Biodiversity Management Plan

Wellington South Battery Energy Storage System

25 June 2025

Biodiversity Management Plan
Wellington South Battery Energy Storage System

AE1229

June 2025

Document Control			
Issued to			
Ecosite – 13.3.2025			
Prepared by		Reviewed by	Approved by
Jane Book		Jane Book/Lucca Brozler	
Previous versions			
Version:	V1.0	13 March 2025	Draft to Ecosite
	V1.2	1 April 2025	Updated with comments
	V1.3	16 May 2025	Update with CPHR comments
	V2.0	20 May 2025	Draft for submission to DPHI
	V2.1	28 May 2025	Minor edits
	V2.2	25 June 2025	Update with DPHI comments

Contents

Tables

Figures

Abbreviations

ACHMP	Aboriginal Cultural Heritage Management plan
AES	Accommodation and Employment Strategy
AMPYR	AMPYR Australia Pty Ltd
BCD	former Biodiversity Conservation Directorate
BESS	battery energy storage system
BMP	Biodiversity Management Plan
BoP	balance of plant
CEMP	Construction Environmental Management Plan
CPHR	Conservation Programs, Heritage and Regulation Group (part of DCCEEW)
CoC	condition of consent
DC	development consent
DCCEEW	Department of Climate Change, Energy, the Environment and Water (NSW)
DECC	Department of Environment and Climate Change (former)
DGs	dangerous goods
DPE	Department of Planning and Environment (DPE)
DPIE	Department of Planning, Industry and Environment (now and formerly DPE)
DPHI	Department of Planning, Housing and Infrastructure (Formerly DPIE)
DRC	Dubbo Regional Council
EIS	environmental impact statement
EMP	environmental management plan
EMS	environment management strategy
EPA	Environment Protection Authority
EPC	engineering, procurement and construction
ESCP	Erosion and Sediment Control Plan
FRNSW	Fire and Rescue NSW
HSE	health, safety and environment
HSEMP	health, safety and environmental management plan
IFC	Issued for Construction
km	kilometre
kV	kilovolt
LGA	local government area
Lumea	commercial arm of Transgrid
MW	megawatt

NEM	National Energy Market
NSW	New South Wales
NSW RFS	NSW Rural Fire Service
OEMP	Operational Environmental Management Plan
POEO Act	*Protection of the Environment Operations Act 1997*
RAP	registered aboriginal party
RtS	response to submissions
SEPP	state environmental planning policy
SSD	State Significant Development
SWMP	Soil and Water Management Plan
TBD	to be determined
TfNSW	Transport for NSW
TG	Transgrid
TMP	traffic management plan

1 Introduction

AMPYR Australia Pty Ltd (AMPYR) (The Principal) have received approval to develop, construct and operate the Wellington South Battery Energy Storage System (WSBESS or the project) State Significant Development (SSD) 27014706 dated 22 December 2023. The project is located approximately 2.2 kilometres (km) north-east of the township of Wellington in the Dubbo Regional Council local government area (LGA) adjacent to the Wellington Substation. The facility will connect to the Wellington Substation, operated by Transgrid, by way of an overhead or underground 330 kilovolt (kV) transmission line. Excess energy will be taken by the battery during periods of excess supply and inject energy back into the electrical grid during periods of peak demand. The battery will operate 24/7 and will have a design life of 20 years.

The project is located within the Central-West Orana Renewable Energy Zone (CWO REZ), a declared REZ by the New South Wales (NSW) Government. The regional setting and local context are shown on **Figure 1.1** and **Figure 1.2**.

The project incorporates a large-scale battery energy storage system (BESS) with a discharge capacity of 500 megawatts (MW) and a storage capacity of 1,000 megawatt hours (MWh), along with connection to the Wellington substation (and associated upgrade works) and associated ancillary infrastructure to facilitate transfer of energy to and from the electrical grid. It is intended that the project will be constructed in two separate stages as follows:

- Stage 1: will include 300 MW installed discharge capacity, civil and enabling works including the project access way, installation of batteries, one transformer and switchgear and associated structural, mechanical and electrical works, and connection to the Transgrid substation.
- Stage 2: would likely consist of 200 MW installed discharge capacity, civil and enabling works, including installation of a second transformer and associated switchgear and batteries, and connection to the Transgrid substation. Stage 2 will commence construction following completion of Stage 1 construction.

AMPYR (The Principal) are project owners and have engaged Fluence Energy as the Engineering, Procurement and Construction (EPC) contractor to manage the works for the WBESS, substation, ancillary operational facilities and earthworks bench for the battery storage for Stage 1 only. Fluence will manage ongoing operation and maintenance services of only Stage 1 of the Development for the first twenty years of operations.

Stage 2 is still under development and responsible parties associated with the construction and development shall be nominated separately at a later date.

The Principal have engaged Transgrid to connect the Project to the transmission network used by Transgrid to provide transmission services, which includes certain works that need to be completed by Transgrid to enable Transgrid to connect the Project to the transmission network.

The Development Consent (DC) – Application Number: SSD-27014706 Condition C1 requires the preparation, approval and implementation of an environmental management strategy

(EMS) and a number of management plans for both the construction and operation phases of the project (**Figure 1.3**). The DC is attached as Appendix A. Table A1 identifies the documentation in which each condition is addressed. Commitments were also made by in the environmental impact statement (EIS), the response to submissions (RtS) report and the Amendment report for inclusion in the management plans.

Condition B14 of the DC relevant to biodiversity management requires the preparation of a Biodiversity Management Plan (BMP). This BMP is part of a range of documents outlining the management measures required for managing the development of the site, relevant to the project.

