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27/05/2026

Liddell Battery and Bayswater Ancillary Works –Operational BESS Environment Management Strategy (EMS)

Dear Mr. Taylor

Thank you for submitting the Operational BESS EMS in accordance with Condition C1, Schedule 2 of the consent for the Liddell Battery and Bayswater Ancillary Works (SSD-8889679).

I note that the EMS has been revised to transition from the construction stage to the operational stage.

Accordingly, as nominee of the Planning Secretary, I approve the revised EMS (Rev. Version 8 , May 2026).

You are reminded that if there are any inconsistencies between the Strategy and the conditions of approval, the conditions prevail.

Please ensure you make the document publicly available on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact Charissa Pillay on 02 99955944.

Yours sincerely



Stephen O'Donoghue
Director
Resource Assessments

As nominee of the Planning Secretary

Liddell Power Station Battery Energy Storage System

Environmental Management Strategy





Table of Contents

1. Introduction	7
1.1. Background	7
1.2. Scope	9
1.3. Purpose	9
1.4. Relevant approvals and conditions	9
2. Project description	19
2.1. Stage 2 project overview	19
2.2. Site description	19
3. Legislation and guidelines	22
3.1. EP&A Act and Regulation	22
3.2. Protection of the Environment Operations Act 1997	23
3.3. Other legislations and guidelines	23
3.4. Approvals, permits and licences	23
4. Environmental management framework	24
4.1. Environmental Management System	24
4.2. Contractor Environmental Management System requirements	25
4.3. Roles and Responsibilities	25
4.4. Training and awareness	28
4.5. Incident and emergency management	29
5. Community and stakeholder consultation	32
5.1. Overview	32



5.2.	Stakeholder consultation	32
5.3.	Complaints handling	34
5.4.	Development Consent consultation requirements	35
6.	Related management plans and procedures	37
6.1.	Aboriginal Cultural Heritage Management Plan	37
6.2.	Biodiversity Management Plan	37
6.3.	Subplans	37
7.	Other environment management measures	39
7.1.	Out of hours work policy	43
8.	Monitoring and auditing	46
8.1.	Monitoring	46
8.2.	Internal auditing	50
8.3.	Independent auditing	50
9.	Compliance and reporting	51
9.1.	Non-compliance notification	51
9.2.	Compliance register	51
9.3.	Compliance reporting	51
9.4.	Corrective and preventive actions	52
10.	Continual Improvement and Review	53
10.1.	Review of EMS	53
11.	Appendix A - Legislative summary	54
12.	Appendix B - Soil and Water Management Sub Plan	57



13. Appendix C - Air Quality Management Sub Plan	59
14. Appendix D - Contamination Management Sub Plan	60
15. Appendix E - Waste Management Sub Plan	61
16. Appendix F - Traffic Management Sub Plan	62

Document revision history

Date	Version	Author	Comments
02-Mar-2023	0	Neil Standen	Draft for client review
17-Mar-2023	1	Neil Standen	Second draft for client review
05-May-2023	2	Neil Standen	Final draft for DPE review
16-Jun-2023	3	Neil Standen	Final
05-Apr-2024	4	Neil Standen	Spoil stockpiling update
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05-May-2025	6	Neil Standen	MOD 2 – Transmission Line Easement
8-May-2026	7	Lachy Taylor	Update for Operational phase

Glossary of terms and abbreviations

Abbreviation	Definition
ACHMP	Aboriginal Cultural Heritage Management Plan
AECOM	AECOM Australia Pty Ltd
AGL	AGL Energy Limited
AGLM	AGL Macquarie Pty Ltd as the proponent of the Project
APZ	Asset Protection Zone
BAM	Biodiversity Assessment Method
Bayswater	Bayswater power station
BCS	Biodiversity, Conservation and Science Directorate within the Department of Planning, Housing and Infrastructure (now CPHR)
BDAR	Biodiversity Development Assessment Report
BESS	Battery Energy Storage System
BMP	Biodiversity Management Plan
CEMP	Construction Environmental Management Plan
CIV	Capital Investment Value
CMS Act	<i>Coal Mine Subsidence Compensation Act 2017 (NSW)</i>
CPHR	Conservation Programs, Heritage and Regulation Group within the NSW Department of Climate Change, Energy, the Environment and Water (formerly BCS)
DPE	NSW Department of Planning and Environment (now DPHI)
DPHI	NSW Department of Planning, Housing and Infrastructure (formerly DPE)
EIS	Environmental Impact Statement
EMS	Environmental Management Strategy
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021 (NSW)
EPA	NSW Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>
EPBC Regulation	Environment Protection and Biodiversity Conservation Regulation 2000 (Commonwealth)
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ERA	Environmental Risk Assessment
FRNSW	Fire and Rescue New South Wales
GWh	Gigawatt hours
HSE	Health, Safety and Environment
LALC	Local Aboriginal Land Council
LBBAWP	Liddell Battery and Bayswater Ancillary Works Project, consisting of a battery energy storage system at Liddell, decoupling works, and works associated with the ongoing operation of Bayswater
LDBS	Liddell Battery Energy Storage System
LEP	Local Environmental Plan
LGA	Local Government Area

Abbreviation	Definition
Liddell	Liddell power station
Liddell BESS	Liddell Battery Energy Storage System Stage 2 of the Liddell Battery and Bayswater Ancillary Works Project consisting of the construction of a BESS with the storage capacity to facilitate a maximum discharge of up to 500 MW for a four-hour period, or up to 2 GWh
MW	Megawatt
NEM	National Electricity Market
NRAR	Natural Resources Access Regulator
OOHW	Out of Hours Work
OSOM	Over Size Over Mass
PAD	Potential Archaeological Deposit identified as an area with potential to contain Aboriginal heritage artefacts
PCT	Plant Community Type
PIRMP	Pollution Incident Response Management Plan
POEO Act	<i>Protection of the Environment Operations Act 1997 (NSW)</i>
RAP	Reconciliation Action Plan
RFS	NSW Rural Fire Service
Roads Act	<i>Roads Act 1993 (NSW)</i>
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the NSW Department of Planning, Housing and Infrastructure
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TEC	Threatened Ecological Community
TfNSW	Transport for New South Wales
TISEPP	<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (NSW)</i>

1. Introduction

AGL Macquarie Pty Ltd (AGLM) has prepared this Environmental Management Strategy (EMS) for the Battery Energy Storage System (BESS) which forms part of the Liddell Battery and Bayswater Ancillary Works Project (LBBAWP).

The LBBAWP is a State Significant Development (SSD) under the *State Environmental Planning Policy (State and Regional Development) 2011*¹, and is subject to Part 4, Division 4.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

An Environmental Impact Statement (EIS) was prepared in March 2021 in accordance with the Secretary's Environmental Assessment Requirements (SEARs). Development consent (SSD-8889679) was issued by the Department of Planning and Environment (DPE) (now the Department of Planning, Housing and Infrastructure (DPHI)) on 8 March 2022.

1.1. Background

AGLM own and operate the Bayswater power station (Bayswater) which is approved to generate up to 2,640 megawatts (MW) and the former 1,500 MW Liddell power station (Liddell), as well as associated ancillary infrastructure systems. Together, Bayswater and Liddell operated to produce around 21,000 gigawatt hours (GWh) annually, or approximately 30 percent (%) of New South Wales (NSW) electricity supply. AGL Energy Limited (AGL) acquired these assets from the NSW Government in September 2014 and in doing so formed the subsidiary AGLM.

AGL has publicly announced its intention to transition towards a low-carbon future and respond to the National Energy Market (NEM) and customer requirements. Liddell ceased power generation operation on 28 April 2023. Bayswater will continue to be operated through to 2035 to support the transition of the NEM toward net-zero emissions and then is intended to be retired. AGL has committed to closing all coal fired generation assets in its portfolio by 2050.

AGLM is progressing with plans to facilitate the efficient, safe and reliable continuation of electricity-generating works from the Bayswater and Liddell power sites. The LBBAWP will be carried out in the following stages:

- Stage 1 - Decoupling Works: Alternative network connection arrangements for the Liddell 33 kilovolt (kV) switching station that provides electricity to the infrastructure required for the ongoing operation of Bayswater power station, to associated ancillary infrastructure and to potential third-party industrial energy users
- Stage 2 - BESS: Replacement of a portion of Liddell's dispatchable electricity supply is required for the National Energy Market (NEM), including construction of a grid-connected utility-scale BESS with a capacity of up to 500 megawatts (MW) and 2 gigawatt hours (GWh)
- Stage 3 - Bayswater Ancillary Works (BAW): Works associated with Bayswater power station which may include upgrades to ancillary infrastructure, such as pumps, pipelines, conveyor systems, roads and assets, to enable maintenance, repairs, replacement or expansion
- Consolidated consents: Surrender and consolidation of various existing development approvals required for the ongoing operation of AGLM assets.

An overview of AGLM landholdings and the LBBAWP is provided in Figure 1.

¹ Now *State Environmental Planning Policy (Planning Systems) 2021*

This EMS has been developed for operational phase of Stage 2 only (i.e. the BESS), which is hereafter referred to as the Liddell BESS (LDBS)

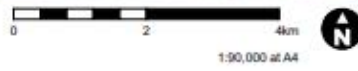
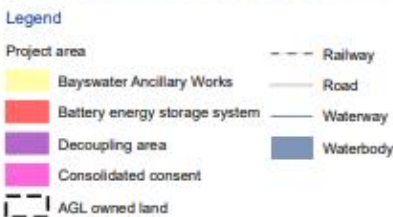
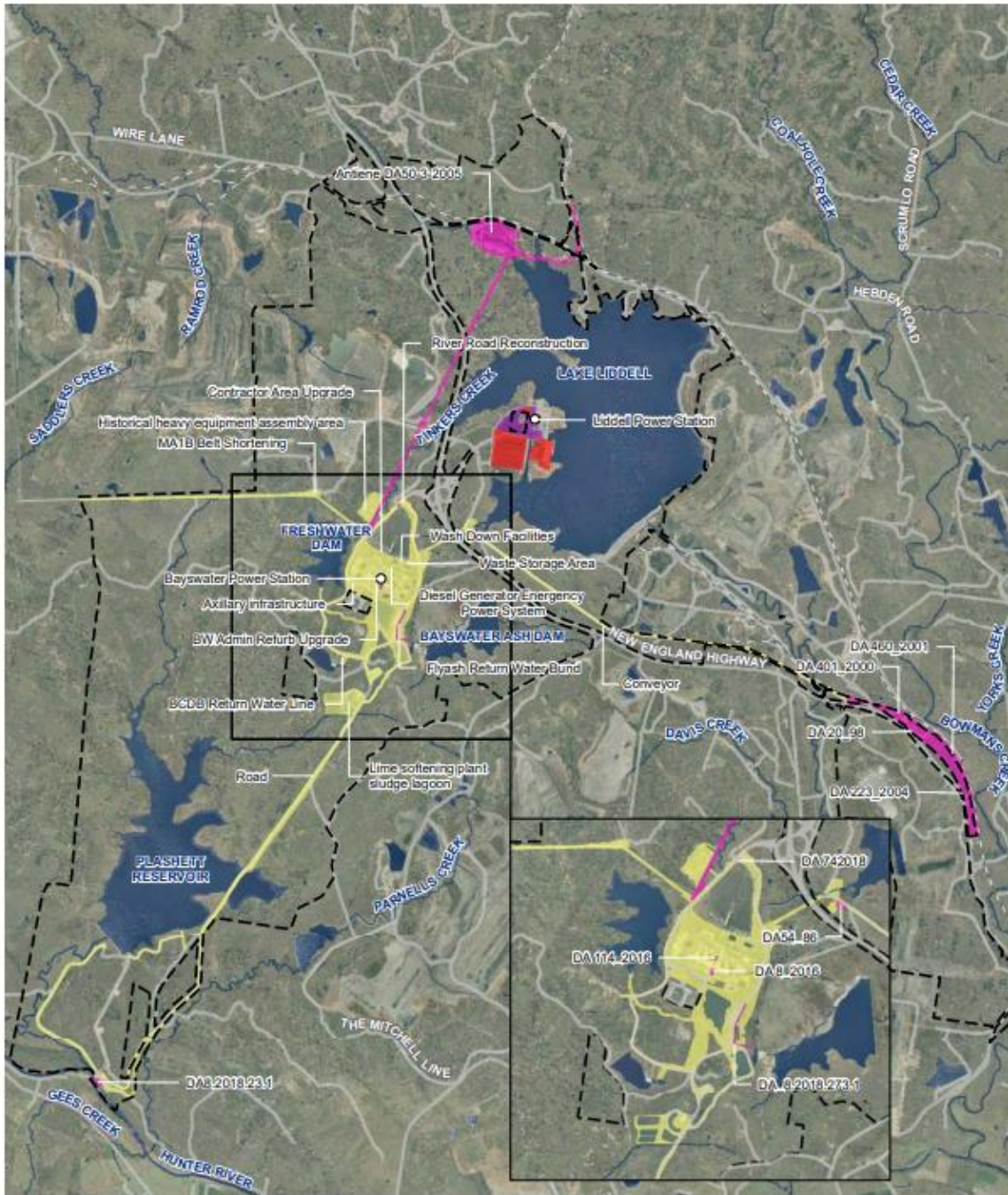


Figure 1 - 2 Project overview

Figure 1 AGLM landholding and LBBAWP overview (source: Jacobs 2021)

1.2. Scope

A request to stage the preparation of the management plans required by the development consent was made by AGLM on 12 October 2022, in accordance with Condition A7 of development consent SSD-8889679. DPHI approved this staging request on 18 October 2022, allowing for the following staged approach:

- Stage 1 – Liddell decoupling works (EMS approved on 31 August 2022)
- Stage 2 – Liddell BESS and associated works (this EMS)
- Stage 3 – Bayswater Ancillary Works and consolidated consents (future stage).

