropriately stocked emergency spill kits will be available at all work areas at all times. All staff will be made aware of the location of the spill kit and trained in its use.	Construction / operation	C	See Schedule 2, Conditions B4 and B27 above.	
HR7	Temporary construction compounds will be maintained in a tidy and orderly manner to minimise potential fuel loads in the event that any	Construction	C	See Schedule 2, Conditions B4 and	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	construction compounds are affected by fire.			B27 above.	
HR8	Construction activities involving flammable materials and ignition sources (for example, welding) will be proactively managed to ensure that the potential for fire is effectively minimised. High risk construction activities, such as welding and metal work, would be subject to a risk assessment on total fire ban days and restricted or ceased as appropriate. Construction personnel will be inducted into the requirement to safely dispose of cigarette butts.	Construction	C	Viewed examples of Fluence 'Hot Works' Permits for the Project dated 17/11/25, 15/12/25, and 18/12/25. The permits were signed off and outlined the control measures required for each task.	
HR9	An emergency response plan for the Battery would be prepared for the Project and provided to the Local Emergency Management Committee.	Construction / operation	C	See Schedule 2, Condition B5 above.	
<b>Air Quality</b>					
AQ1	The following will be undertaken to manage fugitive emissions from stored chemicals: <ul style="list-style-type: none"> <li>Limiting the quantity of chemical products stored at the site to the extent practical</li> <li>Ensure that all storage tanks are fitted with the appropriate controls in-line with the Protection of the Environment Operations (Clean Air) Regulation 2010.</li> </ul>	Construction / operation	C	See Schedule 2, Condition B4 above.	
AQ2	During loading and unloading of materials, the following will be undertaken: <ul style="list-style-type: none"> <li>Water sprays as applicable</li> <li>Minimising drop heights</li> <li>Reviewing and where necessary modifying or suspending activities during dry and windy weather and elevated background air quality conditions.</li> </ul>	Construction	C	Excessive dust generation was not observed during the audit site inspection (see <b>Plate 26</b> and <b>Plate 27</b> ). The Project contractor has implemented a	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				program of regular environmental inspections, which include the review of dust controls (see Schedule 2, Condition B7).	
AQ3	<p>While hauling materials in trucks, the following will be undertaken:</p> <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>	Construction	C	<p>Unsealed haul roads within the active Stage 2 work area were observed to be well maintained during the audit site inspection, with a watercart in operation (see <b>Plate 26</b> and <b>Plate 27</b>).</p> <p>No tracking of fines onto the local road network was observed.</p>	
AQ4	<p>The following will be undertaken to manage exhaust emissions from plant and equipment:</p> <ul style="list-style-type: none"> <li>Inspecting all plant and equipment before it is used on-site</li> <li>Ensuring that all vehicles, plant, and equipment are operated in a proper and efficient manner</li> <li>Switching off all vehicles, plant and equipment when not in use for extended periods</li> <li>Avoiding the use of diesel or petrol-powered generators and use mains electricity or battery powered equipment where practicable.</li> </ul>	Construction	C	See Schedule 2, Condition A12 and B7 and above.	
AQ5	Activities will be coordinated between the Project and the WOAOW project to limit the potential for cumulative dust impacts where possible.	Construction	NT	MS (pers comms) confirmed that the	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				construction of Stage 1 of the Bayswater Water and Other Associated Works (WOAOW) project (SSD-9697) was completed prior to the audit period and Stages 2 and 3 of the WOAOW project have not yet commenced, with no works undertaken during the audit period.	
AQ6	The following will be undertaken to manage wind erosion from stockpiles and exposed surfaces: <ul style="list-style-type: none"> <li>• Watering stockpiles and exposed surfaces</li> <li>• Progressive rehabilitation of exposed surfaces (as feasible) where no longer required for construction.</li> </ul>	Construction	C	Refer to Schedule 2, Condition B15(c).	
<b>Greenhouse Gas</b>					
GHG1	The CEMP will include requirements for identification and minimise greenhouse gases (GHG) during construction.	Construction	<b>NC</b>	Evidence reviewed to verify that Project equipment is regularly maintained and operated appropriately is included under Schedule 2, Condition A12 above.  No plant or equipment was observed to be left idling during the	<b>It is recommended that AGLM revise the Stage 3 Construction Environmental Management Plan to include requirements for identifying and minimising greenhouse gases (GHG) during construction.</b>