Commitments were also made by the Principal in the environmental impact statement (EIS) (EMM 2022a) and the Biodiversity Development Assessment Report (BDAR) prepared by EMM (2023c) (see **Section** Error! Reference source not found.) regarding the preparation of an BMP.

There will be no clearance of native vegetation or fauna habitat outside the approved disturbance area described in the EIS.

Fluence has been engaged by The Principal to prepare this Biodiversity Management Plan.

1.1 Purpose and scope of this document

The purpose of this Plan is to provide detail on how Biodiversity will be managed during the construction and operation of Stage 1 of the WSBESS project. The relationship between this Plan, the EMS and the environmental management plans and subplans required for the construction and operation of the project are shown diagrammatically in **Figure 1.3**.

This Plan covers the construction works to be undertaken by Fluence and Transgrid as described in Section 3.1Project works.

Figure 1.1: Regional context

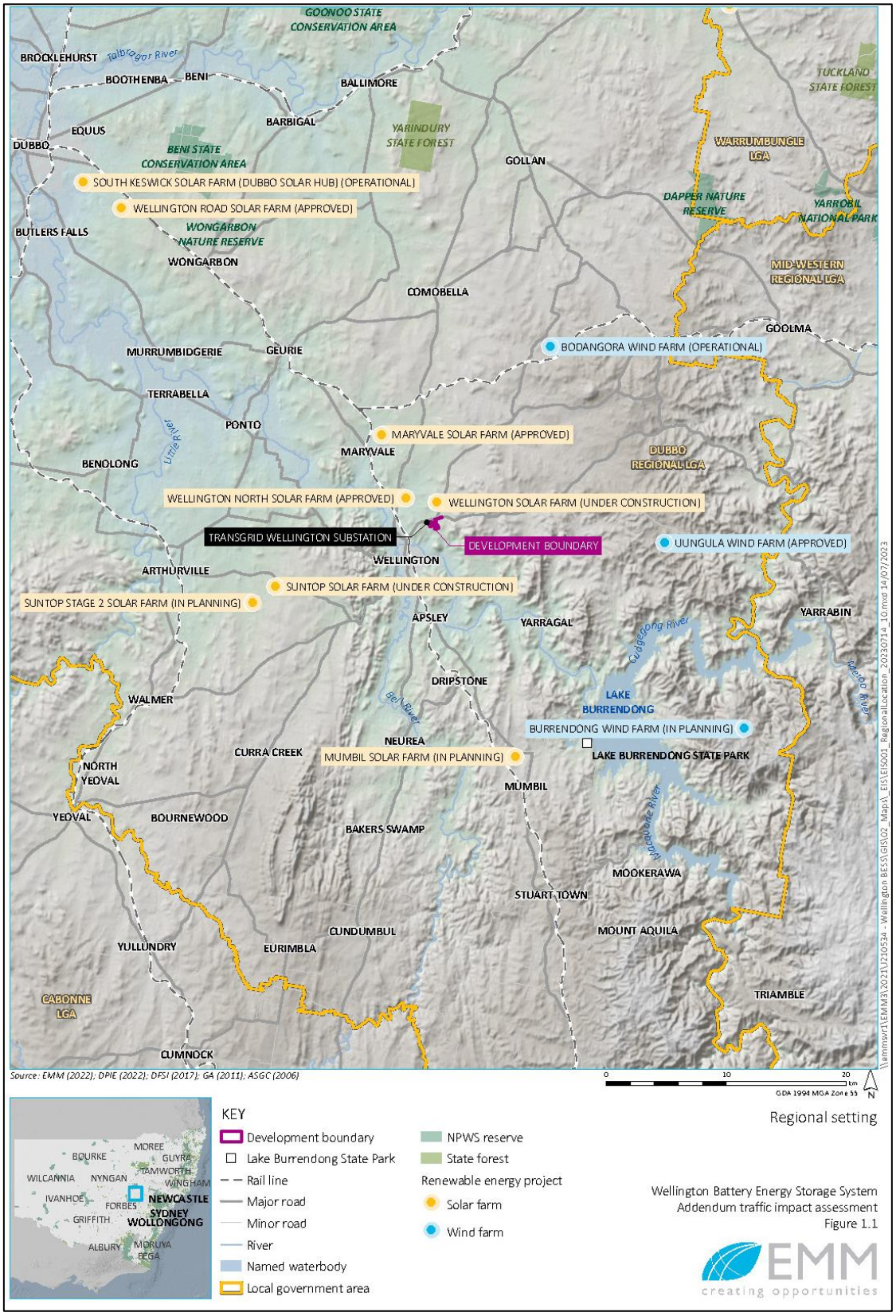


Figure 1.2: Local context

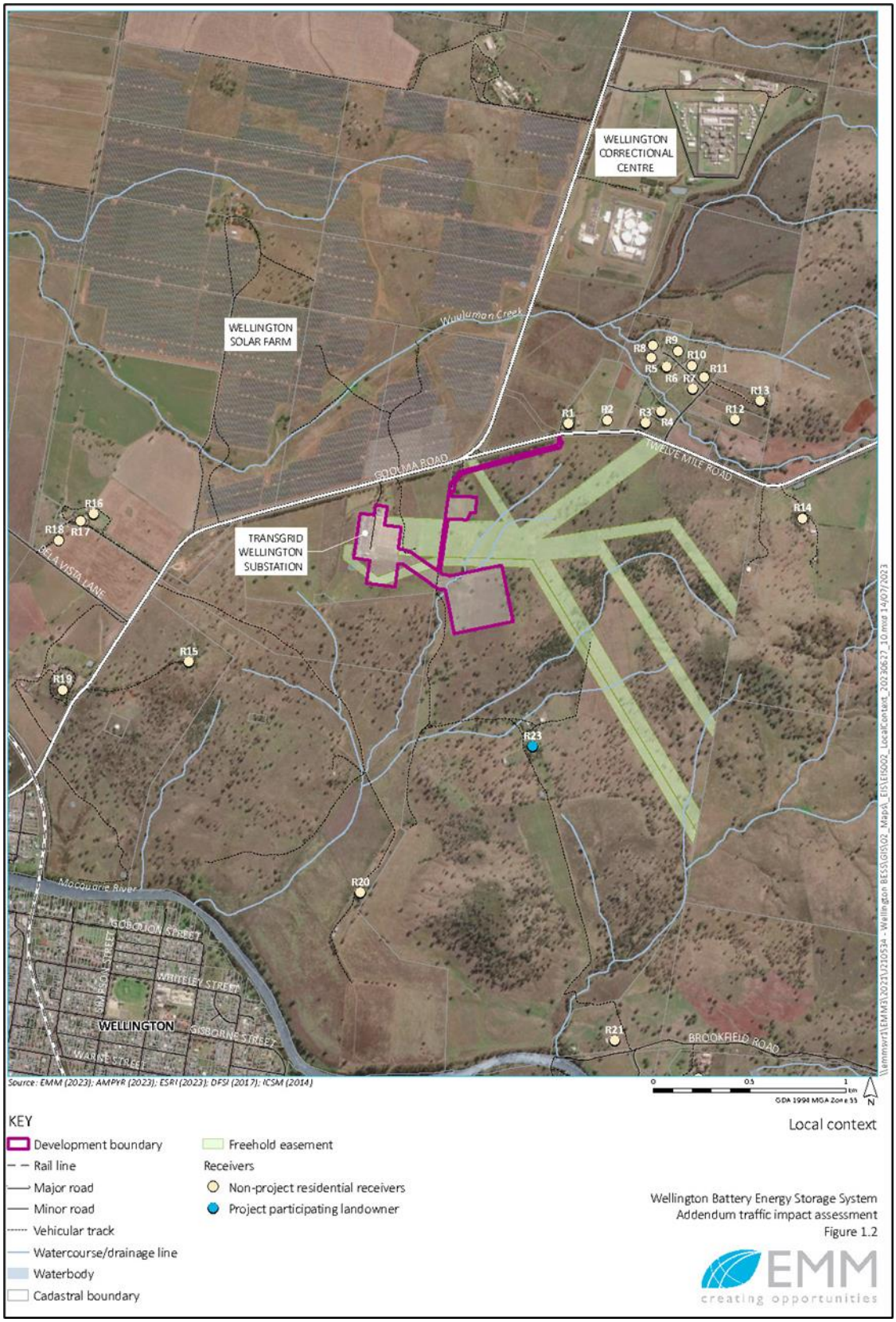
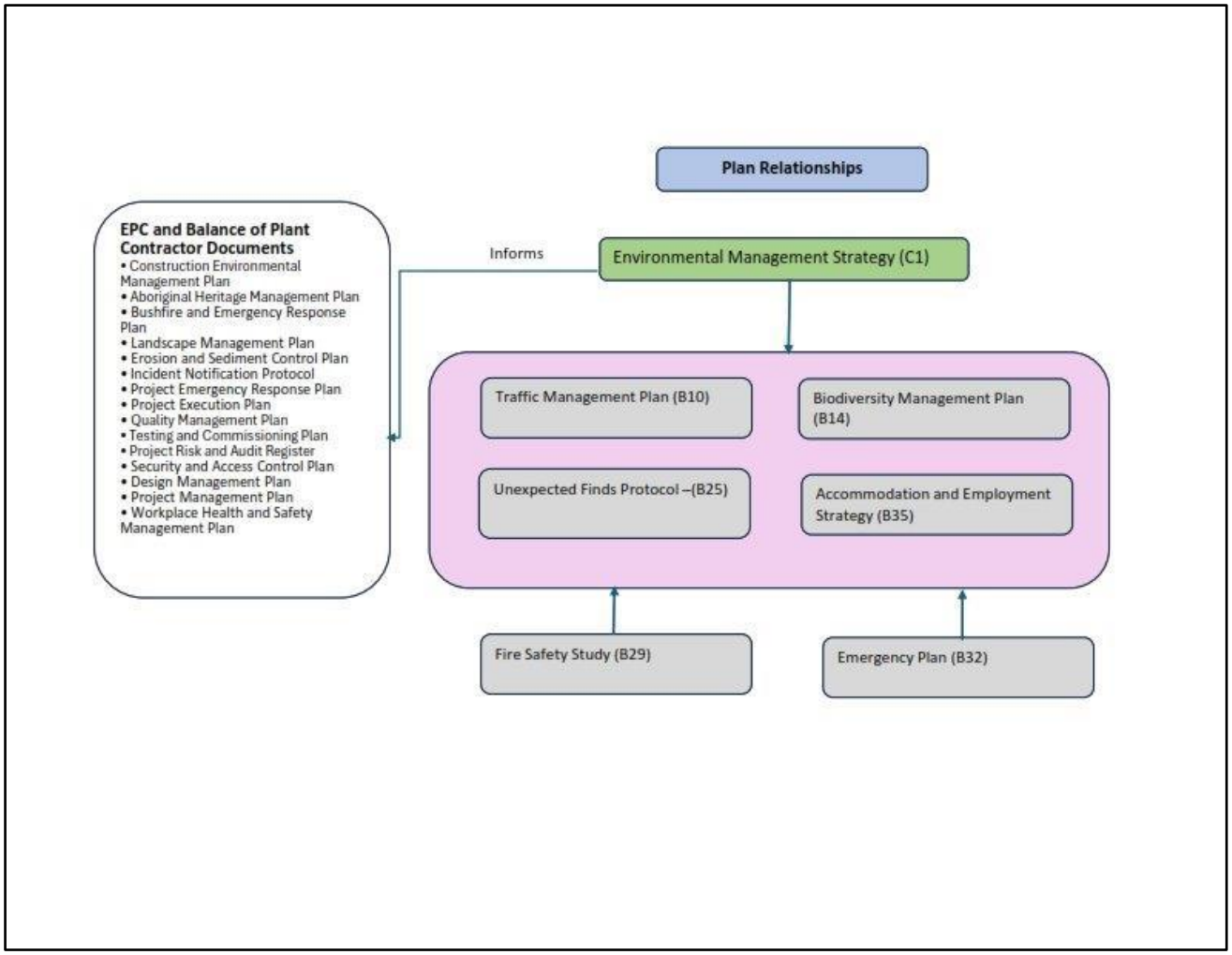