This EMS applies to activities carried out during the operation of Stage 2.

Construction of the LDBS has been completed, and this revision of the EMS focuses on the operation of the LDBS. It incorporates all relevant requirements of the development consent, licences, permits and approvals required for operation of the LDBS.

1.3. Purpose

The EMS has been prepared to provide a strategic framework for the environmental management of the operation of the LDBS that forms the BESS component of the LBBAWP (SSD-8889679). The EMS describes how the LDBS will comply with all relevant statutory requirements, manage potential environmental impacts, and ensure appropriate controls are in place to minimise and prevent risks to the environment. It identifies key personnel roles and responsibilities, and procedures for communications and complaints handling.

The EMS is supported by a series of subplans which address key environmental aspects. Implementation of the EMS and associated subplans will ensure the LDBS minimises potential environmental impacts and complies with the development consent and the conditions of that consent. The EMS will provide site personnel, contractors, subcontractors and visitors of the LDBS the guidance needed to mitigate environmental risks and meet or exceed environmental obligations.

1.4. Relevant approvals and conditions

1.4.1. Project approvals and licences

Development consent (SSD-8889679) was granted for the AGL Macquarie Limited on 8 March 2022, which includes the voluntary surrender and consolidation of various existing development approvals into SSD-8889679. This approval includes the development of Liddell Battery and Bayswater Ancillary Works.

In accordance with Section 55 of the Protection of the Environment Operations Act 1997 (POEO Act), Liddell operated under Environment Protection Licence (EPL) 2122, which is still active for the site even though power generation operations have ceased for the power station. This licence includes aspects of the LDBS, including licensed discharge point 27.

Approval	Applicant / Licensee	Consent Authority	Description
SSD 8889679	AGL Macquarie Pty Ltd	Minister for Planning	Development consent issued for various staged works. Stage 1 – Liddell decoupling works (EMS approved on 31 August 2022) Stage 2 – Liddell BESS and associated works (this EMS) Stage 3 – Bayswater Ancillary Works and consolidated consents (future stage).

Conditions of this approval are required to prevent, minimise and/or offset any adverse environmental impacts of the development; set standards and performance measures for acceptable environmental performance; and provide for the ongoing environmental management of the development.

EPL 2122	AGL Macquarie Pty Ltd	NSW EPA	Environment Protection Licence issued to AGL Macquarie covering scheduled activity coal works, crushing, grinding or separating. Because of the location of the Liddell Battery Energy Storage System Main sediment basin and the discharge to Lake Liddell, discharge point 27 is a designated monitoring point that forms part of the EPL.
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1.4.2. Development consent conditions

This EMS has been prepared in accordance with condition C1 of Development Consent SSD-8889679, providing a strategic framework for environmental management of the LDBS. A range of subplans have also been developed to address specific requirements of condition C1 and the subplans are appended to this EMS. The requirements of condition C1 and where these have been addressed within this EMS are outlined in Table 1. All other relevant conditions which have not been captured under another management plan are outlined in Table 2.

This EMS applies to activities carried out during operations only. The EMS (and sub-plans) will be reviewed and updated to be relevant to decommissioning prior to decommissioning commencing as per condition A7 (c) of Schedule 2.

Table 1 Relevant conditions of the Development Consent

Consent requirement	Section / reference
C1. Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:	This document
(a) provide the strategic framework for environmental management of the development;	Section 4
(b) identify the statutory approvals that apply to the development;	Section 3
(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Section 4.3
(d) describe the procedures that would be implemented to:	
(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;	Section 5.2
(ii) receive, handle, respond to, and record complaints;	Section 5.3
(iii) resolve any disputes that may arise;	Section 5.3
(iv) respond to any non-compliance;	Section 9
(v) respond to emergencies; and	Section 4.5
(e) include:	
(i) the following subplans:	
o soil, stormwater, water quality, flood and spoil management;	Appendix B

Consent requirement	Section / reference
<ul style="list-style-type: none"> ○ construction and decommissioning noise, including an out-of-hours works protocol; 	Not required due to only being relevant to construction and decommissioning
<ul style="list-style-type: none"> ○ air quality management; 	Appendix C
<ul style="list-style-type: none"> ○ contamination, including an unexpected finds protocol 	Appendix D
<ul style="list-style-type: none"> ○ waste management; and 	Appendix E
<ul style="list-style-type: none"> ○ traffic. 	Appendix F
<ul style="list-style-type: none"> (ii) references to any strategies, plans and programs approved under the conditions of this approval; and 	Section 6
<ul style="list-style-type: none"> (iii) a clear plan depicting monitoring to be carried out under the conditions of this approval. 	Section 7



Table 2 Other relevant conditions of the Development Consent (not addressed in another management plan)

Category	Condition	Compliance requirement	Section / reference
Notification of commencement			
N/A	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: <ul style="list-style-type: none"> (a) physical commencement of the development; (b) pre-construction activities; (c) construction of the battery energy storage system; (d) construction of the decoupling works; (e) construction of the Bayswater ancillary works; and (f) decommissioning. 	Section 1
Demolition			
N/A	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.	Section 1
Batteries			
Battery Storage Restriction	B1	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	Section 1
Hazards			
Fire Safety Study	B2	Prior to commencing construction of the battery energy storage system, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning Secretary unless otherwise agreed by the Planning Secretary. The study must: <ul style="list-style-type: none"> (a) be consistent with the: <ul style="list-style-type: none"> (i) Department's <i>Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline</i>; (ii) NSW Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems; and 	A Fire Safety Study has been prepared prior to this phase, separate to this EMS



Category	Condition	Compliance requirement	Section / reference
		<p>(b) describe the final design of the battery energy storage system and verify that the final design is consistent with all findings and recommendations in the Preliminary Hazard Analysis dated 25 March 2021</p> <p>The Applicant must implement the measures described in the Fire Safety Study approved by the Planning Secretary.</p>	
	B3	<p>The Applicant must implement the measures described in the Fire Safety Study approved by the Planning Secretary.</p>	<p>The Approved Fire Safety Study will be implemented during operations</p>
Emergency Plan	B5	<p>Prior to commissioning the battery energy storage system, the Applicant must prepare a comprehensive Emergency Plan and detailed emergency procedures for the battery energy storage system in consultation with FRNSW and the NSW RFS.</p> <p>(a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's Planning for Bushfire Protection 2019 (or equivalent);</p> <p>(b) identify the fire risks and hazards and detailed measures for the development to prevent or mitigate fires igniting;</p> <p>(c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site;</p> <p>(d) list works that should not be carried out during a total fire ban;</p> <p>(e) include availability of fire suppression equipment, access, and water;</p> <p>(f) include procedures for the storage and maintenance of any flammable materials;</p>	<p>An Emergency Plan has been prepared, separate to this EMS, and the approved plan will be implemented</p>



Category	Condition	Compliance requirement	Section / reference
		<p>(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</p> <p>(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;</p> <p>(i) include location of hazards (physical, chemical, and electrical) that may impact on firefighting operations and procedures to manage identified hazards during firefighting operations;</p> <p>(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;</p> <p>(k) include bushfire emergency management planning; and</p> <p>(l) include details of the how RFS would be notified, and procedures that would be implemented, in the event that:</p> <ul style="list-style-type: none"> (i) there is a fire on-site or in the vicinity of the site; (ii) there are any activities on site that would have the potential to ignite surrounding vegetation; or (iii) there are any proposed activities to be carried out during a bushfire danger period; and <p>(m) include details on how the battery storage facility and sub-systems can be safely isolated in an emergency.</p>	
	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	
Biodiversity			
Biodiversity offsets	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. Written evidence of the retirement of these credits must be provided to the Department prior to commencing construction activity in each stage.	Offsets are considered unlikely for this stage of the project
	B11	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	



Category	Condition	Compliance requirement	Section / reference
Amenity			
Noise	B12	The Applicant must: (a) ensure that noise generated by any construction is managed in accordance with the Interim Construction Noise Guideline (DECC, 2009), or its latest version; and (b) take all reasonable and feasible steps to minimise noise from construction and operational activities	Section 1
	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.	Section 7 Noting that construction work out of hours (outside the scope of B14 below) is unlikely to be required during operation.
	B14	The following activities may be carried out outside the recommended construction hours: (a) construction that causes LAeq(15minute) noise levels that are: (i) no more than 5 dB above Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and (ii) no more than the Noise Management Levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or (b) Decoupling works required to be completed during station outages; or (c) for the delivery of materials required by the police or other authorities for safety reasons; or (d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.	Section 7
Visual	B16	The Applicant must: (a) minimise the off-site visual impacts of the development; (b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and (c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.	Section 1



Category	Condition	Compliance requirement	Section / reference						
Lighting	B17	<p>The Applicant must:</p> <p>(a) minimise the off-site lighting impacts of the development; and</p> <p>(b) ensure that any external lighting associated with the development:</p> <ul style="list-style-type: none"> is installed as low intensity lighting (except where required for safety or emergency purposes); does not shine above the horizontal; and complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version. 	Section 7						
Decommissioning and Rehabilitation									
Rehabilitation	B28	<p>The Applicant must rehabilitate the development to the satisfaction of the Planning Secretary. The rehabilitation must comply with the objectives in Table 2.</p> <p><i>[Extracted from Table 2 of the development consent]</i></p> <table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>All areas of the site affected by the development</td> <td> <ul style="list-style-type: none"> Safe, stable and non-polluting All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> Ensure public safety at all times </td> </tr> </tbody> </table>	Feature	Objective	All areas of the site affected by the development	<ul style="list-style-type: none"> Safe, stable and non-polluting All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use 	Community	<ul style="list-style-type: none"> Ensure public safety at all times 	Not applicable to this phase of the development.
Feature	Objective								
All areas of the site affected by the development	<ul style="list-style-type: none"> Safe, stable and non-polluting All infrastructure to be decommissioned and removed, unless the Planning Secretary agrees otherwise Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use 								
Community	<ul style="list-style-type: none"> Ensure public safety at all times 								
Environmental Management Strategy									
Revision of Strategies, Plans and Programs	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; 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>	Section 10						



Category	Condition	Compliance requirement	Section / reference
		<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> <p>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development</p>	
Compliance			
Incident Notification, Reporting and Response	C4	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 4	Section 9
Non-Compliance Notification	C5	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.	Section 9.1
	C6	include a program to monitor, evaluate and report on the effectiveness of the measures	
	C7	A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance	
Compliance Reporting	C8	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020)	Section 9.3
	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.	Section 9.3
	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.	Section 9.3
Notifications			
Notification of Department	C12	Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase. If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	Section 1
Independent environmental audit			



Category	Condition	Compliance requirement	Section / reference
N/A	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).	Section 8.3
	C14	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Section 8.3
	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.	Section 8.3
	C16	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020, or its latest version), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition C13 of this approval, or condition C15 where notice is given by the Planning Secretary; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary	Section 8.3
	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.	Section 8.3

2. Project description

2.1. Stage 2 project overview

The LDBS has the storage capacity to facilitate a maximum discharge of up to 500 MW for a four-hour period, or up to 2 GWh. The LDBS is located at the former solar array area and is connected to the existing TransGrid 330kV substation via a new 330kV high-voltage power line (refer to Figure 2 **Error! Reference source not found.**).

