

Condition Reference	Context	Recommendation	Action Proposed by AGLM	By When
<b>SSD 57107216 Non-Compliance Recommendations</b>				
Schedule 2, Condition A2(d), B9, B13 NC2	Non-Compliance Report dated 09/02/26 from AGLM to DPHI, in relation to two areas totalling approximately 126 m2 being inadvertently cleared by a mulcher outside the approved development footprint.	It is recommended that AGLM conduct regular toolbox talks to communicate environmental controls to Project workers.	Regular environmental toolboxes will be completed regarding environmental controls. This will continue to occur on a monthly basis at the BESS site.	Monthly
Schedule 2, Condition B8(e) NC3	The TMP must include a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan	It is recommended that AGLM update the Site Induction to include reference to all the Conditions from the DCoC, or implement a separate procedure to ensure that relevant Project personnel are trained in DCoC obligations.	1. The Fluence Site Induction will be updated to include the full DCoC for all new personnel. Attendance records and signed acknowledgement sheets will be retained. 2. A dedicated toolbox talk covering the full DCoC will be completed for all existing site personnel. Attendance records and signed acknowledgement sheets will be retained. 3. The Fluence site familiarisation/induction process will be reviewed and if necessary updated so that the DCoC will also be formally referenced against.	1. July 2026 2. June 2026 3. July 2026
Schedule 2, Condition B27 NC4	Once prepared, the Applicant must implement the Soil and Water Management Plan (SWMP). The current offsite sampling locations in the SWMP are not accessible due to the M1 project. Alternative locations have been identified and the revised SWMP is currently being approved to address this.	It is recommended that AGLM: - Continue consultation with DPHI regarding approval of the updated water monitoring locations identified in the revised SWMP; and - Revise the SWMP Trigger Action Response Plan to clearly define when an exceedance of SWMP water monitoring parameters would trigger regulatory reporting as an incident or non-compliance.	AGLM will continue to engage with DPHI regarding the revised SWMP.  The SWMP will be revised to clearly outline when exceedances in water quality data trigger regulator reporting.	November 2026
Schedule 2, Condition B29(b) NC5	The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids. A chemical storage pod was observed to be unbundled in the laydown area	It is recommended that AGLM regularly inspect all laydown / storage areas and ensure that chemical containers are banded, and spare portable bunds available for use as required.	Fluence will undertake regular inspection of the site to ensure chemicals are stored correctly.  Fluence will ensure the site has spare portable bunds available for use at the site.  Fluence will review inspection proformas to confirm inclusion of laydown/storage areas and continue to inspect fuel storage and laydown areas in weekly inspection.	August 2026
Schedule 2, Condition B33(b), (c) NC6	The Applicant must classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version). The current waste tracking register does not classify waste by type as per the EPA's Waste Classification Guidelines 2014. Note all waste is being disposed of from the site in accordance with the Waste Classification Guidelines 2014.	It is recommended that AGLM Develop a waste tracking register to classify all Project-generated waste in accordance with the EPA's <i>Waste Classification Guidelines</i> (2014). The register should record waste descriptions, disposal facilities, disposal dates, and recyclability status.	The Fluence waste tracking register will be updated to document the waste disposed of the site, in accordance with the EPA's <i>Waste Classification Guidelines</i> (2014). Classification will be based on the disposal documents received from the waste service providers.	August 2026
<b>SSD 57107216 EIS SoCs Non-Compliance Recommendations</b>				
Commitment W-8 NC9	See recommendation against SSD 57107216 Schedule 2, Condition B29(b).			
Commitment SC-5 NC10	See recommendation against SSD 57107216 Schedule 2, Condition B29(b).			