Figure 1.3: Schematic of environmental management documentation



1.2 Project overview

The project will comprise the following components:

- Construction and operation of electrical infrastructure, including:
    - lithium-ion (Li-ion) batteries inside battery enclosures;
    - power conversion systems (PCS) incorporating inverters and transformers;
    - an aboveground or underground transmission line and connection to the switchyard of the Wellington Substation and associated easement;
    - an on-site substation comprising two 330 kilovolt (kV) transformer bays and ancillary infrastructure; and
    - cabling and collector units.
- Upgrade of the TransGrid Wellington Substation, which may include installation of an additional 330 kV switch bay with power transformers, including switchyard bench extension to the south of the existing bench and relocation of security fencing.
- Construction/upgrade and maintenance of ancillary infrastructure and mitigative features, including:
    - an upgrade to the existing site access (currently at the intersection of Goolma Road and Twelve Mile Road) to facilitate safer connection to roadway network and to facilitate the entry of larger construction vehicles;
    - upgrades to existing access tracks;
    - control and office building and associated parking;
    - drainage and stormwater management;
    - security fencing, lighting and closed-circuit television;
    - connection to utilities (telecom, sewerage, etc);
    - an Asset Protection Zone (APZ);
    - and
    - planted landscaping around the BESS facility.

The project layout showing these components is presented in **Figure 3.1**

1.3 Project objectives

The Principal has established a number of objectives for the project which take into account factors such as contribution to community, the environment and safety. These objectives include the following of particular relevance to the BMP and the environmental management plans that sit below it:

- zero injuries or environmental harm during construction and operation of the works
- design for the safety of people, livestock, fauna and flora, and the environment throughout the life of the project in accordance with good industry practices
- using avoid, minimise, restore and offset during planning process to limit impacts on biodiversity where biodiversity is impacted, restoration of habitats using native vegetation plantings to be undertaken
- mutually beneficial relationships with host communities, First Nations and other stakeholders are in place throughout the life of the project

- the local community and First Nations peoples including Traditional Owners are provided with opportunities to actively participate in and benefit from the project through employment, training, procurement and social investment
- minimise adverse social and environmental impacts on the local community and environment
- contribute to Australia's transition to a clean energy future.

In accordance with CoC A1 (Schedule 2) of the DC, in meeting the specific environmental performance criteria established under the DC, Fluence and Transgrid will implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development (as relevant).

1.4 Strategic framework for environmental management

The EMS provides the means by which Fluence and Transgrid can manage project-related environmental risks. It achieves this by outlining the framework for:

- clearly setting out Fluence and Transgrid's environmental management obligations and the means by which they will be managed, implemented, monitored and reviewed
- systematically tracking and documenting compliance with DC Conditions of Consent (CoCs), EIS commitments, Response to Submissions (RtS) report commitments, Amendment report commitments, external regulatory requirements and internal policy obligations
- effectively communicating with external and internal stakeholders, including The Principal, regulators, government, Traditional Owners, the community, subcontractors and company personnel to achieve a high level of environmental management and ongoing, continuous improvement.

The requirements of this plan are detailed in Condition C1 of SSD-27014706.

Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:

a) provide the strategic framework for environmental management of the development;

b) identify the statutory approvals that apply to the development;

c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;

d) set out 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

II. receive, handle, respond to, and record complaints

III. resolve any disputes that may arise

IV. respond to any non-compliance

V. respond to emergencies; and

e) include:

I. references to any plans approved under the conditions of this consent; and

II. a clear plan depicting all the monitoring to be carried out in relation to the development

Following the Planning Secretary's approval, the Applicant must implement the Environmental Management Strategy

2 Statutory requirements

2.1 Conditions of consent

The CoCs from Schedule 2, Schedule 3 and Schedule 4 of the DC are listed in Table A1 in Appendix A. A cross-reference is provided to the documentation in which they are addressed.

Condition of Consent B14 (Schedule 2) requires a BMP to be developed to the satisfaction of the NSW Planning Secretary. This BMP has been prepared in accordance with this requirement. The DC for SSD-27014706 stipulates the requirements related to this Plan. These are summarised in **Table 2-1**Error! Reference source not found. and shown in full in **Appendix A**. Table 2-1 provides the cross references to where the conditions are addressed in the BMP.