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				audit site inspection. <b>Table 25 within the Stage 3 EMS advises that the Principal Contractor is required to include GHG mitigation measures in their CEMP. Sighted 'Construction Environmental Management Plan – Civil Road Works – Contractor Carpark, Hardstand Area and Exit Road Remediation Works' (Fulton Hogan, 2025) [Stage 3 CEMP] for Stage 3 works. The Stage 3 CEMP does not include requirements for identifying and minimising greenhouse gases (GHG) during construction.</b>	
<b>Noise and vibration</b>					
NV1	The CEMP would identify Project construction activities with the potential to have noise impacts and the controls required to avoid, minimise and	Construction	C	Refer to Schedule 2, Condition B12(a).	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	mitigate these impacts. The standard techniques for controlling noise impacts during construction are presented in the Interim Construction Noise Guideline (ICNG). During construction relevant standard measures as outlined in Section 6 of the ICNG will be implemented.				
<b>Traffic and transport</b>					
TT1	The haulage contractor will prepare and implement a Construction Traffic Management Plan (CTMP) for oversized overmass vehicle movements, which will include: <ul style="list-style-type: none"> <li>• Identification of the routes</li> <li>• Measures to provide an escort for the loads</li> <li>• Times of transporting to minimise impacts on the road network</li> <li>• Communication of strategy and liaising with emergency services and police.</li> </ul>	Pre-construction and construction	C	<b>Stage 2</b> Viewed approved Stage 2 Traffic Management Plan (TMP) dated 05/05/25. Section 4.2 of the Stage 2 TMP outlines management measures for oversized overmass (OSOM) vehicles. <b>Stage 3</b> Viewed approved Stage 3 Traffic Management Plan (TMP) dated 08/12/24. Section 2.2.1 of the Stage 3 TMP outlines management measures for oversized overmass (OSOM) vehicles. The plan states that 'the use of OSOM vehicles is not anticipated for the Project, however	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				these may be required due to unforeseen circumstances / emergency management. MS confirmed that no National Heavy Vehicle Register OSOM or Dimension Permits were required for Stage 2 or Stage 3 works during the audit period.	
TT2	An oversized vehicle permit will be sought for all oversized overmass (OSOM) movements where required. The OSOM movements would be in accordance with the permit requirements and be outside of peak traffic periods where possible.	Pre-construction and construction	NT	See Commitment TT1 above.	
TT3	The CEMP and general site induction will inform construction and operational personnel of the risk of collisions, particularly with animals during rain or periods of low light.	Pre-construction and construction	C	Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which outlines the need to remain vigilant when driving on-site to avoid harming wildlife that may cross paths with vehicles.	
<b>Biodiversity</b>					
BIO	Future detailed design phase will increase retainment of native vegetation.	Pre-construction	C	See Schedule 2, Condition B8(d).	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
BIO1	Exclusion zones, or 'No-Go' zones, will be mapped in CEMP and mapping made available to all construction personnel.	Pre-construction	C	See Schedule 2, Condition B7.	
BIO2	Woody debris (logs and mulch) produced during vegetation clearing will be re-spread over any cleared areas to protect the soil surface from erosion and to aid habitat restoration where appropriate.	During construction	C	Salvaged material including tree trunks and topsoil was stockpiled in the existing unsealed overflow carpark at the Stage 3 work area (see <b>Plate 22</b> and <b>Plate 24</b> ). Organic matter was also salvaged and re-spread over a cleared area ( <b>Plate 23</b> ).	
BIO3	An inspection of native vegetation to be impacted (within the construction footprint) will be conducted by an ecologist immediately prior to vegetation clearing works (to confirm absence of fauna species). A Spotter/Catcher ecologist must supervise vegetation clearing. In the unlikely event that fauna is present, works will cease until animals can be captured and removed from the construction footprint. Construction crews will be made aware that any native fauna species encountered must be allowed to leave site without being harassed.  Trenches / holes will be inspected each morning and any trapped fauna removed or provide a mechanism for fauna to escape.	Immediately prior to vegetation clearing / During construction	C	See Schedule 2, Condition B7.  Evidence of additional clearing was not observed during the site inspections.	
BIO4	Vehicle movements on newly formed access tracks or construction zones will be limited to 20km/h speed limit to reduce the risk of vehicle strike to fauna.	During construction	C	Speed limits were found to be implemented for Project work areas at the time of audit. During the audit site inspection 20 km speed limit signs	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				were noted (see <b>Plate 41</b> ).	
BIO5	Where native vegetation is removed topsoil is to be retained from excavation areas within construction footprint (where possible). Topsoil stockpiles will be delineated and protected from machinery compaction and contamination during construction. Following construction and infill, topsoil will be re-spread over impacted native vegetation areas (to retain native seedbank and assist with natural revegetation). Avoid stockpiling in the vicinity of drainage lines.	During construction	C	See Commitment BIO6.	
BIO6	Accurately and clearly mark out the limits of the construction footprint (only where native vegetation exists). No activities including parking and turning of vehicles and plant/ equipment will occur beyond the construction footprint. The Construction footprint will be demarcated prior to commencement of works in areas where native vegetation exists.	During construction	C	See Schedule 2, Condition B7.	
BIO7	Materials, plant, equipment, work vehicles and soil/rock stockpiles to be placed to avoid damage to surrounding vegetation and will be outside tree drip-lines. Construction workers and vehicles will not access areas beyond delineated construction footprints.	During construction	C	See Commitment BIO6 above. Viewed Fluence Project Induction, Liddell BESS (Version 3.0), which outlines that no stockpiled material or vehicles can be stored or parked within the drip-zone of any trees.	
BIO8	Where possible, avoid entering areas of significant weed infestations with machinery or personnel. Weed infestations are predominantly located in the Exotic grassland areas, or the PCT 1691 'regrowth' areas mapped within the development site (Figure 5-2).	During construction	C	See Schedule 2, Conditions A12 and B7 above.	
BIO9	If required, weed control will be undertaken by suitably qualified and/or experienced personnel. This may include:	Pre-construction	C	See Schedule 2, Conditions A12 and	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	<ul style="list-style-type: none"> <li>Manual weed removal in preference to herbicides.</li> <li>Replacing non-target species removed/killed as a result of weed control activities.</li> <li>Protecting Non-target species from spray drift.</li> <li>Using only herbicides registered for use within or near waterways for the specific target weed.</li> <li>Not applying herbicide if it is raining or if rain is expected.</li> <li>Mixing and loading herbicides and cleaning equipment away from waterways and drains.</li> <li>The CEMP will detail the procedures for management of weeds on the development site (which will be in accordance with the requirements of the Biosecurity Act 2015).</li> </ul>	or during construction		B8 above.	
BIO10	During the clearing works, weeds will be disposed and managed appropriately to stop the spread of existing weed species.	During construction	C	See Schedule 2, Condition B8 above.	
BIO11	Ensure vehicle and machinery hygiene measures are applied during construction and operation. Vehicle washdowns may be required for removal of mud and plant materials.	During construction	C	See Schedule 2, Condition A12 above.	