Key components for the LDBS are as follows:

- 1,548 pre-assembled battery enclosures containing 24,768 battery modules.
- 172 inverters with 86 core transformers
- One control room, two switchgear room and a warehouse/ workshop
- 33kV reticulation system and collector switch rooms
- Overhead, underground, or a combination of both, 330 kV line to connect to TransGrid 330 kV substation
- Two 33 kV / 33kV / 330 kV three-winding transformers and 330 kV connection equipment
- Ancillary infrastructure, including water tanks for bushfire protection purposes, lightning protection, security fencing and closed-circuit television (CCTV).

A site map is shown in Figure 2 and a site layout is shown in Figure 3.

2.2. Site description

The Project is situated on AGLM landholdings within the Muswellbrook Local Government Area (LGA), located approximately 15 kilometres (km) southeast of Muswellbrook, 25 km northwest of Singleton, and approximately 165 km northwest of Sydney in NSW. The total area of the AGLM landholding is approximately 10,000 ha, including Bayswater and Liddell power station operational areas, the Ravensworth rehabilitation area, Lake Liddell and surrounding buffer lands.

LDBS is located at the former site of the solar array area, shown as in Figure 2.

Operations at Liddell are separated from surrounding land uses by AGLM's extensive landholdings. Surrounding land uses are dominated by mining activities, including Ravensworth, Mount Arthur, Hunter Valley Operations, Liddell and Maxwell collieries in the vicinity of Liddell. There are limited sensitive receivers or social infrastructure in the vicinity of the LDBS. The closest social infrastructure and sensitive receiver is the Lake Liddell Recreation Area, approximately 2 km north east of the LDBS. The nearest residential receiver is located near the Lake Liddell Recreation Area, approximately 3.5 km north east of the LDBS.

The New England Highway passes between Bayswater and Liddell, with access provided from the highway via grade separated interchanges with long entry and exit lanes, allowing for less mobile heavy haulage. Liddell also has an internal road network, accessed via security gates and parking available for workers. The Main North railway line runs on the eastern side of Lake Liddell.

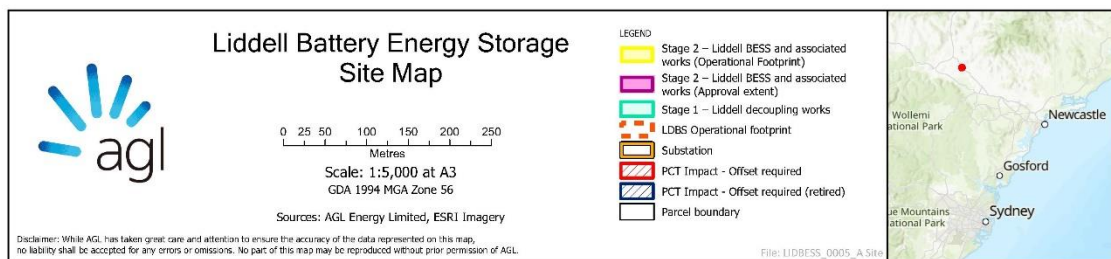
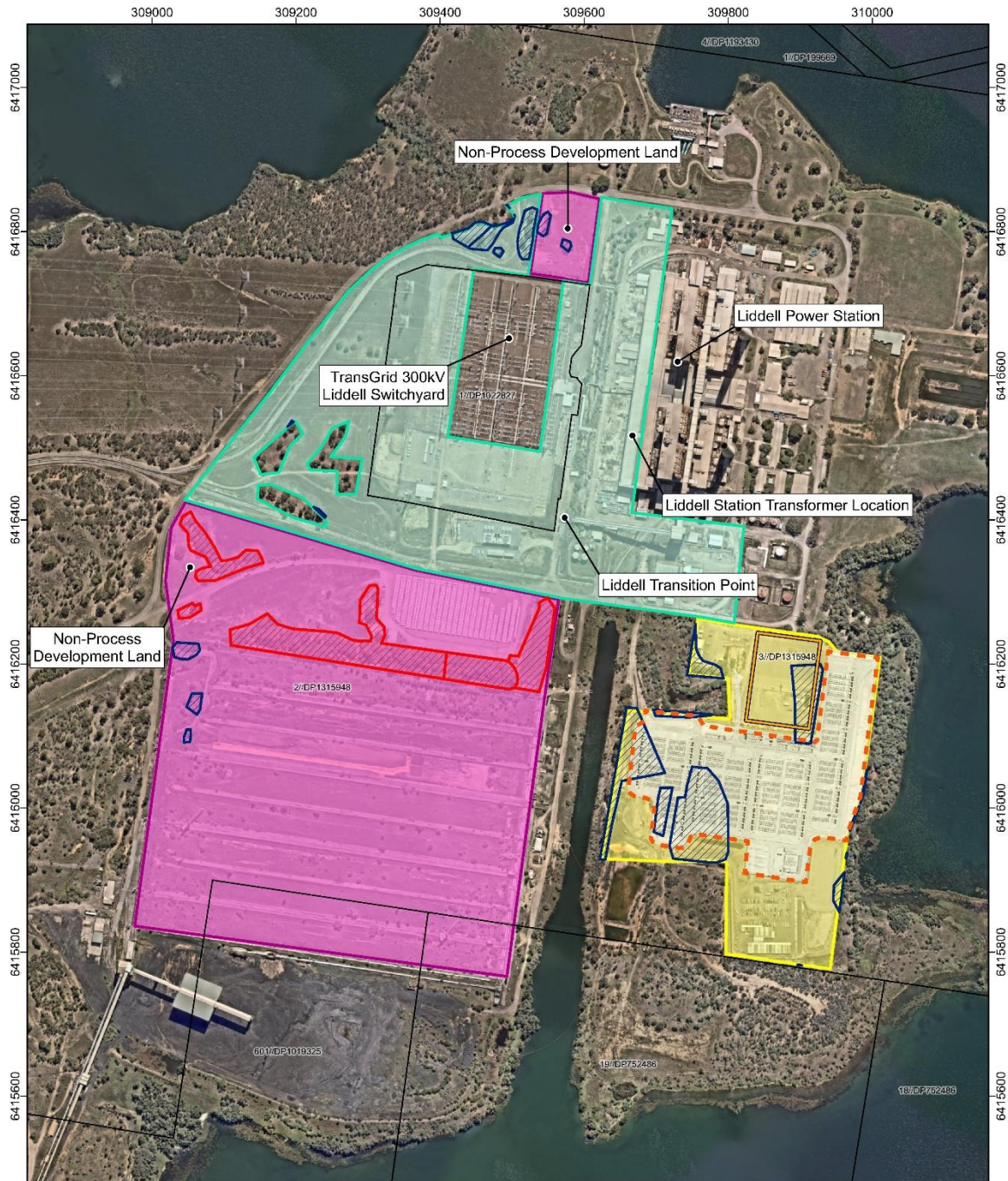


Figure 2 LDBS Site Map

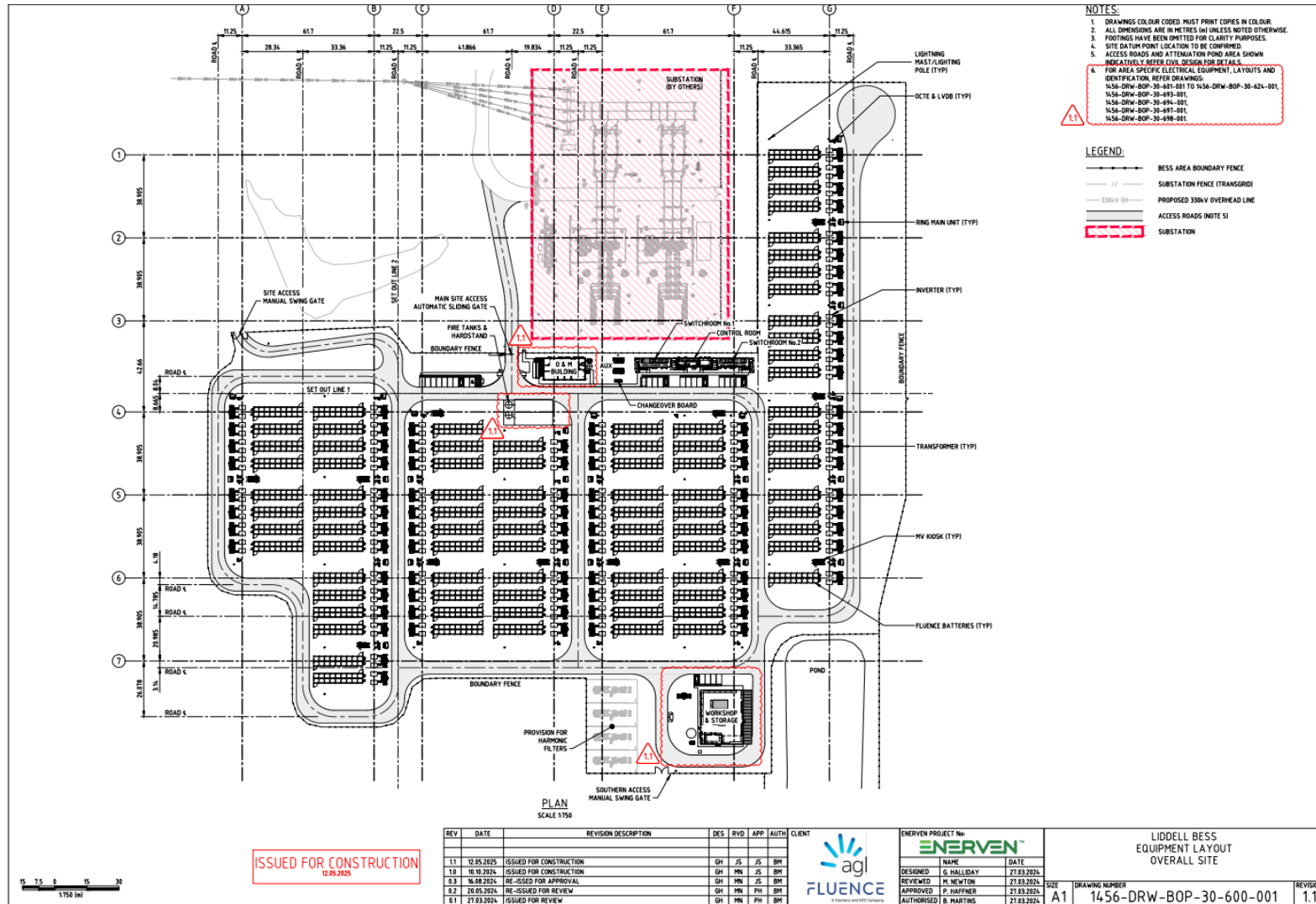


Figure 3 LDBS layout

3. Legislation and guidelines

This section identifies the environmental legislative requirements relevant to Stage 2 of the LBBAWP. It lists legislation applicable to the Site as well as relevant permits or licences held or required to be held.

3.1. EP&A Act and Regulation

The EP&A Act and the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) provide the framework for environmental planning in NSW. They provide for the establishment of Environmental Planning Instruments (EPIs) including Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs), which set out specific environmental planning requirements for local government areas (LGAs) and the State (either generally or in certain areas), respectively. The applicable EPIs and the EP&A Regulations determine the relevant planning approval pathway and the associated environmental assessment requirements for a proposed development.