2.2 Commitments in EIS and associated documentation

The EIS was prepared by EMM (2022). The commitments in the EIS include the relevant management and mitigation measures set out in Appendix D of the EIS report and Appendix C of the Amendment Report (EMM 2023b)

The combined commitments in the EIS and the Amendment report are listed in **Appendix B**.

2.3 Legislation and planning documents

Relevant legislation and planning documents relevant to the Wellington South Battery Energy Storage System are described in **Appendix C**.

Fluence and Transgrid and their sub-contractors will maintain a register of relevant environmental laws, both state and federal, and ensure that the register is kept up to date.

Table 2-1: Relevant consent conditions.

Condition of Approval	Requirements	BMP Section
Schedule 2 Condition A1	**OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT** In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	**Section 1.3**
Schedule 2 Condition A2	**TERMS OF CONSENT** The applicant must carry out the development: a. generally in accordance with the EIS; and b. in accordance with the conditions of this consent [SSD-27014706]; c. in accordance with all written directions of the Planning Secretary d. generally in accordance with the Development Layout in Appendix 1 and Appendix 1A. *Note: The general layout of the development is shown in Appendix 1* [of SSD - 27014706].	**Section 5.8.1**

<table>
<tr><td>Schedule 2
Condition B11</td><td>BIODIVERSITY
Vegetation Clearance
The Applicant must not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.</td><td>Section 6
Protocol 1
Protocol 2
Protocol 16</td></tr>
<tr><td>Schedule 2
Condition B12</td><td>BIODIVERSITY
Biodiversity Offsets
Prior to commencing the development under this consent, the Applicant must retire biodiversity credits of a number and class specified in Table 1 to the satisfaction of BCD (now CPHR), unless the Planning Secretary agrees otherwise. The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:
(a) acquiring or retiring ‘biodiversity credits’ within the meaning of the Biodiversity Conservation Act 2016;
(b) making payments into an offset fund that has been developed by the NSW Government; or
(c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme

Table 1 | Ecosystem Credit Requirements
<table><tr><th>Ecosystem Credits</th><th>Credits Required</th></tr><tr><td>PCT266 – White Box grassy woodland in the upper slopes ub-region of the NSW South Western Slopes Bioregion</td><td>41</td></tr></table>Table 2 | Species Credit Requirements
<table><tr><th>Species Credit Species</th><th>Credits Required</th></tr><tr><td>Superb Parrot</td><td>56</td></tr><tr><td>Pink-tailed Legless Lizard</td><td>36</td></tr></table></td><td>Section 9</td></tr>
<tr><td>Schedule 2
Condition B13</td><td>Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.</td><td>Section 9</td></tr>
<tr><td>Schedule 2
Condition B14</td><td>BIODIVERSITY
Biodiversity Management Plan
Prior to commencing construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS (now CPHR), and to the satisfaction of the Planning Secretary. This plan must:</td><td></td></tr>
<tr><td></td><td>(a) be prepared in accordance with the revised Biodiversity Development Assessment Report (dated 13 September 2023)</td><td>Section 6, Table 6-2</td></tr>
<tr><td></td><td>(b) include a description of the measures and timeframes that would be implemented for:</td><td></td></tr>
<tr><td></td><td>I. protecting vegetation and fauna habitat outside the approved disturbance areas;</td><td>Section 6, Section 8 (including Tables 8.1, 8.2 and 8.3)
Protocol 1
Protocol 2
Protocol 3
Protocol 4
Protocol 5
Protocol 6
Protocol 7
Protocol 8
Protocol 9
Protocol 10
Protocol 11
Protocol 12</td></tr>
</table>

		Protocol 14 **Protocol 16** **Protocol 17**
	II. managing the remnant vegetation and fauna habitat on site;	**Section 6, Section 8 (including Tables 8.1, 8.2 and 8.3)** **Protocol 1** **Protocol 2** **Protocol 3** **Protocol 4** **Protocol 5** **Protocol 6** **Protocol 7** **Protocol 8** **Protocol 9** **Protocol 10** **Protocol 11** **Protocol 12** **Protocol 13** **Protocol 14** **Protocol 15** **Protocol 16** **Protocol 17**
	III. minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;	**Section 6, Section 8 (including Tables 8.1, 8.2 and 8.3)** **Protocol 1** **Protocol 2** **Protocol 3** **Protocol 4** **Protocol 7** **Protocol 17**
	IV. minimising the impacts to fauna on site and implementing fauna management protocols;	**Section 6, Section 8 (including Tables 8.1, 8.2 and 8.3)** **Protocol 1** **Protocol 2** **Protocol 3** **Protocol 4** **Protocol 5** **Protocol 6** **Protocol 7** **Protocol 9** **Protocol 10** **Protocol 13** **Protocol 14** **Protocol 16** **Protocol 17**
	V. maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site;	**Protocol 1** **Protocol 2** **Protocol 3** **Protocol 4** **Protocol 5** **Protocol 7** **Protocol 8**

		Protocol 9 **Protocol 16**
	VI. and controlling weeds, feral pests and pathogens;	**Protocol 5** **Protocol 6** **Protocol 7** **Protocol 8** **Protocol 12** **Protocol 17**
	(c) include a program to monitor and report on the effectiveness of the mitigation measures	**Section 6, Section 8 (including Tables 8.1, 8.2 and 8.3)**
	(d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/or offset options to be implement if additional threatened species are discovered on sites	**Protocol 15**
	(e) include details of who would be responsible for monitoring, reviewing and implementing the plan; and timeframes for completion of actions.	**Section 6, Section 8 (including Tables 8.1, 8.2 and 8.3)** **Protocol 1** **Protocol 2** **Protocol 3** **Protocol 4** **Protocol 5** **Protocol 6** **Protocol 7** **Protocol 8** **Protocol 9** **Protocol 10** **Protocol 11** **Protocol 12** **Protocol 13** **Protocol 14** **Protocol 15** **Protocol 16** **Protocol 17**
	Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan. *Note: If the biodiversity credits are retired via a Biodiversity Stewardship Agreement, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biodiversity Stewardship Agreement*.	This document

2.4 Project Commitments

In addition to the consent conditions, a number of commitments were made in the BDAR (EMM 2023c) as part of the Environmental Impact Statement (EIS) (including the submissions report), and as the EIS was the basis for Development Consent, these commitments must be adhered to. The commitments that pertain to biodiversity management are presented in **Table *2-2***. The table identifies all the commitments relating to biodiversity impact and identifies where in the BMP individual requirements have been addressed.