BIO12	Pathogen management measures will be implemented to prevent introduction and spread of amphibian chytrid fungus, Phytophthora cinnamomi and Exotic Rust Fungi. The CEMP will provide a protocol for construction vehicles driving to and from site to prevent the spread or introduction diseases.	During construction	C	See Schedule 2, Condition A12 above. <b>Stage 2</b> Section 5.2 of the Stage 2 BMP outlines management actions with relation to prevention of the spread of introduction diseases. <b>Stage 3</b> Hygiene guidelines (DPIE, 2020) have been included in	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				Appendix E of the Stage 3 BMP, and a Template for a hygiene management plan has also been included in Appendix F.	
BIO13	Avoid excessive noise and vibration during construction activity. Construction activities to be carried out during diurnal hours.	During construction	C	See Schedule 2, Condition B13 above. No sources of excessive noise or vibration were identified during the audit site inspection.	
BIO14	Erosion and sediment controls will remain in place until all rehabilitation has been completed. Drainage lines will be protected from runoff and stockpiling of spoil.	During construction	C	See Schedule 2, Condition B25 and B26 above.	
BIO15	Revegetation of slopes or exposed soil areas will be undertaken as soon as possible, in accordance with the CEMP. Landscaping of exposed surfaces using native indigenous species only. Soil loss will be prevented by immediate stabilisation of exposed surfaces (e.g. use of Jute mesh and/or soil binder).	During construction / post construction	C	Refer to Schedule 2, Condition B15(c).	
BIO16	Future detailed design phase will enhance retainment of native vegetation. Patches of native vegetation which are located near larger patches of native vegetation will be prioritised for retainment.	Pre-construction	C	Refer to Schedule 2, Condition B8(d).	
<b>Land and Contamination</b>					
L01	The internal bunding and environmental controls for hazardous substances management suitable for the Battery and transformers will be in accordance with applicable guidelines.	Detailed design	C	See Schedule 2, Conditions B4 and B27 above.	
L02	Potential contamination-related impacts associated with the Project will be managed by the implementation of a CEMP that includes (but not limited	Construction	C	<b>Stage 2</b>	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	to): <ul style="list-style-type: none"> <li>• An unexpected finds protocol for the appropriate assessment and management of encountered contamination to mitigate impacts to the development</li> <li>• Procedures to ensure that all material excavated during the construction of the development is appropriately assessed and classified before being disposed of in accordance with environmental laws</li> <li>• Specific control measures to mitigate impacts to soil, water, air, noise, traffic, structures and clear protocols for measurement of affected media and validation of results during construction of the development.</li> </ul>			Deemed compliant in previous audit. <b>Stage 3</b> Viewed Stage 3 Contamination Management Plan (CMP), Revision B, dated 08/12/23 which is Appendix H of the Stage 3 EMS. Section 6.1 of the Stage 3 CMP outlines an unexpected finds protocol and procedures to follow in the event of identifying potential contaminated material. The Stage 3 EMS outline measures to mitigation impacts to soil, water, air, noise and traffic, and is supported by a series of sub-plans.	
L03	The Asbestos Management Procedure would be updated as required to provide appropriate control measures during the construction phase (as well as the operational phase if maintenance activities are required) to mitigate any risks of worker exposure to airborne asbestos fibers during work activities.	Construction / operation	C	See Schedule 2, Condition C3.	
L04	Detailed design of each Project component would consider and address geotechnical stability risks in accordance with applicable design standards.	Detailed design	C	Deemed compliant in previous IEA.	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
<b>Aboriginal heritage</b>					
AH1	A Cultural Heritage Management Plan (CHMP) will be developed. It will include the methodologies developed in the ACHAR (Section 11.1, 11.2 and 11.3 of the ACHAR). It will specify that Project works will be restricted to the disturbance site. It will include provisions to ensure workers are made aware of cultural heritage places and their value, for example through Project inductions. The CHMP will include provisions to guard against indirect impact to the Aboriginal sites near the development site. The CHMP will also include a detailed methodology for the salvage and long-term management of any Aboriginal objects that may be impacted by the proposed works.	Pre-construction	C	See Schedule 2, Condition B22 above.	
AH2	<p>If repair or maintenance works on the Liddell to Jerrys Plains High Pressure Pipeline are required, the area of works will be subject to surface collection in accordance with Section 11 of the ACHAR (Appendix F) of impacted sites. The sites that maybe impacted include:</p> <ul style="list-style-type: none"> <li>• Liddell Jerrys Plains Pipeline AS1 (37-2-6280)</li> <li>• Liddell Jerrys Plains Pipeline IF2 (37-2-6281)</li> <li>• Liddell Jerrys Plains Pipeline AS3 (37-2-6279)</li> <li>• Liddell Jerrys Plains Pipeline IF4 (37-2-6291)</li> <li>• Liddell Jerrys Plains Pipeline AS5 (37-2-6290)</li> <li>• Liddell Jerrys Plains Pipeline AS6 (37-2-6289)</li> <li>• Liddell Jerrys Plains Pipeline IF7 (37-2-6287)</li> <li>• Liddell Jerrys Plains Pipeline IF8 (37-2-6288)</li> <li>• Liddell Jerrys Plains Pipeline AS9 (37-2-6286)</li> <li>• Liddell Jerrys Plains Pipeline AS10</li> <li>• BAYS AS06 (37-2-6145).</li> </ul> <p>If no works are required in the vicinity of a site, the site will be conserved.</p>	Pre-construction	NT	AS (pers comms) confirmed that work on the Liddell to Jerrys Plains High Pressure Pipeline had not commenced during the audit period.	
AH3	If practicable, the design and construction of the Brine Pipeline will avoid the two recorded site areas (Liddell Pipeline AS1 (37-2-6285) and Liddell Pipeline AS2 (37-2-6282)).	Design, pre-construction, construction	NT	AS (pers comms) confirmed that the design and	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	The sites will be protected with high visibility fencing. If impact cannot be avoided, the sites will be salvaged through surface collection.			construction of the Brine Pipeline is not relevant to the current stages of the Project.	
AH4	During any works on the Liddell M1 Conveyor the site (Liddell M1 Conveyor AS1 (37-2-6284)) will be conserved and protected by high visibility exclusion fencing to prevent impact.	Construction	NT	AS (pers comms) confirmed that Liddell M1 Conveyor works were not required during the audit period.	
AH5	The Unanticipated Finds Protocol in the ACHAR will be followed for any previously unidentified Aboriginal heritage objects found during the works.	Construction and operation	NT	KS (pers comms) confirmed that previously unidentified Aboriginal heritage items were not encountered during the audit period.	
<b>Non-Aboriginal heritage</b>					
NAH1	Should any historical archaeological remains be discovered during construction, all works will stop, the area cordoned off and a heritage professional engaged to examine and advise on the significance of the archaeological finds.  If deemed to be of significance, under section 146 (s146) of the Heritage Act, a s146 form would be submitted to notify the Heritage Council of the discovery of relics. Further investigation may be required, and appropriate management will be agreed through consultation with Heritage NSW.	Construction	NT	KS (pers comms) confirmed that no historic archaeological items were discovered during the audit period.	
NAH2	In the unlikely event that human remains are uncovered, all work must cease immediately in the vicinity of the remains and the area cordoned off. The local NSW Police must be notified, who would make an initial assessment as to whether the remains are part of a crime scene, or	Construction	NT	KS (pers comms) confirmed that no remains were uncovered during the	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	Aboriginal remains. If the remains are thought to be Aboriginal, Heritage NSW must be contacted as per AH4.			audit period.	
<b>Landscape character and visual</b>					
V1	Retention and enhancement of existing landscape features (areas of scrub, individual trees) will be considered where feasible.	Design	C	<b>Stage 2</b> Deemed compliant in previous IEA. <b>Stage 3</b> Table 5-2 within the Stage 3 BMP outlines a commitment for vegetation clearing to be reduced where possible as part of the detailed design process.	