3.1.1. Environmental Planning Instruments

The LBBAWP is located within the Muswellbrook and Singleton LGAs. The LDBS is located solely within Muswellbrook LGA and as such is within the application area of the *Muswellbrook Local Environmental Plan 2009* (Muswellbrook LEP). The LDBS is located on land zoned as SP2 Infrastructure (Power Station). Under 6 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TISEPP) (formerly Section 34 of the Infrastructure SEPP), development for the purpose of ‘*electricity generating works*’ is permitted with consent on any land in a prescribed non-residential zone which includes SP2 Infrastructure. On this basis, the LBBAWP is permissible with consent through the application of the TISEPP.

Under the Muswellbrook LEP, the development types permitted within the SP2 Infrastructure land zone includes aquaculture, roads, and the purpose shown on the Land Zoning Map of the LEP (i.e. Power Station) including any development that is ordinarily incidental or ancillary to development for that purpose. The LBBAWP meets the definition of Power Station, being a development ancillary to that purpose and as such is permissible with consent under the Muswellbrook LEP.

The *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) provides for the identification of development that is State significant or regionally significant, and in the case of some infrastructure – critically State significant. Schedules 1 to 6 of the Planning Systems SEPP outline triggers for development to be considered State or regionally significant. Section 20 of Schedule 1 provides that development for the purpose of electricity generating works that has a capital investment value (CIV) of more than \$30 million is State significant development (SSD). The LBBAWP has a CIV greater than \$30 million and accordingly qualifies as SSD.

3.1.2. Development consent

Development consent for the LBBAWP was granted by the Minister for Planning on 8 March 2022 under Part 4, Section 4.38 of the EP&A Act, subject to conditions. As outlined in Condition C1 of development consent SSD-8889679 (refer to Section 1.4.2), AGLM is required to prepare an Environmental Management Strategy prior to the commencement of construction.

The development consent conditions, environmental impact statement, and other plans required under the conditions of the development consent, act as the guiding documents for the development of this EMS and for environmental planning compliance at the Site.

3.2. Protection of the Environment Operations Act 1997

The POEO Act is the principal legislation established to protect, restore, and enhance the quality of the environment in NSW and reduce potential risks associated with pollution with regards to human health and degradation of the environment. The POEO Act also establishes an environment protection licencing system for certain activities that are generally large-scale, industrial development, referred to as 'scheduled activities'. Scheduled activities are those defined in Schedule 1 of the POEO Act.

The site does not constitute a scheduled activity and is therefore not subject to obtaining a separate EPL. The site however does sit within the boundaries of EPL 2122, held by AGL Macquarie, and utilises licence discharge point 27 for discharge of water from site to Lake Liddell and therefore is subject to the provisions of the licence.

3.3. Other legislations and guidelines

The LDBS will be conducted in a manner consistent with the legislative requirements and guidance set out in the documents below:

- Biodiversity Conservation Act 2016 (BC Act)
- Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (Commonwealth)
- Heritage Act 1977 (Heritage Act)
- National Parks and Wildlife Act 1974 (NPW Act)
- Protection of the Environment Operations (General) Regulation 2022
- Protection of the Environment Operations (Clean Air) Regulation 2022
- Protection of the Environment Operations (Waste) Regulation 2014
- Waste Classification Guidelines (NSW EPA 2014)
- Water Management Act 2000 (WM Act)
- Managing Urban Stormwater: Soils and Construction Vol 1 (Landcom 2004).

Further details of legislation relevant to the Project is provided in Appendix A.

3.4. Approvals, permits and licences

AGLM is responsible for obtaining the necessary approvals, permits and licences required for the LBBAWP, as provided in Table 3. The Contractors responsible for delivering the LDBS stage must comply with the requirements of these approvals, permits and licences, where applicable.

Table 3 Approvals, permits and licences required for the LDBS

Approval/ licence/ permit	Legislation	Status
Development consent	EP&A Act	Approval received 8 March 2022 (SSD-8889679)
Environment Protection Licence modification	POEO Act	EPL 2122 LDBS utilises licence discharge point 27
Approval under Section 21 of the <i>Coal Mine Subsidence Compensation Act 2017</i> (CMS Act)	CMS Act	Not applicable to the LDBS
Permit under Section 138 of the <i>Roads Act 1993</i> (the Roads Act)	Roads Act	Not applicable to the LDBS

4. Environmental management framework

4.1. Environmental Management System

AGL operates and maintains an enterprise wide Health, Safety and Environmental Management System (HSEMS) which supports continual improvement of operations across the business. The HSEMS provides the overall framework for health, safety and environmental management and includes a range of supporting standards, guidelines, procedures, and tools to implement it. Implementation of the HSEMS during planning and carrying out of works ensures that relevant health, safety and environmental factors are considered, and hazards and risks are avoided, eliminated or minimised to an acceptable level.

4.1.1. AGL Health, Safety and Environment Policy

AGL operates under its Health, Safety and Environment (HSE) Policy (November 2025) that commits to conducting business in a way that causes no harm to people and avoids or otherwise minimises impact on the environment.

This policy applies to all AGL employees and contractors, and to the products and services that are provided to customers. Specifically, the HSE Policy states that AGL will:

1. *Understand and meet or exceed our legal and regulatory compliance obligations.*
2. *Establish and maintain appropriate HSE strategies, objectives, targets and programs that seek to prevent injuries, ill health and environmental harm while supporting achieving our desired business outcomes.*
3. *Create a safe and healthy working environment where everyone feels safe to speak up or intervene when they identify a risk or hazard or sees something inconsistent with our HSE Management Systems.*
4. *Provide a wide range of resources that improve the health and wellbeing of our employees.*
5. *Support employees who are injured at work to return to safe and sustainable work as soon as possible, and make reasonable adjustments, where appropriate, for injuries and illnesses.*
6. *Proactively take reasonably practicable measures to eliminate or minimise risks and hazards and manage and raise awareness of risks and hazards that have potential to cause physical and/or psychosocial harm to people or risk of harm to the environment associated with our workplaces.*
7. *Consult and work collaboratively and transparently with our employees, nominated health and safety representatives, customers, contractors, partners and the communities in which we operate on HSE matters that impact them.*
8. *Integrate HSE requirements when designing, purchasing, supplying, manufacturing, installing constructing and modifying facilities, equipment, substances and systems for our customers and our own operations.*
9. *Continuously improve our policies, procedures processes, products, training and management systems by being inquisitive, monitoring industry leading practices capturing lessons from rigorous incident investigations and adapting to meet the changing risks of the business as we evolve.*

The HSEMS sets out how this HSE Policy is implemented.

4.1.2. Supporting documents

The HSEMS is supported by a series of standards, procedures and plans that set out the actions and controls to achieve the objectives of the HSEMS. These include:

- AGL-HSE-STD-008.1– Land Standard
- AGL-HSE-STD-008.2 – Groundwater Standard
- AGL-HSE-STD-008.3 – Surface Water Standard
- AGL-HSE-STD-008.4 – Air Emissions and Greenhouse Gas Standard
- AGL-HSE-STD-008.5 – Noise Emissions Standard
- AGL-HSE-STD-008.6 – Biodiversity Standard
- AGL-HSE-STD-008.7 – Waste Standard
- AGL-HSE-STD-008.8 – Cultural Heritage Standard

As the site sits within the extent of EPL 2122, the AGL Macquarie Pollution Incident Response Plan (PIRMP) (AGL-HSE-PLN-010.02) is also relevant to operations at the site.

4.2. Contractor Environmental Management System requirements

Any contractor or sub-contractor engaged to provide services at the site will operate under AGL’s HSEMS. If a contractor has their own Environmental Management System, it must meet or exceed the minimum requirements set out in AGL’s HSEMS.

4.3. Roles and Responsibilities

This section outlines the key roles and responsibilities for both AGLM and its contractors and sub-contractors working on the LDBS.

4.3.1. AGLM key personnel

AGLM’s key personnel will be responsible for the management of contractors and sub-contractors and will each have the respective responsibilities provided in Table 4.

Table 4 AGLM roles and responsibilities

Role	Responsibilities
Senior Manager BESS Operations	<ul style="list-style-type: none"> • Provision of effective leadership and management • Overseeing multi-disciplinary teams and functions relating to operations • Supporting the strategic review of operations to align with corporate priorities. • Maintaining budgeting and reporting processes across the asset. • Supporting liaison with internal and external stakeholders across various disciplines. • Supporting the identification and development of process improvements and policies • Order Stop-work for an activity that may cause environmental harm

Role	Responsibilities
BESS Operations Manager	<ul style="list-style-type: none"> • Supporting liaison with internal and external stakeholders across various disciplines. • Supporting the identification and development of process improvements and policies. • Ensuring all outstanding work is completed in a timely manner and adequate resources are made available for the implementation of this plan • Ensuring all outstanding compliance issues are addressed and to ensure that matters are communicated to senior leaders. • Ensuring all compliance and verification outcomes are reported to the Senior Manager – BESS Operations in a timely manner • Order Stop-work for an activity that may cause environmental harm
Site Supervisor	<ul style="list-style-type: none"> • Day to day operation of the site in accordance with this Plan • Design and execution of preventative maintenance strategies in accordance with AGL Engineering team • Ensure that environmental matters relating to the site are included in the agenda of site meetings and/or are reported on a regular basis to the Environment Manager. • Participate in environmental risk assessments with relevant personnel. • Participate in incident and/or hazard investigations where appropriate. • Ensure contractors fulfil the obligations and responsibilities required by this EMS. • Issue stop-work orders when site conditions are considered to be potentially unsafe and hazardous to personnel, public or the environment. • Report all environment hazards, near misses and incidents. • Conduct emergency response drills as required • Order Stop-work for an activity that may cause environmental harm
Environment Manager	<ul style="list-style-type: none"> • Oversee the implementation of this EMS • Notify regulatory authorities and affected stakeholders of incidents or non-compliances in accordance with this EMS • Order Stop-work for an activity that may cause environmental harm • Manage the environmental compliance system to ensure all obligations are tracked and closed out. • Capture new compliance risks and carry out risk assessments to support operations. • Delivery of the corporate environmental strategy as it applies to the site.

Role	Responsibilities
	<ul style="list-style-type: none"> • Maintain strong working relationships with operations personnel and provide support relating to AGL's Health Safety and Environment Management System. • Manage communications and relationships with AGL's support teams including Group Counsel. • Manage and oversee all environmental reporting including timely submission of internal and external reports. • Track compliance trends and implement strategies to enhance compliance (e.g. review preventative maintenance items, drive assurance activities). • Undertake investigations into environmental events to identify root causes and improvement measures. • Review and update key compliance documents including this EMS • Supervise environmental advisor(s) within the Environmental Operations team and identify any resourcing requirements.
Environment Advisor	<ul style="list-style-type: none"> • Assist the Environment Manager as required in the implementation of this EMS • Provide or coordinate training to all relevant personnel • Order Stop-work for an activity that may cause environmental harm • Maintain an environmental presence onsite through undertaking regular site visits. • Develop and maintain relationships with operations personnel to promote information sharing. • Carry out assurance activities to meet compliance targets and identify areas for improvement. • Review and action environmental inspection and audit findings • Monitor environmental aspects, particularly in relation to waste management and construction and access works • Support the investigation of environmental incidents with a view to identifying improvement measures and/or create new preventative maintenance tasks. • Complete environmental reporting activities to support the submission of data and information to regulatory authorities. • Coordinate the management of records required under this EMS
Community Relations Manager	<ul style="list-style-type: none"> • Work with the local community and other key stakeholders to respond to any concerns or complaints with the operation of the site. • Ensure that the channels to provide complaints and feedback to AGL are clearly communicated to members of the community and other key stakeholders

Role	Responsibilities
All personnel	<ul style="list-style-type: none"> • Undertake works in accordance with this EMS • Participate in awareness and environment training • Report and raise any issues that arise that may have an environmental impact

4.4. Training and awareness

Training and awareness programs are tracked and managed through the Training Needs Analysis for BESS Operations. Internal environment training and awareness is provided to operational personnel where required by the Environment Team.

4.4.1. Liddell BESS specific site induction

All employees and contractors are required to complete a site induction prior to attending site and carrying out work. Personnel must also provide relevant licences and qualifications prior to carrying out work. The following inductions are required for all personnel:

- AGL General induction for all sites
- BESS full induction

Visitors can complete the BESS Visitor induction only, provided they will not be completing any works.