Commitment NV-3 NC11	Current Site Induction dated March 2026 does not include a location of the nearest sensitive receivers	It is recommended that AGLM revise the Site Induction to identify the location of nearest sensitive receivers and clearly identify the current carpark(s) available to be used by construction contractors.	The Fluence site induction will be updated to include the location(s) of nearest sensitive receivers and include the locations of carparking arrangements at the site.	August 2026

Condition Reference	Context	Recommendation	Action Proposed by AGLM	By When
Commitment BF-7 NC12	Non-essential works will be postponed on days with Fire Danger Rating (FDR) of Extreme and Catastrophic. The Health and Safety Management Plan (HSMP) states that 'During a Total Fire ban general purpose hot works (such as welding, grinding or gas cutting or any activity that produces a spark or flame) are not to be done in the open.' The HSMP doesn't commit to postponing non-essential works on days with Fire Danger Rating of Extreme and Catastrophic.	It is recommended that AGLM revise the HSMP and associated Fluence Hot Works Permit form to commit to postponing non-essential works on days with Fire Danger Rating of Extreme and Catastrophic.	The Fluence HSMP will be updated to include commitment to postponing non-essential works on days with Fire Danger Rating of Extreme and Catastrophic.	August 2026
<b>SSD 57107216 Recommendations</b>				
Schedule 2, Condition B1, B2	Unless the Planning Secretary agrees otherwise, the Applicant must ensure that the: (a) development does not generate more than: (i) 50 heavy vehicle movements a day (a maximum of 33 heavy vehicle movements per hour) during construction, upgrading or decommissioning; and (ii) 12 movements of heavy vehicles requiring escort during construction, upgrading and decommissioning. The Tracking Spreadsheet does not include: ·Triggers to flag instances of where there are more than 50 movements or 12 escorted heavy vehicle movements per day during construction; ·Records of the daily total of heavy vehicle movements; ·Indication of whether heavy vehicles required escorts.	It is recommended that AGLM update the 'Heavy Vehicle Movements' Tracking Spreadsheet to include daily limit triggers as per SSD 57107216 Schedule 2 Condition B1 to improve record keeping and tracking of heavy vehicle movements.	The BESS sites heavy vehicle (HV) tracking spreadsheet will be updated to include triggers and notification process for hourly and daily HV traffic limits.	June 2026
Schedule 2, Condition B5	At the interface between the placed gravel and Old Punt Road, additional gravel placement and surface levelling appeared to be required to achieve a uniform transition. This observation was confirmed by site personnel present during the inspection. Temporary erosion and sediment controls were also in place.	It is recommended that AGLM: - Complete maintenance works on the existing site access road adjacent to Old Punt Road, to improve access for vehicles entering and leaving site; - Progress with construction of the access point off Old Punt Road and ensure that records are kept to confirm that the access point has been designed and constructed in accordance with the Austroads Guide to Road Design Guidelines, unless the Secretary agrees otherwise; and - Implement a documented process to ensure that the temporary access point and erosion and sediment controls are regularly inspected and maintained.	Note road maintenance works were completed in April 2026 to improve the interface between site entrance and old punt road. Ongoing maintenance will continue to be completed, as required.  Construction of the access point will be undertaken as per the project schedule. Progress reports (ITPs) will be maintained to ensure the road is constructed in accordance with Austroads Guidelines  A weekly documented inspection will be undertaken, and will include assessment of the condition of the access point of Old Punt Road and erosion sediment controls measure at the site entrance.	Ongoing
Schedule 2, Condition B7(b)	Current parking arrangements appear inadequate to accommodate the workforce required for the peak construction period; it is therefore recommended that this investigation proceed as a priority	It is recommended that AGLM proceed with a review of additional parking options to ensure that sufficient on-site parking capacity will be available during peak construction periods.	A review of additional parking options will be undertaken as part of the update to the Traffic Management Plan for the BESS site.  Additional parking will be available at the site following the completion of construction of the site's main construction compound.	September 2026

Condition Reference	Context	Recommendation	Action Proposed by AGLM	By When
Schedule 2, Condition B7(e)	Although vehicles exiting the site were not observed to be unclean at the time of inspection, the site includes gravel access tracks and unsealed internal areas, which can lead to Project vehicles tracking material onto the public road network, particularly during wet weather conditions. As such, it is recommended that the AGLM implement mitigation measures in accordance with the TMP.	It is recommended that AGLM implement the use of street sweepers and a wheel wash to ensure that the potential for material to be tracked onto the public road network by Project vehicles is minimised, in accordance with the TMP.	A street sweeping contractor has been engaged to maintain Old Punt Rd when required, a rumble grid has been installed at the site entrance, and a mobile wheel wash is available for use when required.  Implementation of these controls is ongoing.	Ongoing