V2	Colour of proposed structures and built form will be considered in a suitable muted palette to visually integrate the Project within the landscape where possible. Where a muted palette is not possible, such as for the battery enclosures, AGLM will consider the use of vegetation screen instead.	Design	C	<b>Stage 2</b> Deemed compliant in previous IEA. <b>Stage 3</b> No new structures have been built to date as part of Stage 3 works.	
V3	Where possible, consider minimal use of reflective surfaces to avoid drawing attention to the site within views due to reflective glare.	Design	C	No exposed reflective surfaces were identified during the audit site inspection. No visual complaints were received during	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				the audit period.	
V4	Limit the area of disturbance during construction where possible.	Construction	C	See Schedule 2, Condition B7 above. The Project contractor completed regular inspections of the Stage 2 and Stage 3 disturbance footprint during the audit period. These inspections included comments verified that disturbance limits were being complied with	
V5	Mitigation tree and shrub planting will be considered to visually integrate the Project within the surrounding landscape.	Construction	NT	MS (pers comms) confirmed that additional plantings were not required during the audit period.	
V6	<ul style="list-style-type: none"> <li>All construction plant, equipment, waste and excess materials will be contained within the designated boundaries of the work site and will be removed from the site following the completion of construction</li> <li>Stockpiles will be stabilised to prevent erosion by wind and water and avoid the development of dust plumes adversely impacting air and visual quality</li> <li>On completion of the work disturbed areas will be stabilised and rehabilitated.</li> </ul>	Construction	C	<p>No elevated dust emissions were observed during the audit site inspection (see <b>Plate 2</b> and <b>Plate 3</b>).</p> <p>Temporary stockpiles at the time of audit were generally shaped to prevent erosion (see <b>Plate 24</b> and <b>Plate 28</b>).</p>	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
<b>Waste</b>					
WR01	<p>A Waste Management Plan will be developed for the Project with the following criteria:</p> <ul style="list-style-type: none"> <li>• A hierarchical waste management approach will be used, from the most preferable (reduce, reuse or recycle wastes) to the least preferable (disposal) to prioritise waste management strategies to avoid waste generation</li> <li>• The plans will promote the use of materials with minimal packaging requirements, removal of packaging offsite by suppliers and fabrication of parts offsite</li> <li>• Where waste cannot be avoided, waste materials will be segregated by type for collection and removal (for processing or disposal) by licensed contractors</li> <li>• All waste types will be separated at source for recycling</li> <li>• A licensed service provider will be appointed to collect waste during construction and operation</li> <li>• Each waste type will be classified for transport to ensure correct handling.</li> <li>• Any waste that cannot be recovered or recycled will be disposed of at a suitably authorised or licensed treatment or disposal facility where it will be treated and disposed of according to its classification.</li> </ul>	Detailed design	C	See Schedule 2, Condition B27.	<b>It is recommended that AGLM retain copies of all waste tracking records for the BESS Project, including associated certificates for the transportation and disposal of scheduled waste.</b>
WR02	Cleared vegetation will be either mulched for onsite reuse or used to create habitat piles, noting that any weeds and pathogens will be managed according to requirements under the NSW <i>Biosecurity Act 2015</i> .	Construction	C	See Schedule 2, Condition B9.	
<b>Water (surface and groundwater)</b>					
W1	The specific requirements for water quality controls will be confirmed as the detailed design develops and prior to commencement of construction of each Project component, to ensure the objectives of the Project are achieved.	Pre-construction	C	Deemed compliant in previous IEA.	
W2	The following measures will be undertaken to manage activities in	Pre-	C	See Schedule 2,	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
	<p>proximity to waterways:</p> <ul style="list-style-type: none"> <li>The design and implementation of works within waterfront land would be undertaken in accordance with Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)</li> <li>Implementing practices to minimise disturbance of banks and undertake bank stabilization</li> <li>Appropriate drainage features will be incorporated into the design of the Project components by a suitably qualified and experienced professional. All Project components will be designed and constructed in accordance with relevant guidelines.</li> </ul>	construction and construction		Condition B26.	
W3	<p>Stockpiles would be managed to minimise the potential for mobilisation and transport of dust, sediment and leachate in runoff. This would include:</p> <ul style="list-style-type: none"> <li>Minimising the number of stockpiles, area used for stockpiles, and time that they are left exposed</li> <li>Locating stockpiles away from drainage lines, waterways and areas where they may be susceptible to wind erosion</li> <li>Stabilising stockpiles, establishing appropriate sediment controls and suppressing dust as required.</li> </ul>	Construction	C	See Schedule 2, Condition B15(c).	
W4	<p>Erosion and sediment control measures will be implemented and maintained at all work sites in accordance with the principles and requirements in Managing Urban Stormwater – Soils and Construction, Volume 1 (Landcom, 2004) and Volume 2D commonly referred to as the “Blue Book” where appropriate. Additionally, any water collected from worksites will be treated and discharged (where able) to avoid any potential contamination or local storm water impacts. Measures will be designed in accordance with the relevant guideline where appropriate.</p>	Construction	C	See Schedule 2, Condition B26.	
W5	<p>Water use during construction will be minimised where possible and measures to reduce water use will be applied.</p>	Construction	C	See Schedule 2, Condition B24.	
W6	<p>The Bayswater site operational water quality monitoring program will be updated and implemented as required.</p>	Pre-operation	C	KS (pers comms) confirmed that water	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
		and operation		quality monitoring for the EPLs is representative of the Project (including the transfer of water from construction sediment basins to the Liddell Power Station site water management system) and is available on the AGLM website.	
<b>Social and economic</b>					
SE1	AGLM will keep the community and stakeholders updated on the Project via the existing community engagement forum and AGL website	Pre-construction	C	The AGLM website provides a Project overview and copies of environmental approvals and management documents.  The Project is also discussed at AGLM Hunter CCC meetings.	
SE2	Identify opportunities to maximise the use of local suppliers, labour and businesses in the provision of goods and services for construction.	Construction	C	KS (pers comms) confirmed that local suppliers are used where possible for the Project. Local contractors used for the Stage 3 works included D&C Tree Service and Enright	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
				Land Management (ELM). Sighted invoice from ELM and D&C Tree Services.	
SE3	Consultation with local tourist accommodation providers to identify peak tourist periods and consider timing of these periods in the planning of non-time-critical construction activities.	Construction	C	Deemed compliant in previous IEA. MS confirmed that the contractor workforce for Stage 2 is starting to reduce as the BESS is nearing completion of construction. Therefore, it is unlikely that consultation with local tourist accommodation providers will be required.	
<b>Infrastructure</b>					
I1	AGLM will continue to consult with TransGrid and ETMC regarding any perceived impacts on the Liddell switchyard.	Pre-construction	NT	MS (pers comms) confirmed no construction works with the potential to impact on the Liddell switchyard were undertaken during the audit period.	
I2	AGLM will consult with Ausgrid as the network provider responsible for other onsite supply regarding continued supply.	Pre-construction /	NT	See Commitment I1 above.	