All inductions are delivered through an online platform – RapidInduct.

4.4.2. Toolbox talks

Environmental issues will be discussed at daily pre-start meetings and weekly ‘toolbox’ talks as required. Pre-start meetings will be conducted prior to commencing works each day to raise potential safety and environmental issues, discuss works to be carried out and familiarise with the emergency response procedures.

‘Toolbox’ talks will be one method of raising awareness and educating personnel on issues related to all aspects of construction including environmental issues. The toolbox talks are used to ensure environmental awareness continues throughout construction.

Additional training requirements will be assessed and implemented as required. Attendance is mandatory and attendees of pre-start and toolbox talks. Attendance is tracked via site sign on. All records will be maintained.

The Site Supervisor will be responsible for ensuring that all personnel are appropriately qualified and experienced to undertake the specific tasks to which they are assigned and/or are responsible for.

4.4.3. Other training, induction, and awareness programs

All environmental management plans and strategies will include details on specific training, induction and awareness programs that are required for each stage of development. This should include:

- Purpose of the training, induction, and awareness program
- Training needs determination
- Frequency of training

- Person responsible for delivering the training.

4.5. Incident and emergency management

4.5.1. Incidents

AGL maintains an HSE Incident, Near Miss and Hazard Management Standard as part of the HSEMS (AGL-HSE-STD-011.1) outlining AGL's internal standards for identification, reporting and investigation of HSE incidents, near misses, hazards and regulatory issues. This procedure applies to all employees, contractors and their sub-contractors working for or on behalf of, AGLM.

Incidents, near misses, and hazards must be entered into myHSE. If the incident, near miss or hazard is raised by the contractor, it must be entered into myHSE on their behalf if they do not have access.

An environmental incident is an unplanned event that causes or has potential to cause material harm to the environment. Environmental incidents include but are not limited to:

- Spills of chemicals including oils and fuels
- Unintended damage to native vegetation
- Injury to wildlife
- Dust and noise impacts on the surrounding community
- Fire
- Exceedances of criteria applicable to the site listed in EPL 2122.

It is the responsibility of all personnel working on the LDBS to report and raise any issues that arise that may have an environmental impact.

An incident that causes or threatens material harm is required to be reported to DPHI as per Condition C4 of Part 3 of the Consent. Material harm is defined by the Definitions section of SSD 8889679 as:

- An incident that involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial;
- results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment. Note: The definition of Material Environmental Harm has been amended in the POEO Act to 'actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$50,000 (or such other amount as is prescribed by the regulations)' (Part 5.7 Section 147(1)(ii)). AGLM are currently undertaking a review of existing consents including SSD 8889679 to bring them into consistency with recently amended legislation (including the POEO Act).

Should there be a concern that an incident causing material harm has occurred, the following steps will be undertaken:

1. Site Supervisor is to be notified.
2. Site supervisor contacts the Environment Manager/Environment Advisor **immediately**
3. The Environment Manager (or delegate) will assess the nature and scope of the incident. If the incident has breached the definition of material harm, DPHI, (and any other relevant stakeholders including the EPA) will be notified immediately in writing via the Major Projects Portal. For pollution incident which require notification to the EPA, the EPA will be called directly on 131 555.

A written incident notification must include the following information as per Appendix 4 of the consent:

- identify the development and application number;
- provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
- identify how the incident was detected;
- identify when the applicant became aware of the incident;
- identify any actual or potential non-compliance with conditions of consent;
- describe what immediate steps were taken in relation to the incident;
- identify further action(s) that will be taken in relation to the incident; and
- identify a project contact for further communication regarding the incident

Within 30 days of the date on which the incident occurred or as otherwise agreed to by DPHI, AGLM will provide DPHI (and any relevant public authorities) with a detailed report on the incident addressing all requirements below:

- a summary of the incident;
- outcomes of an incident investigation, including identification of the cause of the incident;
- details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
- details of any communication with other stakeholders regarding the incident

Where an authorised officer of the EPA suspects on reasonable grounds that an event has occurred at the premises or in relation to vehicles or mobile plant cause material harm to the environment, a written report must be provided to the EPA. The contents of the report are outlined in condition R3 of EPL 2122.

AGLM are also required to notify the EPA of any exceedances of any emission or concentration limit included as a condition of this EPL 2122 no later than 5 days after becoming aware of any exceedance. Further details are described in the Soil and Water Management Plan.

4.5.2. Emergency response

A LDBS-specific Emergency Plan has been prepared in accordance with Condition B5 of the Development Consent. AGLM currently maintains a site-wide Emergency Response Plan for Liddell and Bayswater. Despite the LDBS having a standalone Emergency Plan support from AGLM Emergency Response Teams may be required in the event of an emergency.

Any environmental emergency or incident will be notified to the Site Supervisor and Environment Manager who will notify the relevant emergency services or regulatory authorities where applicable. Table 5 identifies emergency contacts relevant to the LDBS.

Table 5 Emergency contacts

Contact	Name / type of emergency	Primary contact
EPA Pollution Line	Environmental incident notification	131 555 (hotline) or (02) 4908 6800 (Newcastle office)
Fire Brigade	Emergency	000
	NSW Rural Fire Service	(02) 6575 1200 (Hunter Valley office) (02) 8741 5555 (Headquarters)
Police	Emergency	000
	Muswellbrook Police Station	(02) 6542 6999

Contact	Name / type of emergency	Primary contact
Ambulance	Life threatening situations	000
	Non-life threatening situations	131 233
State Emergency Service	Assistance during flood and storm emergencies	132 500
NSW Poisons Information Centre	Bites, stings and poisons	131 126
WIRES wildlife rescue	Injured wildlife	1300 094 737

4.5.3. Pollution Incident Response Management Plan (PIRMP)

Liddell Power Station maintains a PIRMP in accordance with Condition O4 of EPL 2122 which provides a detailed description of the action to be taken, immediately after a pollution incident, to reduce or control any pollution. It addresses the environmental, human, and life safety aspects of pollution incidents within the EPL. The PIRMP applies to all employees, contractors, their subcontractors, and visitors to the site.

Protocols within the PIRMP must be implemented in the event of any pollution incident in addition to any other site procedures and process that are triggered by an event.

The key pollution hazards related to the LDBS include spills, leaks, fire and emissions resulting in air, water, or land contamination.

5. Community and stakeholder consultation

5.1. Overview

AGLM will tailor consultation, cooperation and coordination of relevant environmental aspects and ensure that the relevant key stakeholder considers are incorporated into the LBBAWP, as required. AGLM will also ensure that general public enquiries and complaints are handled and responded to appropriately.

AGLM maintains a public website that contains information regarding operations and current projects and is updated by the Environment Manager and Communications Manager as required. The website also contains contact details to submit enquiries and complaints.

AGLM maintains a stakeholder consultation standard which applies to all activities (e.g., new development, expansions of existing infrastructure, and ongoing operations). The standard requires AGLM to:

- Conduct consultation with stakeholders, including government groups, asset owners, local community groups, businesses, residents, and local media
- Establish constructive working relationships and communication channels with stakeholders
- Consider Aboriginal cultural heritage issues in the consultation process
- Seek community feedback
- Provide regular updates to interested communities on the progress of projects.

5.2. Stakeholder consultation

SEARs for the LBBAWP were issued on 23 September 2020. The SEARs required that AGLM undertake an appropriate and justified level of communication with relevant parties during the preparation of the EIS, including:

- Local, State and Commonwealth government authorities
- Relevant Aboriginal stakeholders, including Local Aboriginal Land Councils (LALCs)
- Utilities and service providers
- Members of the public including any relevant community groups and adjoining and affected landowners.

The EIS describes the consultation that was carried out, identifies the issues raised during this consultation, and explains how those issues were addressed.

Following lodgement of the EIS, the LBBAWP (including EIS) was exhibited for interested parties and individuals to provide comments and indicate whether they support or object to the project. These responses were collected following exhibition and responded to in the form of a Response to Submissions report.

5.2.1. Community consultation

Liddell and Bayswater have been an established part of the Upper Hunter community since the 1970's and 1980's respectively and have developed strong community relationships during this time. AGLM maintains a community reference group known as the AGL Macquarie Community Dialogue Group which meets quarterly. Membership of this group includes representatives from the surrounding community interest groups, Muswellbrook Shire Council, Singleton Council and Upper Hunter Shire Council, local business chambers and local Indigenous stakeholder groups.

No concerns have been brought forward by the community on the LDBS stage to date. Quarterly meetings will continue to be held with the AGLM Community Dialogue Group, and all concerns and complaints will be addressed at the meeting, and written responses will be provided to the group within one week.

AGLM also made contact with the following community groups that had previously expressed an interest in operations at the Site:

- Environmental Justice Australia
- Hunter Community Environment Centre
- Hunter Environment Lobby Inc.
- Nature Conservation Council of NSW
- Beyond Zero Emissions.

5.2.2. Government authority consultation

Throughout the planning phase of the LBBAWP, AGLM consulted with various government authorities and agencies, and will continue to do so during construction and operation as required.

A summary of agencies who provided comments throughout the planning phase is provided below:

- Biodiversity Conservation Division (now Conservation Programs, Heritage and Regulation Group)
- Crown Lands
- Dams Safety NSW
- Department of Planning, Industry and Environment - Hazards Group (now Department of Planning, Housing and Infrastructure)
- Department of Planning, Industry and Environment – Water (now Department of Planning, Housing and Infrastructure)
- Department of Primary Industries - Agriculture
- Environment Protection Authority
- Fire and Rescue NSW
- Geological Survey of NSW - Mining, Exploration and Geoscience
- Heritage Council of NSW
- Heritage NSW
- Muswellbrook Shire Council
- NSW Rural Fire Service
- Singleton Council
- Subsidence Advisory NSW

- Transport for NSW.

5.2.3. Indigenous stakeholder engagement

Indigenous stakeholder engagement and involvement is important for the identification of cultural values of the land on which the project is located and its surrounds. Indigenous stakeholder consultation was carried out in four stages during the preparation of the EIS, from August 2020 to January 2021.

AGL recognises the Aboriginal and Torres Strait Islander peoples as the Traditional Owners of the lands on which we work, and we acknowledge those communities' continuing connections to their lands, waters and cultures. It always was and always will be, Aboriginal land.

AGL have prepared a Reconciliation Action Plan (RAP) which aims to build upon the vision for a unified and inclusive Australia where Aboriginal and Torres Strait Islander peoples are respected and have equal voice, rights and opportunities for prosperity. The RAP commits AGL to certain actions and provides a detailed framework for Aboriginal and Torres Strait Islander engagement and reconciliation.

The RAP can be found on AGL's website [here](#).

5.3. Complaints handling

AGLM's Community Complaints and Feedback Policy outlines AGLM's commitment to the effective management of complaints and resolution of disputes for all existing and planned projects. AGLM aim to come to an early resolution on all feedback for complaints.

Community complaints can be made through the following channels:

AGL Complaints and Enquiries Hotline: 1800 039 600

Email: AGLCommunity@agl.com.au

Mail: AGL Community Complaints and Enquiries
Locked Bag 14120 MCMC
Melbourne VIC 8001

In the event of an in person complaint on site, all staff are to direct all community complaints to the Environment Manager, who will liaise with the Government and Community Relations team to provide a response. Upon provision of response to the complainant, the details of the case will be recorded in the Community Complaints Register as soon as possible.

For urgent feedback, AGLM will endeavour to provide a resolution within 24-hours. If the complaint is not urgent, AGLM target feedback to the complainant or enquirer within five days for standard feedback, and 30 days for complex feedback.

Where the complainant or enquirer does not consider their feedback resolved, AGLM will escalate the issue to the Senior Manager of Government & Community Relations, who will respond to urgent, standard, and complex feedback. Where required, the Senior Manager of Government & Community Relations may consult with and bring in an independent third-party (e.g. technical expert, mediator) to assist with the investigation or resolution. If this does not lead to resolution, the complainant or enquirer may refer the matter to an independent external body (e.g. NSW Land and Water Commissioner, State Planning Departments, Tribunals and Courts), and AGLM will cooperate with the requirements and processes dictated by the external body.