Table 2-2: Consolidated EIS and Amendment report commitments relevant to BMP.

ID	Impact / Risk	Management/Mitigation measure – biodiversity	Section in this BMP
BIO01	Removal of Box Gum Woodland and derived native grassland	Retain vegetation where possible within the transmission line connection. Limit the removal of vegetation to necessary trees and trimming of branches.	Protocol 1
BIO02	Removal of Box Gum Woodland and derived native grassland	Locate the access of the BESS on most of the existing access track within the project boundary.	N/A – Design
BIO03	Removal of Box Gum Woodland and derived native grassland	Following construction, include species consistent with PCT 266 into landscaping and vegetation screens.	Protocol 1 Protocol 2 Protocol 17 Landscape Mgt Plan
BIO04	Removal of hollow-bearing trees	Minimise removal of hollow-bearing trees which occur within the project boundary, where possible. A visual screening area is included in the project boundary, where efforts to retain the 7 remaining trees will be made. Although this is the aim of AMPYR, impacts to hollow-bearing trees include the removal of the 7 trees within the subject land for the purpose of this assessment	Design Protocol 1 Protocol 2 Protocol 3
BIO05	Removal of hollow-bearing trees	Install 7 nest boxes or equivalent within the cadastral boundary of the site in remnant woodland. As a priority, the removed hollows should be retained to be re-installed on remnant trees within the site. Where this is not possible, nest boxes can be used.	Design Protocol 1 Protocol 2 Protocol 3
BIO06	Removal of potential habitat fauna (hollow-bearing trees) (for all species including the Superb Parrot)	Pre-clearance surveys to be conducted prior to removal of hollow-bearing trees (at the locations specified in the BDAR).	Protocol 1 Protocol 2 Protocol 3
BIO07	Removal of potential habitat fauna (hollow-bearing trees) (for all species including the Superb Parrot)	If the Superb Parrot is found to be utilising a hollow, a hollow inspection will be undertaken using an elevated work platform, tree climber and/or inspection camera. If eggs are present in the hollow, these eggs will be collected and provided to a wildlife carer for raising, prior to release. If hatchlings are present, removal of the hollow-bearing tree must be postponed until birds have fledged and left the hollow for the breeding season (September to December).	Protocol 14 (Note: eggs will remain in the tree until birds have fledged; and removal of tree postponed as per Protocol and CPHR advice)

BIO08	Removal of logs and debris from the subject land	Retain hollow logs, all rocks and debris to be used post construction in remnant woodland. These will be relocated outside of the subject land (within the cadastral boundary) in the remnant woodland to the east, south and west to retain species habitat and connectivity. Avoid relocation of rocks during Pink-tailed Legless Lizard breeding season (December to late March).	Protocol 4 Protocol 2 Protocol 16
BIO09	Removal of logs and debris from the subject land	Pre-clearance surveys to be conducted immediately prior to removal of logs, rocks and debris.	Protocol 4 Protocol 16
BIO10	Indirect impacts on White Box woodland to be retained	Retained trees will be marked for their protection during construction, where required. Markings will be monitored and reapplied where necessary during construction.	Protocol 1
BIO11	Indirect impacts on White Box woodland to be retained	All workers to be made aware of ecologically sensitive areas and the need to avoid impacts. This includes adjacent native vegetation.	This document Induction process Protocol 1 Protocol 7
BIO12	Erosion and sedimentation to the indirect impact area	Sediment controls, including fencing and sediments traps, should be installed in any areas where works will occur in proximity to low lying vegetation. This includes along the boundary of the unnamed watercourse. avoid the spread of seed and other propagules.	Protocol 8
BIO13	Weed introduction and spread	Remove weeds prior to clearing. Weeds are to be stockpiled appropriately prior to removal from the subject land to avoid the spread of seed and other propagules.	Protocol 5
BIO14	Weed introduction and spread	Weed hygiene protocols are in place prior to entering the subject land. This includes wash-down procedures to all plant and machinery.	Protocol 12
BIO15	Disturbance	Monitor dust levels and implement suppression strategies where required such as wetting down dirt roads or reducing vehicle speeds.	Protocol 9
BIO16	Threatened species finds	Have a threatened species protocol; for managing threatened species which may be found on site during construction.	Protocol 15

3 Project description

Section 7 provides details of the existing environment to be impacted. The project involves the removal of 7 habitat trees and clearing of up to 8.79 hectares (ha) of White box grassy woodland during the clearing and grubbing process.

Constraints associated with the potential presence of Superb Parrot (timing of tree clearing) and Pink-tailed Legless Lizard (PTLL) (timing of Bush Rock Removal) also impact the project and are addressed in Protocols 14 and 16 respectively.