Ref	Environmental management measures	Timing (Jacobs, 2021)	Status	Evidence	Recommendations
		construction			
<b>Cumulative</b>					
CL1	The CEMP will include a process to review and update management measures if any other development commences in proximity to the Project.	Pre-construction	C	<b>Stage 2</b> Deemed compliant in previous audit. <b>Stage 3</b> The Stage 3 EMS approved by DPHI on 08/12/23 includes a process for regular review of Project documents, as outlined in Section 7.8.	

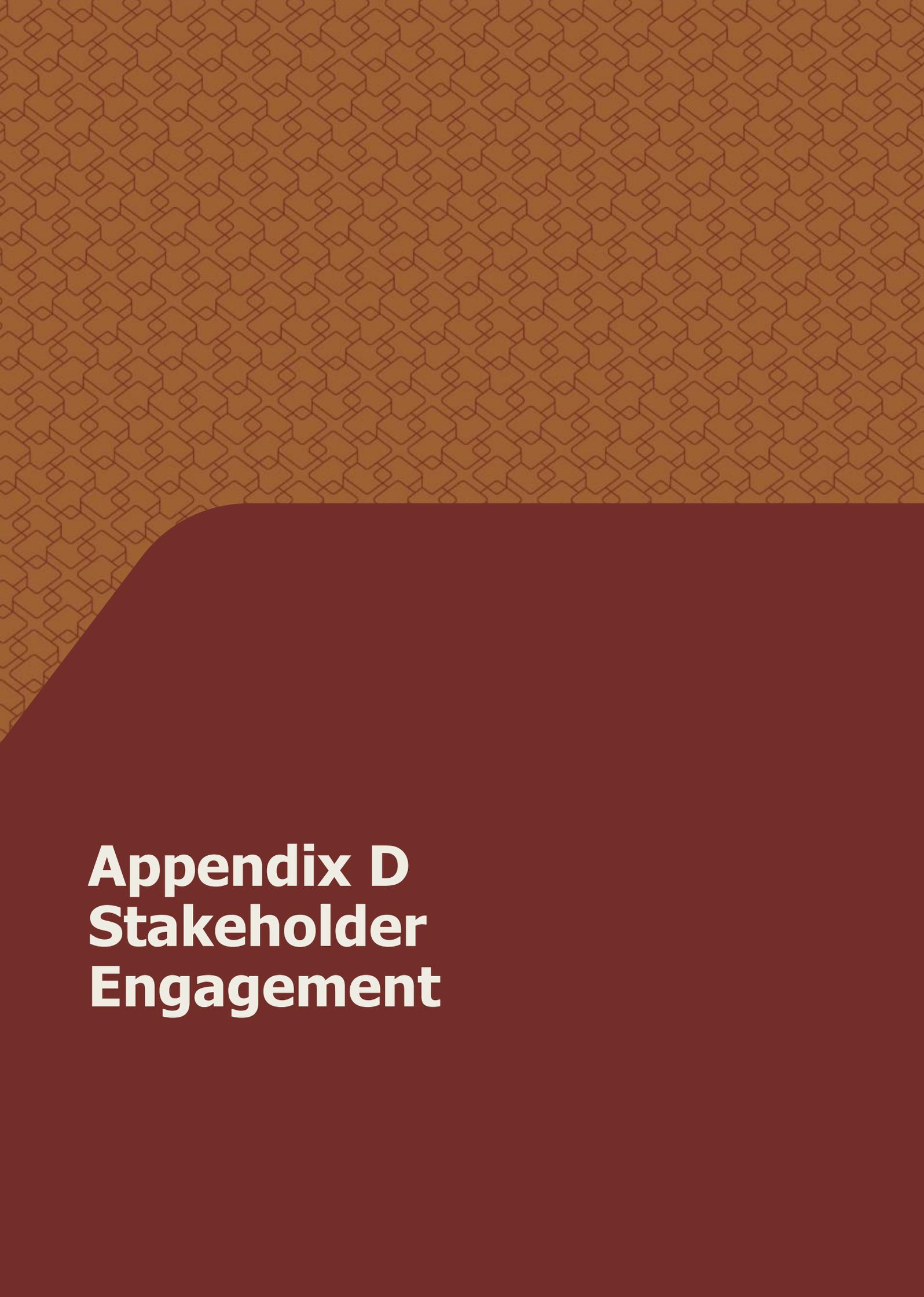
**Table C3 MOD2 Modification Report (AECOM, 2025)**