5.4. Development Consent consultation requirements

Development consent SSD-8889679 specifies certain plans and other documentation that require consultation prior to approval by the Planning Secretary. These plans are summarised in Table 6.

In accordance with Condition A7, 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, if the Secretary agrees.

Where consultation is required, each document will clearly outline the consultation requirements and provide details of communication with the relevant party, the outcomes, and where they are addressed in that document.

Table 6 EMS consultation requirements of the development consent

Condition	Plan/ other document	Party required to be consulted	Application
B8	Biodiversity Management Plan (BMP) (AECOM, 2023)	Biodiversity, Conservation and Science Directorate (BCS) (now CPHR)	Applies to LDBS
B10	Retirement of biodiversity credits	BCS (now CPHR)	Applies to LDBS
B11	Amendments to the ecosystem and species credit requirements	BCS (now CPHR)	Applies to LDBS
B19 and B20	Aboriginal heritage unexpected finds	Heritage NSW and Registered Aboriginal Parties	Applies to LDBS
B22	Aboriginal Cultural Heritage Management Plan (ACHMP) (AECOM, 2023)	Heritage NSW and Registered Aboriginal Parties	Applies to LDBS

5.4.1. Ongoing consultation

Biodiversity

The draft Biodiversity Management Plan (AECOM, 2023) was submitted to BCS for review on 21 March 2023. A copy of BCS's response is provided in Appendix A of the BMP.

As construction of the site has been completed, it is not expected that AGLM will require further consultation with CPHR (formerly BCS).

Heritage

The draft Aboriginal Cultural Heritage Management Plan (AECOM, 2023) was distributed to all RAPs listed in Table 3 of the ACHMP on 24 February 2023 for consultation and comment.

A copy of the RAP correspondence and Heritage NSW's response is provided in Appendix B and Appendix C of the ACHMP

As detailed in Section 5.5 of the ACHMP, notification will be provided in writing to RAPs and Heritage NSW in the following instances:

- there are significant changes to approved operations at the site resulting in potential implications for Aboriginal heritage management
- there is a discovery of an Aboriginal object/site
- there is an opportunity to participate in Aboriginal archaeological survey or salvage works (should these be required)
- there are discussions regarding the long-term management of Aboriginal heritage objects/places at the site.

Environmental Management System

A draft of this EMS was submitted to DPHI for review on 12 May 2023. The EMS was subsequently revised to reflect project modifications and the revised EMS was submitted to DPHI for review and approval. The EMS (Revision 6) was approved by DPHI on 6 June 2025. This revision (Revision 7) has been updated to reflect the Operational stage of the LDBS and is submitted to the DPHI for their review and approval (May 2026).

Any subsequent revisions to the EMS will also be submitted to DPHI for review and approval.

6. Related management plans and procedures

6.1. Aboriginal Cultural Heritage Management Plan

An ACHMP is required to be implemented in accordance with Condition B22 of SSD-8889679. The ACHMP has been prepared separately to this EMS as a standalone document. For Aboriginal heritage matters, the ACHMP should be read in conjunction with this EMS.

6.2. Biodiversity Management Plan

A BMP is required to be implemented in accordance with Condition B8 of SSD-8889679. The BMP has been prepared separately to this EMS as a standalone document. For biodiversity matters, the BMP should be read in conjunction with this EMS.

6.3. Subplans

This EMS is supported by a series of subplans which relate to the management of specific environmental aspects. These supporting subplans are summarised in Table 7 and are provided in full at the corresponding Appendix.

The Construction Noise Management Sub Plan was omitted from this revision of the EMS as no operational noise impacts were identified in the Noise and Vibration Assessment completed as part of the EIS. Out of Work Hours activities generating significant amounts of noise are not anticipated to be required during operation. As per condition B14, the *following activities may be carried out outside the recommended construction hours*:

(a) construction that causes LAeq(15minute) noise levels that are:

(i) no more than 5 dB above Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and

(ii) no more than the Noise Management Levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or

(c) for the delivery of materials required by the police or other authorities for safety reasons; or

(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

If out of hours work is required at the site outside the provisions of Condition B14, the Out of Hours Work protocol presented in Section 7.1 will be followed.

Table 7 Subplans

Subplan	Overview	Reference
Soil and Water Management Sub Plan (SWMP)	This plan summarises potential soil and water impacts from the LDBS as identified in the EIS (Jacobs 2021) and identifies the environmental management measures to be implemented to minimise soil and water impacts.	Appendix B
Air Quality Management Sub Plan (AQMP)	This plan summarises potential impacts of the LDBS on the local environment as identified in the EIS (Jacobs 2021) and identifies the environmental management measures to be implemented to minimise air quality impacts.	Appendix C
Contamination Management Sub Plan (CMP)	This plan summarises potential impacts from contamination associated with the LDBS as identified in the EIS (Jacobs 2021) and identifies the environmental management measures to be implemented to minimise contamination impacts.	Appendix D
Waste Management Sub Plan (WMP)	This plan summarises potential impacts from waste associated with the LDBS as identified in the EIS (Jacobs 2021) and identifies the environmental management measures to be implemented to minimise waste impacts.	Appendix E
Traffic Management Sub Plan (TMP)	This plan summarises potential impacts from traffic associated with the LDBS as identified in the EIS (Jacobs 2021) and identifies the environmental management measures to be implemented to minimise traffic impacts.	Appendix F

7. Other environment management measures

The management measures provided in Table 8 include other requirements from EIS, RTS or development consent SSD-8889679 which have not been captured under other management plans for the LDBS. For completeness, measures relevant to decommissioning have been included, however where they are not applicable to the operational phase they have been marked in grey. Measures identified for pre-construction have been excluded as that phase has been completed.

Table 8 Environmental management measures - other (EIS / RTS / development consent)

Reference	Environmental management measures	Responsibility	Timing
GEN01	At least two weeks prior to the commencement of the following activities, AGLM must notify DPHI in writing of the date of: <ul style="list-style-type: none"> (i) physical commencement of the development (ii) pre-construction activities (iii) construction of the battery energy storage system (iv) decommissioning. 	AGLM	Two weeks prior to decommissioning
GEN02	Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, AGLM will notify the DPHI via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase. If any of these phases of the development are to be staged, then AGLM must notify the DPHI in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	AGLM	Operation
GEN03	All demolition work on site will be carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version	AGLM Decommissioning Contractor	Decommissioning
GEN04	The battery energy storage system or systems associated with the development will not exceed a total delivery capacity of 500 MW or a storage capacity of 2 GWh	AGLM	Operation
NAH1	Should any historical archaeological remains be discovered during construction, all works will stop, the area cordoned off and a heritage	AGLM	Decommissioning

Reference	Environmental management measures	Responsibility	Timing
	<p>professional engaged to examine and advise on the significance of the archaeological finds.</p> <p>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.</p>	Decommissioning Contractor	
NAH2	<p>In the unlikely event that human remains are uncovered, all work must cease immediately in the vicinity of the remains and the area cordoned off. The local NSW Police must be notified, who would make an initial assessment as to whether the remains are part of a crime scene, or Aboriginal remains.</p> <p>If the remains are thought to be Aboriginal, Heritage NSW must be contacted as per AH4.</p>	<p>AGLM</p> <p>Decommissioning Contractor</p>	Decommissioning
V4	Limit the area of disturbance during construction (decommissioning) where possible.	<p>AGLM</p> <p>Decommissioning Contractor</p>	Decommissioning
V5	Mitigation tree and shrub planting will be considered to visually integrate the Project within the surrounding landscape.	<p>AGLM</p> <p>Decommissioning Contractor</p>	Decommissioning
V6	<ul style="list-style-type: none"> All construction plant, equipment, waste and excess materials will be contained within the designated boundaries of the work site and will be removed from the site following the completion of construction Stockpiles will be stabilised to prevent erosion by wind and water and avoid the development of dust plumes adversely impacting air and visual quality On completion of the work disturbed areas will be stabilised and rehabilitated 	<p>AGLM</p> <p>Decommissioning Contractor</p>	Decommissioning
V7	Offsite visual and lighting will be minimised	<p>AGLM</p> <p>Decommissioning Contractor</p>	Decommissioning

Reference	Environmental management measures	Responsibility	Timing
V8	Advertising signs or logos will not be mounted on site, except where this is required for identification or safety purposes.	AGLM	Operation
V9	Any external lighting associated with the development will: <ul style="list-style-type: none"> be installed as low intensity lighting (except where required for safety or emergency purposes) not shine above the horizontal comply with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version. 	AGLM	Operation
SE2	Opportunities to maximise the use of local suppliers, labour and businesses in the provision of goods and services for construction will be identified	AGLM Decommissioning Contractor	Decommissioning
SE3	Consultation with local tourist accommodation providers should be carried out to identify peak tourist periods and consider timing of these periods in the planning of non-time-critical construction activities	AGLM Decommissioning Contractor	Decommissioning
I2	AGLM will consult with Ausgrid as the network provider responsible for other onsite supply regarding continued supply	AGLM Decommissioning Contractor	Decommissioning
NV1	The CEMP (decommissioning environmental management plan) would identify Project construction activities with the potential to have noise impacts and the controls required to avoid, minimise and 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.	AGLM Decommissioning Contractor	Decommissioning
NV2	Working hours will adhere to Development Consent Conditions B13 and B14	AGLM Decommissioning Contractor	Decommissioning
NV3	All plant and equipment used on site or in connection with the BESS Project will be	AGLM	Decommissioning

Reference	Environmental management measures	Responsibility	Timing
	maintained and operated in a proper and efficient condition.	Decommissioning Contractor	
NV4	Quieter and less vibration-emitting construction methods will be used, where reasonable and feasible	AGLM Decommissioning Contractor	Decommissioning
NV5	Only necessary equipment will be on-site, and all equipment will be turned off when not in use	AGLM Decommissioning Contractor	Decommissioning
NV6	Routine monitoring will be completed to evaluate construction noise levels and evaluate whether the mitigation measures in place are adequate or require revision.	AGLM Decommissioning Contractor	Decommissioning
NV7	Vehicle movements, including deliveries outside standard hours, will be minimised and avoided where reasonable and feasible	AGLM Decommissioning Contractor	Decommissioning
NV8	All plant and equipment will be well maintained, fitted with silencing devices and operated in an efficient manner	AGLM Decommissioning Contractor	Decommissioning
NV9	Only the necessary size and powered equipment will be used for tasks	AGLM Decommissioning Contractor	Decommissioning
NV10	Training will be implemented to induct staff on noise sensitivities	AGLM Decommissioning Contractor	Decommissioning
NV11	The application of less intrusive alternatives to reverse beepers, such as 'squawker' or 'broadband' alarms, will be considered	AGLM Decommissioning Contractor	Decommissioning
NV12	Simultaneous operation of two or more noisy plant close to receivers will be avoided, where reasonable and feasible. The offset distance between noisy plant and sensitive receivers will be maximised	AGLM Decommissioning Contractor	Decommissioning

Reference	Environmental management measures	Responsibility	Timing
NV13	Traffic flow, parking and loading/unloading areas will be planned to minimise reversing movements	AGLM Decommissioning Contractor	Decommissioning
NV14	Noisy activities will be concentrated at one location and moved to another as quickly as possible	AGLM Decommissioning Contractor	Decommissioning
NV15	Works will be scheduled to occur at different times of the day to prevent multiple noisy activities from taking place at the same time, where reasonable and feasible	AGLM Decommissioning Contractor	Decommissioning
NV16	Works will be scheduled to take place at different locations on site to prevent noisy activities from taking place near one another, where reasonable and feasible, to limit the amplification of noise	AGLM Decommissioning Contractor	Decommissioning
NV17	All noise and vibration complaints related to the LDBS will be investigated as per Section 5.3. Noise monitoring may be undertaken if required to verify the complaint.	AGLM	Operation

7.1. Out of hours work policy

7.1.1. Construction hours

Most construction work will be undertaken during standard construction hours, which are defined as:

- 7:00 am to 6:00 pm, Monday to Friday
- 8:00 am to 1:00 pm on Saturday
- At no time on Sundays or Public Holidays.