3.1 Project works

3.1.1 Fluence works

The works to be managed by Fluence will include:

- Construction and operation of electrical infrastructure, including:
    - lithium-ion (Li-ion) batteries inside battery enclosures;
    - power conversion systems (PCS) incorporating inverters and transformers;
    - an aboveground or underground transmission line and connection to the switchyard of the Wellington Substation and associated easement;
    - an on-site substation comprising two 330 kilovolt (kV) transformer bays and ancillary infrastructure; and
    - cabling and collector units.
- Construction/upgrade and maintenance of ancillary infrastructure and mitigative features, including:
    - an upgrade to the existing site access (currently at the intersection of Goolma Road and Twelve Mile Road) to facilitate safer connection to roadway network and to facilitate the entry of larger construction vehicles;
    - upgrades to existing access tracks;
    - control and office building and associated parking;
    - drainage and stormwater management;
    - security fencing, lighting and closed-circuit television;
    - connection to utilities (telecom, sewerage, etc);
    - an Asset Protection Zone (APZ); and
    - planted landscaping around the BESS facility.

External road upgrade works were required in support of the project. These External Road Upgrades are detailed in Conditions B6 and B7 (Schedule 2) of the CoC. Which state:

> “B6. Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Goolma Road / Twelve Mile Road intersection and realignment must be completed as per the scope and conditions of the Uungula Wind Farm SSD-6687.
>
> B7. Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must design and construct the new access road intersection on Twelve Mile Road with Basic Left Turn (BAL) and Short Channelised Right-turn (CHR(s) treatments as shown in Appendix 6 (of Conditions of Consent).

Unless the relevant road authority agrees otherwise, these upgrades must comply with the current Austroads Guidelines, Australian Standards and TfNSW supplements, and be carried out to the satisfaction of the relevant roads authority."

The Goolma Road / Twelve Mile Road intersection upgrade is being undertaken by external contractors associated with the Uungula Wind Farm Project and is outside the scope of this BMP.

An erosion and sediment control plan will be prepared in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, or its latest version. This will ensure that all drainage and erosion and sediment controls correctly designed, installed and maintained.

3.1.2 Transgrid works

The Principal has engaged Transgrid to connect the Project to the transmission network used by Transgrid to provide transmission services, which includes certain works that need to be completed by Transgrid to enable Transgrid to connect the Project to its transmission network.

- Upgrade of the Transgrid Wellington Substation, which may include installation of an additional 330 kV switch bay with power transformers, including switchyard bench extension to the south of the existing bench and relocation of security fencing.
- Construction of a 330kV transmission line to connect the Wellington BESS substation to the Wellington Substation

3.2 Project schedule

The proposed construction schedule for the Project is summarised in **Table 3-1** and displayed in **Figure 3.1**. Construction will be undertaken in three overlapping sections:

- Section 1 comprises construction of storage system
- Section 2 comprises construction of a substation build by Fluence
- Section 3 comprises construction of the Connection Assets to the Wellington Substation by Transgrid

Construction will be followed by validation testing and a project closeout period. The civil works for Section 2 (Generating System #1) include earthworks to construct the bench for a future BESS.

As part of the project closeout period, Fluence will manage the defects liability period which extends over the first two years of operations. Fluence hold a contract with the Principal to operate the facility for a period of twenty years following Practical Completion.