Ref	Environmental management measures	Timing (AECOM, 2025)	Status	Evidence	Recommendations
<b>Summary of Management Measures</b>					
N/A	No additional management or mitigation measures have been recommended throughout this Modification Report. The proposed modification does not introduce any new impacts that cannot be managed by the environmental management measures identified in the EIS for SSD-8889679 or existing operation and maintenance procedures.	N/A			

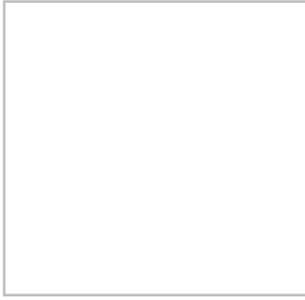
**Table C4 MOD3 Modification Report (AGLM, 2025)\***

Ref	Environmental management measures	Timing (AGLM, 2025)	Status	Evidence	Recommendations
<b>Assessment of Impacts</b>					
Traffic and Transport	<p>The proposed diesel generators will need to be transported to the site and craned into position. The previously approved 415V generators were also required to be transported and craned into position. The alteration to the configuration is not anticipated to cause additional traffic impacts beyond that considered and assessed in the EIS...</p> <p>The associated traffic movements are considered to be within the movements generally assessed as part of the Bayswater Ancillary Works, which assessed up to 50 two-way heavy vehicle movements a day (Jacobs 2021)).</p>	N/A			
Biodiversity	No additional vegetation clearing is required for the installation of emergency diesel generator power system or the blast walls. Both of the sites are located within existing sealed and/or disturbed operational areas with no identified native vegetation.	N/A			
Water	<p>The proposed reconfiguration is located in a sealed area with no stormwater drains. The generator is self-bunded and has a double-skinned fuel tank to reduce the risk of any spills or leaks. The proposed refueling method will be via the nearby diesel pipeline with a suitable manifold and controlled refueling system. The reconfiguration is not anticipated to introduce substantive increases in the risk of pollution of water as compared to the emergency power system as considered and assessed in the EIS.</p> <p>Any potential construction-related risks to water will be managed with standard environmental management measures.</p>	N/A			

\* Note Table C4 includes an extract of commitments from Section 6 of AGLM (2025)



# **Appendix D Stakeholder Engagement**



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**From:** [no-reply@majorprojects.planning.nsw.gov.au](mailto:no-reply@majorprojects.planning.nsw.gov.au) <[no-reply@majorprojects.planning.nsw.gov.au](mailto:no-reply@majorprojects.planning.nsw.gov.au)>  
**Sent:** Tuesday, 9 December 2025 10:50 AM  
**To:** Maris Steele <>  
**Cc:** ; SSD8889679BESS and BAW  
<[ssd8889679bessandbaw@agl.com.au](mailto:ssd8889679bessandbaw@agl.com.au)>  
**Subject:** Liddell Battery and Bayswater Ancillary Works - Upcoming IEA notification

This email is to acknowledge receipt of the Upcoming IEA notification for the Liddell Battery and Bayswater Ancillary Works .

The Department has no comments on the document at this time.

If you have any enquiries, please contact Ann Hagerthy on at . To sign in to your account click [here](#) or visit the [Major Projects Website](#).

Please do not reply to this email.

Kind regards

The Department of Planning and Environment



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\*\*\*\*\*

**From:**  
**To:** [Dorian Walsh](#)  
**Cc:** [Sarah Moore](#)  
**Subject:** RE: Liddell Battery and Bayswater Ancillary Works Project SSD-8889679 Independent Audit - EPA Consultation  
**Date:** Tuesday, 13 January 2026 10:02:58 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

Some people who received this message don't often get email from [nirmala.dharmarathne@epa.nsw.gov.au](mailto:nirmala.dharmarathne@epa.nsw.gov.au). [Learn why this is important](#)

**[CAUTION]** This email originated from outside of the organisation.

Good morning Dorian,

I refer to your email, dated 24 December 2025, to the Environment Protection Authority (EPA) requesting consultation as part of an Independent Environmental Audit for the Liddell Battery and Bayswater Ancillary Works Project in accordance with Conditions C13 - C18 of SSD-8889679.

The EPA regulates Liddell Battery and Bayswater Ancillary Works Project under Environment Protection Licence's 2122, issued to AGL Macquarie Pty Limited.

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

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

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

If you have any further questions about this issue, please contact myself on 02 6229 7029 or at [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

Kind Regards

Operations Officer  
Operations  
NSW Environment Protection Authority  
T 02 6229 7029 | M | [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

Working days: Monday to Friday

Join us on our mission to  
protect tomorrow together.



The EPA acknowledges the Traditional Custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal Elders past and present.

I work on Awabakal Country.

---

**From:** Dorian Walsh <>

**Sent:** Wednesday, 24 December 2025 12:26 PM

**To:** EPA CSB Regulatory & Compliance Support Unit Mailbox <compliance.services@epa.nsw.gov.au>

**Cc:** Sarah Moore <>

**Subject:** Liddell Battery and Bayswater Ancillary Works Project SSD-8889679 Independent Audit - EPA Consultation

Good Afternoon,

Xenith Consulting have been commissioned to complete the seventh construction-phase Independent Environmental Audit (IEA) of the Liddell Battery and Bayswater Ancillary Works Project.

The IEA will be completed in accordance with Schedule 2, Conditions C13 - C18 of SSD-8889679 and the Department of Planning *Independent Audit Post Approval Requirements (2020)* (IAPAR). In accordance with the IAPAR, we are seeking feedback from the EPA regarding any environmental issues you would like to be a particular focus of the IEA.

If possible, can you please provide any feedback on the IEA scope by Friday 23/01/26?

Please get in touch if you have any questions.

Regards,  
Dorian



**Dorian Walsh • Principal Environmental Scientist**

Mobile • Office • [02 6536 2999](tel:0265362999)

Shops 4-6, Mezzanine Level, The Singleton Centre, 157-159 John Street, Singleton NSW 2330

[xenith.com.au](http://xenith.com.au)