However, the following activities may be carried out outside the recommended construction hours in accordance with Development Consent Conditions B14:

(a) construction that causes LAeq(15minute) noise levels that are:

(i) no more than 5 dB above Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and

(ii) no more than the Noise Management Levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; or

(c) for the delivery of materials required by the police or other authorities for safety reasons; or

(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

To avoid unnecessary impacts on nearby sensitive receivers, where Out of Hours Work (OOHW) occurs, it will be undertaken in accordance with this OOHW Protocol.

7.1.2. Justification of OOHW

Any work proposed to be undertaken out of standard construction hours, excluding those listed under Condition B14, will require justification as to why the work needs to be undertaken as OOHW.

The following reasons may justify why work is required to be undertaken outside of standard construction hours, however, reasons are not limited to the below:

- Works predicted to cause noise levels that will not exceed Noise Management Levels
- Ensuring the safety of construction personnel
- Ensuring public safety
- In the event of an emergency to prevent environmental harm
- Minimising disruption to road network users.

7.1.3. OOHW application and approval

Prior to undertaking OOHW, an OOHW application will be prepared by the AGLM. The OOHW application will include a description of the works planned, including timing (start/end), activities, location, plant/equipment and predicted noise levels.

Where noise levels are expected to exceed Noise Management Levels (refer to Section 6.1), a Construction Noise Impact Statement will be prepared and submitted with the OOHW application. The CNIS will assess any potential noise impacts from the works and recommend any additional mitigation measures which may be required.

7.1.4. Construction Noise Impact Statement

Where works are expected to exceed the Noise Management Levels identified in Section 6.1, a Construction Noise Impact Statement should be prepared. All OOHW must also be supported by a Construction Noise Impact Statement. Each Construction Noise Impact Statement should:

- Detail the scope of works covered by the Construction Noise Impact Statement
- Detail the nearest noise and vibration-sensitive receivers
- Provide justification for any OOHW, if required
- Provide the noise objectives and criteria
- Detail the predicted noise impacts
- Provide appropriate noise and vibration management measures and monitoring requirements.

7.1.5. Application of mitigation measures

When the OOHW application has been reviewed and approved by AGLM, any specific conditions that relate to the OOHW are to be:

- Actioned for implementation (such as any additional notification to the community)
- Tool-boxed to relevant workforce and site personnel before each shift to introduce/reinforce works restrictions, management measures and expected workforce behaviour
- Implemented during works and monitored by tAGLM/Contractor.

7.1.6. Community notifications

Community notifications will be used to inform potentially impacted receivers of potential noise impacts. Impacted receivers will be notified at least five days prior to the commencement of any works associated with the activity that may exceed Noise Management Levels during standard construction hours or OOHW and/or prior to any OOHW commencing. This excludes activities specified in Development Consent Conditions B14. The notification will be via letter-box drop and will provide details of the:

- Proposed work
- Construction period and construction hours
- Contact information for proposal management staff
- Complaint and incident reporting
- How to obtain further information.

8. Monitoring and auditing

AGLM will ensure the LDBS's identified environmental aspects are consistently monitored and any deviation from planning control programs are identified and corrected in an effective manner.

8.1. Monitoring

Regular inspections of the LDBS area will be carried out to ensure environmental controls and required processes are being implemented appropriately and are being maintained. A summary of the monitoring schedule is provided in Table 9. Where a visual inspection identifies hazards, risks or items requiring address, they will be raised as a notification in the work management system or in myHSE (if the issue poses risk to health, safety or the environment).

Table 9 Other monitoring activities from subplans

Type of monitoring	Frequency	Responsibility	Records
Soil and Water			
Water quality monitoring prior to discharge from Point 27 as required by EPL 2122	As required	AGLM	Monitoring records
Drainage infrastructure inspection <ul style="list-style-type: none"> Inspection of drainage infrastructure to confirm that it is clean, maintaining capacity and that no erosion is occurring. General site inspection to identify any erosion or sedimentation issues 	Monthly	AGLM	Inspection checklist
Inspection of liquids and chemicals storage areas (ensure lids are on, correctly stored in cabinets/bunded areas, no spills, spill kit is near and adequately stocked)	Weekly	AGLM	Inspection checklist
Adverse weather event inspection to ensure that control measures are effective and have adequate capacity, and that disturbed areas (if present) have adequate controls in place to minimise erosion and sediment dispersion.	As required	AGLM	Visual inspection
Inspection to confirm that the capacity of the discharge basin is reinstated following a rainfall event that has caused runoff to occur on or from the premises.	Following heavy rainfall / discharge	AGLM	Visual inspection
Air quality			
There will be no operational monitoring associated with the LDBS.	N/A	N/A	N/A
Contamination			
No monitoring is proposed for the operational phase of the LBES. Where potentially contaminated material is discovered, the unexpected finds procedure in Contamination Sub-Plan will be applied.	N/A	N/A	N/A
Waste			
Environmental inspection	Weekly	AGLM	Inspection checklist

<ul style="list-style-type: none"> • Site is neat, tidy and free of litter • Bins are not overflowing and are in good condition. • Wastes are separated by type and are in appropriate containers • Quantities of stored materials are appropriate based on operational requirements 			
Traffic			
There will be no operational monitoring associated with the LDBS.	N/A	N/A	N/A
Biodiversity			
<p><u>Pre-clearance inspection</u></p> <p>An inspection of native vegetation to be impacted to confirm the absence of fauna species.</p> <p>Written notification will be provided to CPHR following implementation of pre-clearance and clearing protocols advising of any fauna observed or injured.</p> <p>Note: Operational activities would be undertaken within the operational footprint which has been cleared of native vegetation. In any extreme circumstances where clearing is required or during the maintenance of the asset protection zone, a Ground and Vegetation Disturbance approval will be sought before any works could commence. The GVDA approval will identify the need for subject matter expert engagement.</p>	Prior to vegetation clearance works	AGLM Ecologist	Survey record
<p><u>Fauna inspections</u></p> <p>Inspection of trenches/holes (only when trenches or holes have been dug during operations – ie. Cable repairs)</p>	Each morning the trench is open	AGLM	Survey record
<p><u>Weed and Pathogens</u></p> <p>Inspection of site and surrounds for presence of weeds.</p>	Monthly	AGLM	Visual inspection
<p><u>Weeds and Pathogens</u></p> <p>Inspection of vehicles for attached soil and other vectors for the transport of weeds and/or pathogens into and out of the construction area.</p> <p>Hygiene protocols should adhere to Protocols to protect priority biodiversity areas in NSW from <i>Phytophthora cinnamomic</i>, myrtle rust, amphibian chytrid fungus and invasive plants (DPIE, 2020).</p>	During the movement of earthmoving machinery in and out of the site	AGL	Visual inspection

<p><u>Site rehabilitation</u></p> <p>Inspection of the success of rehabilitation measures. This includes monitoring for weed growth, success of any revegetation and inspection of restored habitat. Where necessary this will include rectification of issues e.g. removal of emerging weeds, replanting of any planted vegetation that has died off</p> <p>Note: applicable to land within the operational footprint disturbed during construction.</p>	<p>Monthly inspections for the first 12 months of operations on areas disturbed in construction</p>	<p>AGLM</p>	<p>Visual inspection</p>
Aboriginal Heritage			
<p>No specific monitoring requirements are proposed as part of the ACHMP.</p> <p>However, potential impacts would be managed in accordance with the management measures listed in Section 4 of the ACHMP, which includes an 'unanticipated finds protocol'</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>

Records will be kept of all environmental monitoring, management and corrective actions undertaken during operation of the LDBS. Records will include information on the environmental performance and will include the following details, where relevant:

- Incidents or non-compliances with environmental obligations and legislative requirements
- Deficiencies in the standard of environmental performance
- Environmental management or corrective action required
- Complaints associated with construction activities
- Any other relevant issue.

Figure 4 depicts the location of environmental monitoring points across the AGL Macquarie site. Monitoring is carried out at these locations to ensure LDBS adheres to environmental performance requirements of EPL 2122 under the POEO Act

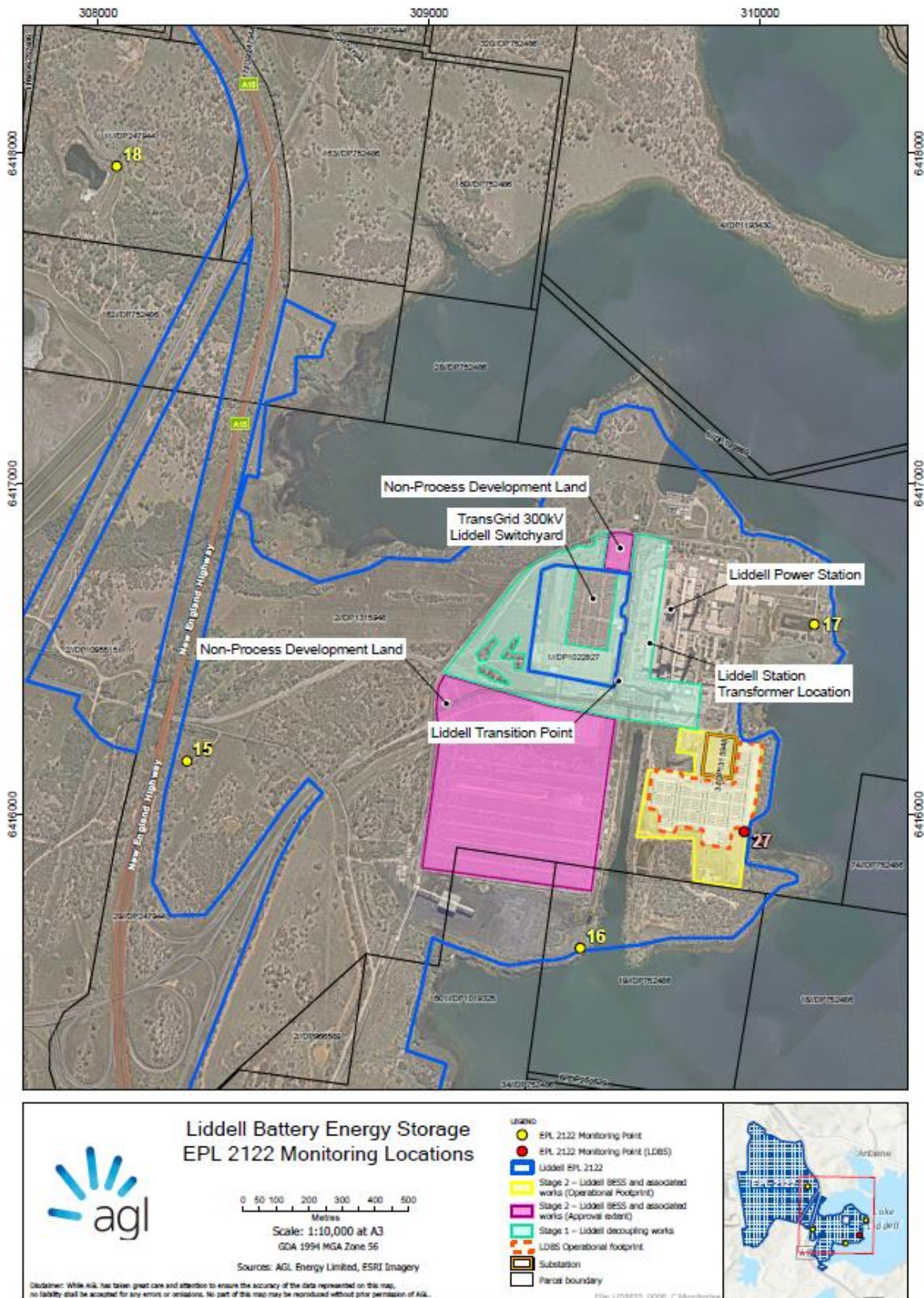


Figure 4 AGLM monitoring locations

8.2. Internal auditing

AGL implements an enterprise wide internal audit schedule against the requirements of the HSEMS on a financial year basis. LDBS is included in these audits, with records of audit and corrective action close out being kept by the HSE Risk, Governance and Assurance team. All non-conformances identified are to be recorded and reviewed to ensure action is taken.