Schedule 2, Condition B8(c)	The Traffic Management Plan (TMP) must include measures for managing light vehicle peak numbers, including employee use of shuttle bus service, carpooling or ride sharing by employees; Section 3.4.2 of the Traffic Management Plan outlines the workforce arrangements and a commitment that that 20% of the peak workforce will carpool.	It is recommended that AGLM implement procedures to track what percent of the workforce is carpooling during peak construction periods, or review the TMP to reflect current site practices.	A review of carpooling and alternative options will be undertaken as part of the update to the Traffic Management Plan.	September 2026
Schedule 2, Condition B8(d)	An observation was made to improve training regarding the Drivers Code of Conduct (DCoC) contained in the Traffic Management Plan	It is recommended that AGLM ensure drivers working on the development receive training on the DCoC as approved under TMP Stage 1, and that documented evidence of this training is retained.	The Fluence Site Induction will be updated to include the full DCoC for all new personnel. Attendance records and signed documentation will be maintained.  A dedicated toolbox talk covering the full DCoC will be completed for all existing site personnel. Attendance records and signed acknowledgement sheets will be retained.  The site familiarisation/induction process will be reviewed and if necessary updated so that the DCoC will also be formally referenced.	August 2026
Schedule 2, Condition B19	An observation was made that whilst dust was being managed effectively, an improvement opportunity was identified to track and record control measures implemented by the project during high wind events.	It is recommended that AGLM retain and implement a register to record actions taken to minimise dust generation on site (e.g. suspending or modifying operations during high wind events), to demonstrate ongoing compliance with the management measures outlined in the CEMP.	AGLM will develop and implement a register to record actions taken to minimise dust generation at the site.	August 2026
Schedule 2, Condition B20	The Fluence Weekly Inspections do not include a check for whether there are visual impact issues and visual impact management is not addressed within the Site Induction. This may become increasingly important as construction continues and infrastructure is progressively installed.	It is recommended that AGLM: <ul style="list-style-type: none"> <li>- Update the Site Induction to include content on measures to minimise visual impacts of the Project; and</li> <li>- Update the site inspection program to include a check that visual impacts are being minimised.</li> </ul>	AGLM will : Update the Site Induction to include content on measures to minimise visual impacts of the Project; and  Update the site inspection program to include a check that visual impacts are being minimised..	August 2026
Schedule 2, Condition B28, B31	The Applicant must prepare and submit to the satisfaction of the Planning Secretary, and send to FRNSW, a Fire Safety Study.	It is recommended that AGLM consult with DPHI to clarify when the Project Fire Safety Study and Emergency Response Plan (ERP) will be required to be submitted to DPHI given Fire and Rescue NSW (FRNSW) will not approve submission of the Fire Safety Study (FSS) prior to commencing Stage 3 of construction.	AGLM will continue to consult with DPHI regarding the FSS and ERP.	Ongoing
Schedule 2, Condition B29(a)	The designated refuelling area, comprising compacted gravel, was inspected and appeared to be maintained, however it lacked signage identifying it as a refuelling area	It is recommended that AGLM install appropriate signage on the dangerous goods storage container to clearly indicate its contents, and at the designated refuelling area to identify it as such.	AGLM will install appropriate signage on the dangerous goods storage containers and the refuelling area.	August 2026

Condition Reference	Context	Recommendation	Action Proposed by AGLM	By When
Schedule 2, Condition B30	A general observation was made to implement the BRAMP and fire control system in the BRAMP when required.	It is recommended that AGLM: <ul style="list-style-type: none"> <li>- Install a 20,000 litre water supply tank(s), fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection prior to the operational phase; and</li> <li>- Implement the BRAMP dated 22/05/26, as finalised following the completion of the audit period.</li> </ul>	AGLM will construct two 75 KL water tanks, installed with appropriate fittings prior to the commencement of the operational phase.  The BRAMP will be implemented as per the schedule contained within the document.	Actions implemented as per timing outlined within the BRAMP.
<b>SSD 57107216 EIS SoCs Recommendations</b>				
Commitment SI-4	An observation was made to include the principles of Crime Prevention Through Environmental Design (CPTED) will be applied at the construction site.	It is recommended that AGLM ensure that the principles of Crime Prevention Through Environmental Design (CPTED) are applied to the construction site layout and that evidence for the application of the CPTED principles is retained in design documentation.	It is noted that security coverage is present at the site during the construction phase.  Operational security details for the site are currently in development. Once finalised, security infrastructure, systems, and processes will be implemented in accordance with defined construction and operational timelines.	Ongoing
Commitment AQ-2	The Risk Register includes consideration of hazards associated with dust generation, however it does not include opportunities to reduce fuel emissions such as use of hybrid vehicles, green fleet vehicles or newer models, or use of diesel particulate filters.	It is recommended that AGLM include consideration of opportunities to reduce fuel emissions within the next review of the site Risk Register.	The Fluence Risk Register will be reviewed and updated to include opportunities to reduce fuel emissions such as use of hybrid vehicles, green fleet vehicles or newer models, or use of diesel particulate filters.	August 2026
Commitment BF-1	See recommendation against SSD 57107216 Schedule 2, Condition B30(a).			
Commitment AQ-1	See recommendation against SSD 57107216 Schedule 2, Condition B19.			