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# **Appendix E**

# **IEA Site Visit**

# **Agenda**

## AGL Macquarie Pty Limited Independent Environmental Audit

### Liddell Battery and Bayswater Ancillary Works Project

#### Agenda for SSD 8889679 Site Inspection 14 January 2026

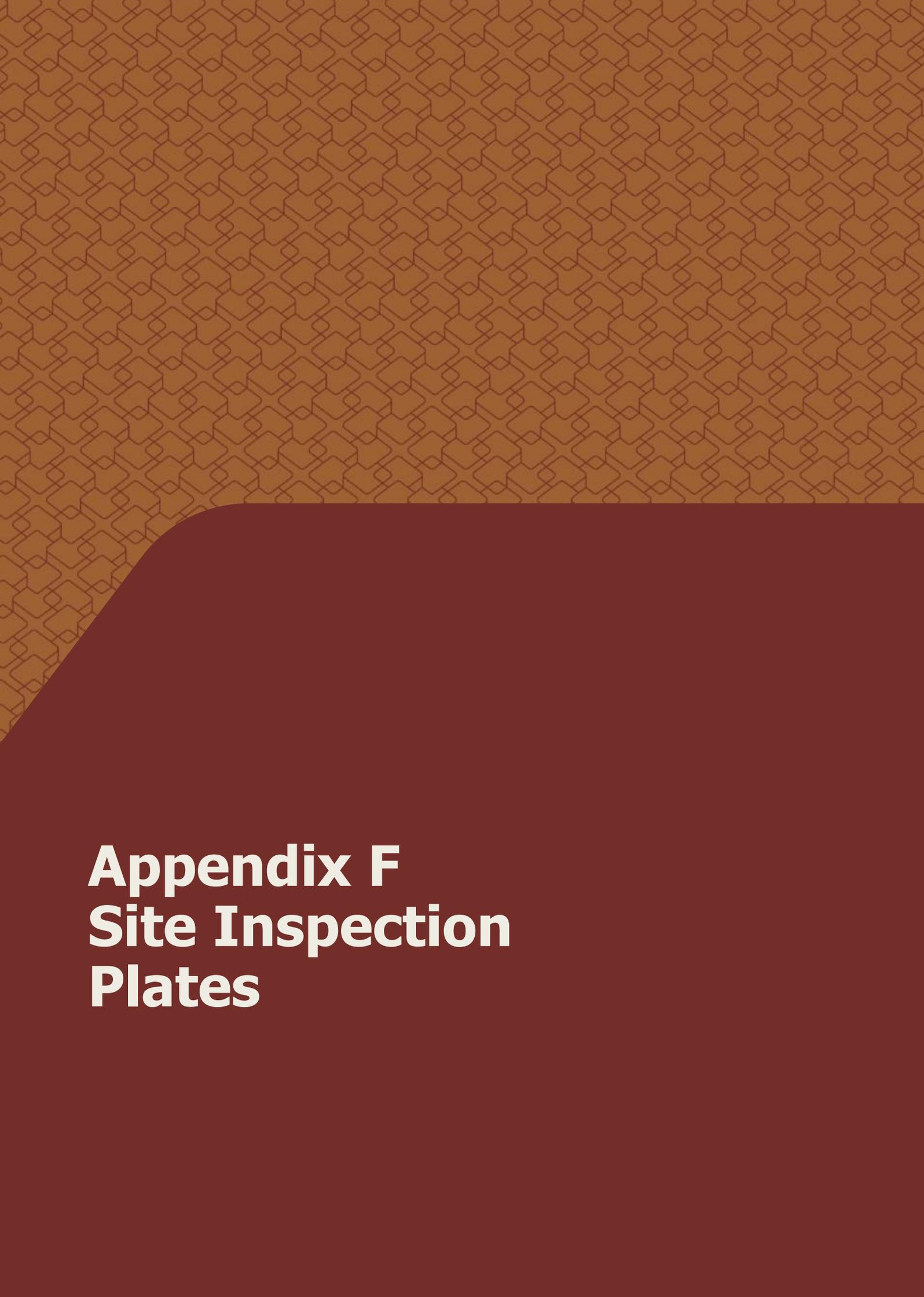
**Table 1 Meeting Invitees**

Name	Initials	Title	Company
Andrew Speechly	AS	Senior Manager Environment	AGLM
Maris Steele	MS	Environmental and Compliance Manager - Construction	AGLM
Keith Simkin	KS	Advisor Environment (Contractor)	AGLM
Alex Risoski	AR	Environment Advisor	AGLM
Dorian Walsh	DW	Auditor	Xenith
Sarah Moore	SM	Auditor	Xenith

**Table 2 Audit Agenda Items**

Time	Description	Location	Invitees
9:00am - 10:00am	<b>Opening Meeting</b> <ul style="list-style-type: none"> <li>› Introductions / Housekeeping (MS)</li> <li>› IEA scope and purpose (DW)</li> <li>› Confidentiality arrangements (DW)</li> <li>› IEA process and timing (DW)</li> <li>› Overview of site during the audit period (MS)</li> <li>› Discussion on SSD 8889679 Stage 3 requirements</li> </ul>	Bayswater Power Station Meeting Room	AS, MS, KS, DW, SM
10:00 - 11:30am	<b>Site Inspection</b> <ul style="list-style-type: none"> <li>› Review of environmental controls for Stage 3: <ul style="list-style-type: none"> <li>▪ Amenity management</li> <li>▪ Active construction areas</li> <li>▪ Water management, erosion and sediment controls</li> <li>▪ Biodiversity controls</li> <li>▪ Laydown areas and storages</li> <li>▪ Waste and materials management</li> </ul> </li> </ul>	Field (Stage 3)	MS, KS, DW, SM
10:45am – 11:30am	<b>Compliance Review</b> <ul style="list-style-type: none"> <li>› SSD 8889679 conditions and environmental commitments</li> <li>› EA and Management Plan commitments</li> <li>› Site procedures</li> <li>› AGLM response to previous IEA report</li> </ul>	Meeting Room	AS, MS, KS, DW, SM

Time	Description	Location	Invitees
11:30- 12:00pm	<b>Lunch</b>		
12:00- 2:30pm	<b>Site Inspection</b> <ul style="list-style-type: none"> <li>› Review of environmental controls for Stage 1 and Stage 2: <ul style="list-style-type: none"> <li>▪ Amenity management</li> <li>▪ Active construction areas</li> <li>▪ Water management, erosion and sediment controls</li> <li>▪ Biodiversity controls</li> <li>▪ Laydown areas and storages</li> <li>▪ Waste and materials management</li> </ul> </li> </ul>	Stage 1 and 2 (Field)	MS, DW, SM
2:30- 4:00pm	<b>Compliance Review (continued)</b> <ul style="list-style-type: none"> <li>› Licencing review</li> <li>› Review of any remaining compliance documents</li> <li>› Xenith prepare preliminary findings</li> </ul>	Liddell BESS Meeting Room	MS, DW, SM
4:00 - 4:30pm (TBC)	<b>Close Out Meeting</b> <ul style="list-style-type: none"> <li>› Overview of preliminary findings</li> <li>› Confirmation of outstanding information requirements</li> <li>› Confirmation of process for audit completion and reporting</li> </ul>	Liddell BESS Meeting Room	MS, DW, SM