8.3. Independent auditing

Independent (external) environmental audits are required for the LDBS. Conditions C13-C18 of Development consent SSD-8889679 outline the requirements for independent environmental audits. Independent audits must be carried out in accordance with the requirements outlined in the Independent Audit Post Approval Requirements (Department of Planning, Industry and Environment (DPIE), March 2026).

The proposed independent auditor must be endorsed by the Planning Secretary prior to the commencement of an independent audit.

The frequency of independent audits will, at a minimum, follow the requirements from Table 1 of the Independent Audit Post Approval Requirements (DPIE, 2026) as presented in Table 10. The Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified Table 10, upon giving at least 4 weeks' notice.

Table 10 Independent audit frequency

Phase	Initial independent audit	Ongoing independent audits intervals
Construction	Within 12 weeks of the commencement of construction (requirement satisfied)	At intervals, no greater than 26 weeks from the date of the initial Independent Audit or as otherwise agreed by the Secretary (requirement satisfied) Final construction audit required within one month of completion of construction.
Operation	Within 12 to 26 weeks of the commencement of operation	At intervals, no greater than 3 years or as otherwise agreed to or directed 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

AGLM will review and respond to each Independent Audit Report. The Independent audit and response will be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection. The Independent Audit Report and AGLMs response must also be made publicly available within 60 days of submission to the Planning Secretary.

9. Compliance and reporting

Conditions C4-C11 of development consent SSD-8889679 outline the requirements for incidents, non-compliance and compliance notifications and reporting.

9.1. Non-compliance notification

All non-conformance and non-compliance must be entered into myHSE and managed in accordance with the Incident, Near Miss and Hazard Management Standard AGL-HSE-STD-011.1 . Section 4.5 provides further detail on incident response and reporting.

The Secretary must be notified in writing via the Major Projects website within seven days after AGLM becomes aware of any non-compliance. A non-compliance notification must:

- Identify the development and the application number (SSD-8889679)
- Set out the condition of approval that the development is non-compliant with
- Describe the way in which it does not comply and the reasons for the non-compliance (if known)
- List what actions have been, or will be, undertaken to address the non-compliance.

A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

9.2. Compliance register

A register of environmental compliance requirements will be used to assist with monitoring and recording compliance with requirements. The register will:

- Provide an identification number for each compliance requirement
- Identify the requirements in all SSD-8889679 conditions of consent that must be complied with during the planning and conduct of works under the contract
- Detail the monitoring methods to be used to assess compliance with each compliance requirement
- Detail the type of data or evidence that is to be collected to assess whether compliance has been achieved.

9.3. Compliance reporting

Compliance reports are required for the LDBS. Compliance reporting must be carried out in accordance with the requirements outlined in the Compliance Reporting Post Approval Requirements (DPIE, 2026). The frequency of compliance reporting will, at a minimum, follow the requirements of the Compliance Reporting Post Approval Requirements (DPIE, 2026) as presented in Table 11.

AGLM must make each compliance report publicly available within 60 days of submitting it to the Secretary, unless otherwise agreed by the Planning Secretary.

AGLM are also required to report the results of any water quality monitoring undertaken under EPL 2122 as per Condition R4.3 and R4.4 of the licence.

Table 11 Minimum frequency of compliance reporting

Compliance report	Phase	Timing	Minimum frequency
Operation compliance report	Operation Care and maintenance	Reporting required for the duration of operation or as otherwise agreed by the Secretary	At intervals, no greater than 52 weeks from the date of commencement of operation (annually) or if in care & maintenance, from the commencement date of care and maintenance (annually)
Post-decommissioning compliance report	Decommissioning	Report to be submitted to the Planning Secretary within 12 weeks of completion of decommissioning	Single report only

9.4. Corrective and preventive actions

A corrective and preventative action process will be implemented immediately following the identification of a non-compliance or non-conformance and the notification process outlined in Section 9.1.

Results of all inspections and audits will be recorded and discussed with the relevant leader for follow up and coordination of actions as necessary. Corrective actions and non-conformances identified in audits will be recorded using AGL's internal system and assigned to a nominated responsible person for timely action and close out.

The risk register will be updated to reflect significant audit/ review findings. Any environmental hazards raised are to be actioned (where possible) and recorded in AGL's Incident Management System (myHSE) or a SAP maintenance notification raised.

10. Continual Improvement and Review

10.1. Review of EMS

This EMS and all other associated plans will be regularly reviewed as part of a continual improvement process to ensure they remain current and relevant to the LDBS. All revised plans must be submitted to AGL for assessment and approval in accordance with the review process in each plan, and then submitted to the DPHI if required.

This EMS and all other associated plans will be reviewed, and where necessary, revised within three months of:

- Submission of an incident report
- Submission of an audit report
- Approval of any modification to the conditions of the Development Consent
- A direction of the Secretary.

11. Appendix A - Legislative summary

Legislation	Relevance to the Project
<i>EP&A Act & EP&A Regulations</i>	Project is a State Significant Development (SSD) under the State Environmental Planning Policy (Planning Systems) 2021, requiring assessment in accordance with Division 4.7 of the EP&A Act due to the capital investment value exceeding \$30 million. Development Consent is required for this Project.
<i>Muswellbrook Local Environmental Plan 2009</i>	Project is located within the Muswellbrook Local Environmental Plan and is zoned SP2-Infrastructure: Power Station. The Project is considered compatible with the objectives of the SP2 zone, and Principal Development Standards, Heritage Conservation, Terrestrial Biodiversity and Earthworks requirements were all addressed in the EIS prepared for this project.
<i>Stage Environmental Planning Policy (Planning Systems) 2021</i>	Applies to developments that are SSD; this project applies as the capital investment value is expected to be >\$30 million
<i>Surveying and Spatial Information Regulation 2017</i>	Required to remove or replace a permanent survey mark in accordance with Clause 90
<i>Mine Subsidence Compensation Act 1961</i>	Required for the erection or alteration of an improvement or subdivision of land within a mine subsidence district
<i>Crown Lands Management Act</i>	Lease, licence, permit, easement or right of way over a Crown Reserve
<i>Roads Act 1993</i>	Permit required for certain activities on public roads. A Roads Act approval cannot be refused if it is necessary for carrying out SSD that is authorised and is to be substantially consistent with the consent.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	The Project can be considered an expansion of an existing facility that may exceed vehicle generation thresholds to be a traffic generating facility. TfNSW has been consulted in the preparation of the SEARs for the Project and development of the EIS and the Traffic Impact Assessment
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly the State Environmental Planning Policy No 33 - Hazardous and Offensive Development)</i>	The Project involves the expansion of existing operations on a site that is appropriately zoned and isolated from sensitive receptors. The Project does not involve the use of hazardous chemicals above screening levels that would trigger consideration as potentially hazardous development. The extensive buffer lands are owned by AGL and are appropriately zoned to prevent encroachment of development incompatible with the ongoing operations of Bayswater.
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly the State</i>	Site was determined to be suitable in its current state for the project

Legislation	Relevance to the Project
Environmental Planning Policy No 55 - Remediation of Land)	
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> (formerly the State Environmental Planning Policy (Koala Habitat Protection) 2019)	The Biodiversity Development Assessment Report assessed the Project in relation to Koala habitat and concluded there is no evidence of Koala activity; no further assessment under the SEPP is required.
<i>Protection of the Environment Operations Act 1997</i> (POEO Act)	Key legislation that governs the issues of pollution, waste generation, reuse, recycling, transport, and disposal and establish a waste hierarchy. The LDBS does not constitute a scheduled activity and is therefore not subject to the requirements of the EPL.
<i>Waste Avoidance and Resource Recovery Act 2001</i> (WARR Act)	Key legislation that governs the issues of waste generation, reuse, recycling, transport, and disposal and establish a waste hierarchy
<i>Protection of the Environment Operations (Waste) Regulation 2014</i>	Outlines strict thresholds for obtaining an EPL and waste levy system. The supply of coal ash for beneficial reuse is regulated by the Coal Ash Order 2014 made under the POEO Waste Regulation.
<i>Protection of the Environment Operations Amendment (Illegal Waste Disposal) Act 2013</i>	Amendment to the POEO Act to define and restrict illegal waste disposal activities
<i>Environmentally Hazardous Chemicals Act 1985</i>	Provides the EPA with the authority to declare chemical substances as chemical wastes and to make chemical control orders relating to those substances that are declared as chemical wastes.
<i>NSW Waste Avoidance and Resource Recovery Act 2001</i>	Outlines the most efficient use of resources and to reduce environmental harm in accordance with the principles of ecologically sustainable development. The WARR Act outlines the requirement for the EPA to develop a waste strategy for the State. Chapter 18 of the EIS assesses the waste management components of the Project in relation to this Act.
<i>Contaminated Land Management Act 1997</i>	The contamination status of the site is suitable in its current state for the Project. There is a duty to notify any contamination under Section 60 of the CLM Act and this would be undertaken in the event that any previously unidentified contamination is encountered that exceeds notification thresholds.
<i>Dams Safety Act 2015</i>	Prescribed dams are regulated to ensure the safety of the structure and to minimise risk to the downstream population. The DS Act is administered through the Dams Safety NSW (DSNSW).
<i>Heritage Act 1977</i>	There are no known relics located within the study area. The impact assessment completed for the EIS provides details of the heritage items in the vicinity of the Project and the required mitigation measures to avoid any significant impacts.
<i>Biodiversity Conservation Act 2016</i>	The Biodiversity Development Assessment Report assesses the Project in relation to biodiversity and includes measures to avoid, mitigate and offset impacts to biodiversity in accordance with the BC Act and Biodiversity Assessment Method.

Legislation	Relevance to the Project
<i>Native Title Act 1993</i>	<p>Searches of the register maintained by the National Native Title Tribunal indicate there are no native title claims registered with respect to the land within the project footprint.</p> <p>Notification requirements under section 24KA of the Native Title Act 1993 apply where construction work is required on Crown land. Notification in accordance with this section will occur concurrently with the public exhibition of the EIS.</p>
<i>Crown Land Management Act 2016</i>	<p>The Crown Land Management Act 2016 provides for the ownership, use and management of Crown land in NSW. Ministerial approval is required to grant a 'lease, licence, permit, easement or right of way over a Crown Reserve'.</p>
<i>Rural Fires Act 1997</i>	<p>Consideration of possible bush fire risks is provided in Chapter 19 of the EIS.</p>
<i>Water Act 1912 and Water Management Act 2000</i>	<p>The construction and operation of the Project would not alter AGL's overall water requirements with all necessary water to be drawn from within existing entitlements. AGL currently holds a number of water access licences (WAL). As no groundwater would be abstracted during construction of the Project and harvesting of surface water is covered by existing entitlements, a new WAL or modification to existing WAL/s would not be required.</p> <p>A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the WM Act are not required for SSD.</p>
<i>Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)</i>	<p>Primary Commonwealth legislation relating to the environment. The EPBC Act Protected Matters Search Tool indicate that MNES within the area of influence of the Project are limited to biodiversity and has been included in the Biodiversity Development Assessment Report (BDAR) in the EIS.</p> <p>A referral was submitted under the EPBC Act and on 20 April 2020 and a delegate of the Commonwealth Minister for the Environment determined that the Project is a controlled action under the EPBC Act with the controlling provisions being listed threatened species and communities under sections 18 and 18A. The Project will be assessed under the Bilateral Agreement (Amending Agreement No.1, 2020) between the Commonwealth and NSW Governments.</p> <p>The assessment requirements for the Commonwealth MNES relevant to the Project were provided on 28 April 2020. These requirements have been addressed within this EIS</p>
<i>Environment Protection and Biodiversity Conservation Regulation</i>	<p>The Addendum SEARs issued for the Project require that the EIS must address the matters outlined in Schedule 4 of the EPBC Regulations in relation to the controlling provisions and is summarised in Chapter 3.20 of the EIS.</p>

12. Appendix B - Soil and Water Management Sub Plan



13. Appendix C - Air Quality Management Sub Plan

14. Appendix D - Contamination Management Sub Plan

15. Appendix E - Waste Management Sub Plan



16. Appendix F - Traffic Management Sub Plan