# **Appendix F Site Inspection Plates**

**Plate 1 - Permanent operations and maintenance building in Stage 2 area**



**Plate 2 - Plant and equipment observed operating in Stage 2 laydown area**



**Plate 3 - Plant and equipment observed operating in Stage 2 area**



**Plate 4 - Batteries installed in Stage 2 area**



**Plate 5 - Firewater tanks installed in Stage 2 area**



**Plate 6 – Portable fire extinguishers installed at Stage 2 temporary offices**



**Plate 7 – Portable fire extinguishers available at Stage 2 area**



**Plate 8 – Designated bunded chemical storage container at Stage 2 area**



Plate 9 – Diesel storage tank at Stage 2 area (#1)



Plate 10 – Diesel storage tank at Stage 2 area (#2)



**Plate 11 – Designated refuelling area at Stage 2**



**Plate 12 – Spill kit and Emergency Response bins at Stage 2 refuelling area**



**Plate 13 – Spill kit at temporary offices of Stage 2**



**Plate 14 – Copy of Emergency Plan available upon entry to AGLM Stage 2 area**



Plate 15 – Copy of Emergency Plan upon entry to Stage 2 contractors work area



Plate 16 – Boundary delineating 'No-Go' zone at Stage 2 requiring maintenance



**Plate 17 – Delineation flagging at Stage 2 coal bays area requiring maintenance**



**Plate 18 – Installation of permanent fence within perimeter of Stage 2 disturbance boundary**



**Plate 19 – Contractor’s carpark upgraded in Stage 3 works area**



**Plate 20 – Fencing around contractor’s carpark in Stage 3 works area**



**Plate 21 – Vegetation trimming of transmission line easement in Stage 2 works area**



**Plate 22 – Salvaged tree trunks in Stage 3 works area**



**Plate 23 – Salvaged organic material in Stage 3 works area**



**Plate 24 – Salvaged topsoil in Stage 3 works area**



**Plate 25 – Frog-proof fencing in Stage 2 area**



**Plate 26 – Stage 2 work area with low dust emissions and watered roads**



**Plate 27 – Water cart operating in the Project area**



**Plate 28 – Western topsoil stockpile with soil stabiliser in the Stage 2 area**



**Plate 29 – Topsoil stockpiles with soil stabiliser in the Stage 2 area**



**Plate 30 – Newly installed lighting rods with lights installed at Stage 2 area**



**Plate 31 – Pump on sediment dam for Stage 2 work area**



**Plate 32 – Maintained drain for Stage 2 work area**



**Plate 33 – Erosion and sediment control fence at Stage 2 area requiring maintenance**



**Plate 34 – Erosion and sediment control fence requiring maintenance**



**Plate 35 – Area of erosion being managed at Stage 3 area (looking south from carpark)**



**Plate 36 – Area of erosion being managed at Stage 3 area (looking north towards carpark)**



**Plate 37 – Segregated waste bins in Stage 2 area**



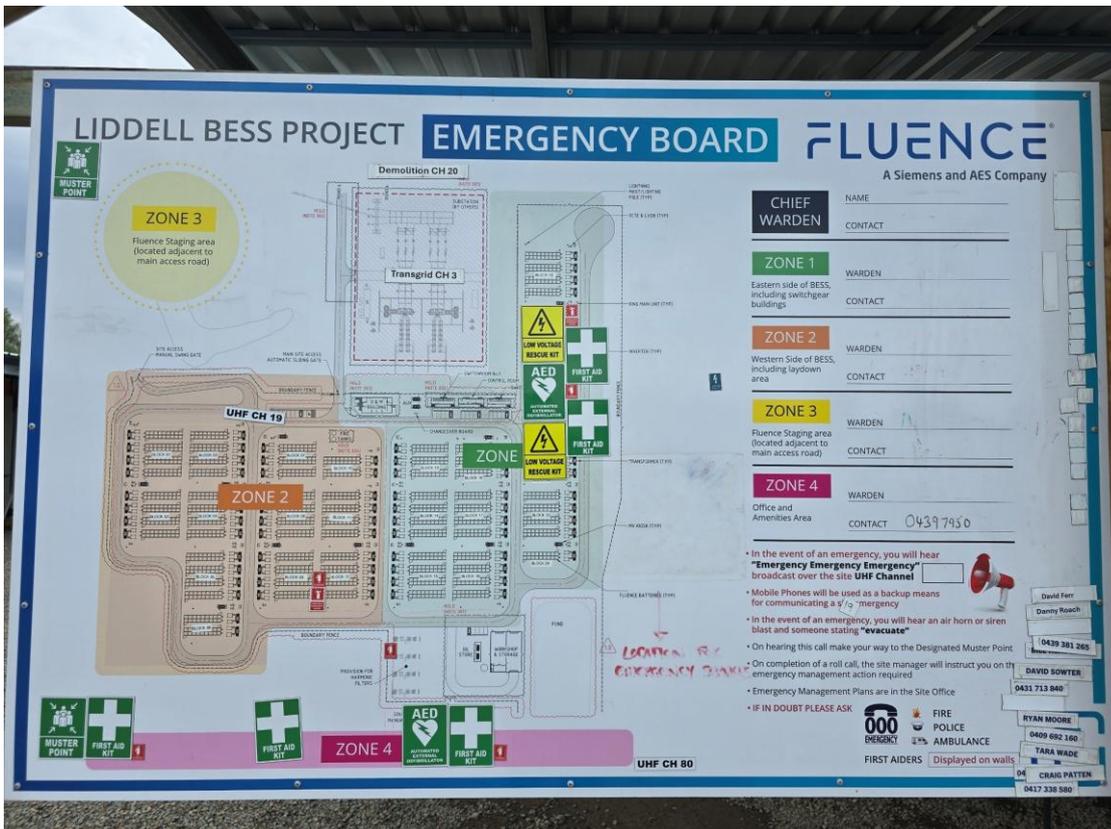
**Plate 38 – Segregated waste bins for storage area in Stage 2**



Plate 39 – Segregated waste bins used for Stage 3 construction works



Plate 40 – Notice Board at the temporary Stage 2 Site Offices



**Plate 41 – Speed Limit sign in Stage 3 area**



**Plate 42 – Sewage leak in Stage 3 upgraded contractor's carpark**