Figure 3.1: Site configuration

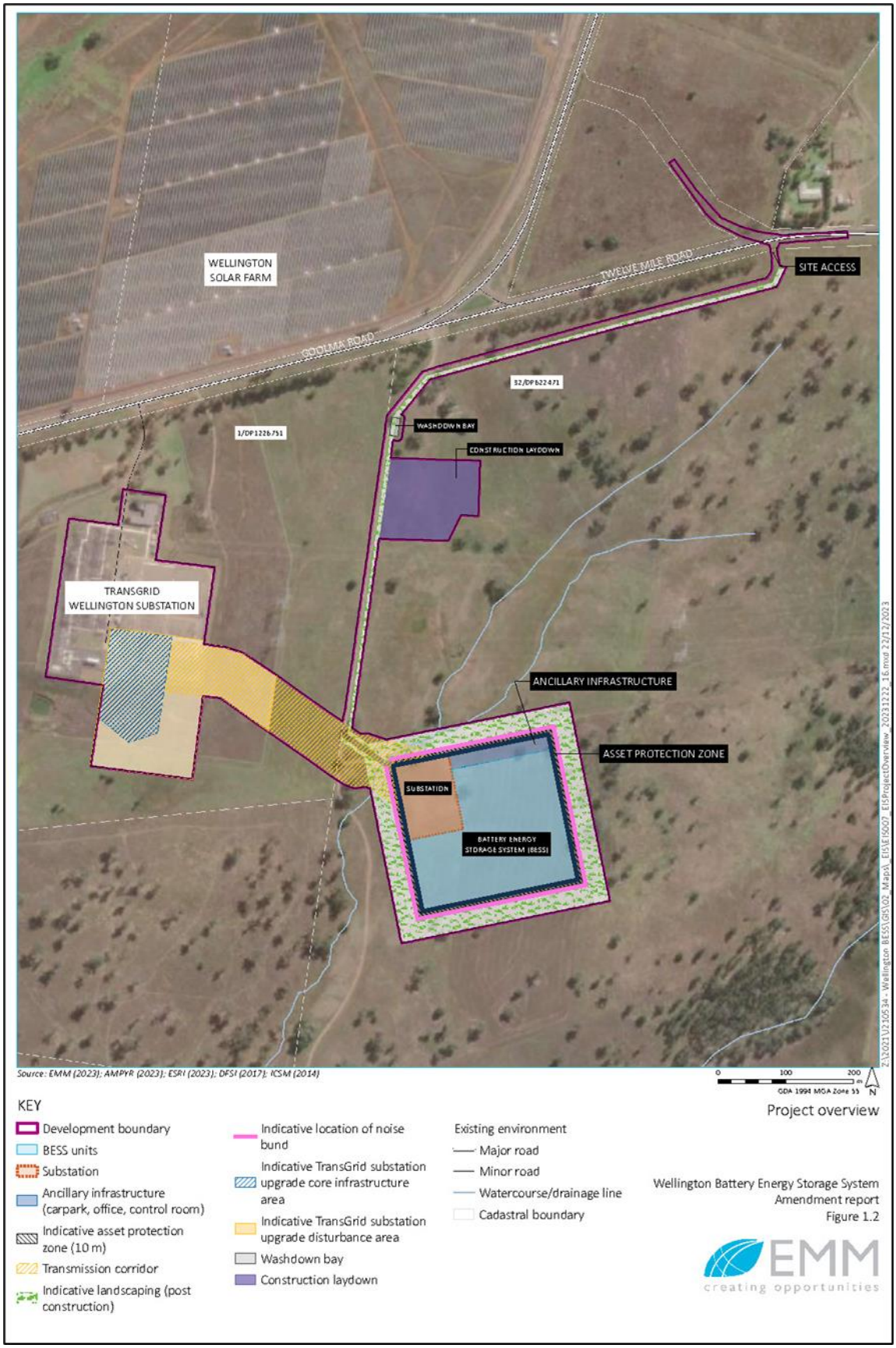


Table 3-1: Construction schedule

Activity	Start	Finish
Public Road Upgrades Completion by others (Uungula Wind Farm)	Q1 2024	Q1 2025
Section 1 (Substation Construction)		
Civil Works	Q3 2025	Q2 2026
Substation Electrical Works	Q1 2026	Q3 2026
Substation handover		Q3 2026
Section 2 (Storage System)		
Material Procurement	Q3 2025	Q2 2026
Civil Works	Q4 2025	Q2 2026
Battery Construction	Q1 2026	Q3 2026
Section 3 (Commissioning		
Commissioning Works	Q3 2026	Q1 2027
R2 Validation Testing		
R2 Validation Testing	Q3 2026	Q1 2027
Project Closeout		
Practical Completion - All Sections		Q1 2027
Defects Liability Period (24 Months)	Q1 2027	Q1 2029

*Note civil works will include clearing and grubbing

3.3 Hours of operation

In accordance with CoC B15 (Schedule 2) of the DC, unless the Planning Secretary and the applicable authority agree otherwise, Fluence and Transgrid and their sub-contractors will comply with the hours outlined in **Table 3-2**.

As per CoC B16, the following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Planning Secretary:

a) commissioning activities that are inaudible at non-associated residences
b) the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or
c) emergency work to avoid the loss of life, property or prevent material harm to the environment.

Table 3-2: Hours of operation

Day	Normal working hours
Monday to Friday	7:00 am - 6:00 pm
Saturday	8:00 am - 1:00 pm
Sundays	at no time on Sundays
NSW public holidays	at no time on NSW public holidays

Condition of Consent B17 (Schedule 2) allows for variations to construction hours under specific conditions and states:

The hours of construction activities specified in condition B15 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be:

(a) considered on a case-by-case or activity-specific basis;
(b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
(c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been or will be undertaken;
(d) accompanied by evidence that all feasible and reasonable noise mitigation measures have been put in place; and
(e) accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECC, 2009), or latest version.

At the time of preparation of this BMP there are no intentions of varying the Operating Hours, however, The Principal in conjunction with Fluence and TransGrid will continually review the situation and if necessary, apply to the Planning Secretary for a variation.

4 Environmental management framework

Fluence and Transgrid will strive for excellence through their commitment to leading practice in environmental management and performance. Implementation of the project wide EMS will assist in minimising the adverse environmental impacts of construction-related activities (and maximising project benefits) by setting out a comprehensive framework for environmental management, mitigation, monitoring and review.

This BMP, in combination with the other management plans and subplans (see **Figure 1.3**), outlines the minimum standard to ensure that the Principal, Fluence and Transgrid manage the environmental aspects and impacts of the project in a manner that is planned, controlled, monitored, recorded and audited, using a management system that drives continual improvement.

Fluence has responsibility for all works within the project boundary.

4.1 Environmental and related policies

Fluence and Transgrid have adopted environmental and related policies which set out their environmental management and other relevant aims, objectives and values. **Figure 4.1** and **Figure 4.2** Fluence's HSE and environmental policy statements and Transgrid's environmental policy, respectively.

4.2 General environmental principles

The general environmental principles to be adopted by Fluence and Transgrid for the proposed works are:

- complying with statutory requirements (CoCs and legislation)
- minimising impacts on the community and environment
- the timely and efficient response to any environmental incidents and complaints
- rehabilitation of all disturbed land
- continual monitoring, review and reporting on the environmental impacts of the works.

FLUENCE
A Siemens and AES Company

4601 Fairfax Drive N, Suite 600 | Arlington, VA 22203
+1 833 358 3623
fluenceenergy.com

Fluence Global Environmental Policy

At Fluence, our mission is to create a more sustainable future by transforming the way we power our world. We believe in solving problems, building lasting partnerships with our customers, and the importance of the entire power ecosystem in forging a path to making a sustainable future certain.

We have developed an Environmental Policy that is tailored for our business, our customers, and our planet. This Policy demonstrates our dedication to sustainability, regulatory compliance, unwavering environmental stewardship, and continuous improvement. This is demonstrated by the following commitments to:

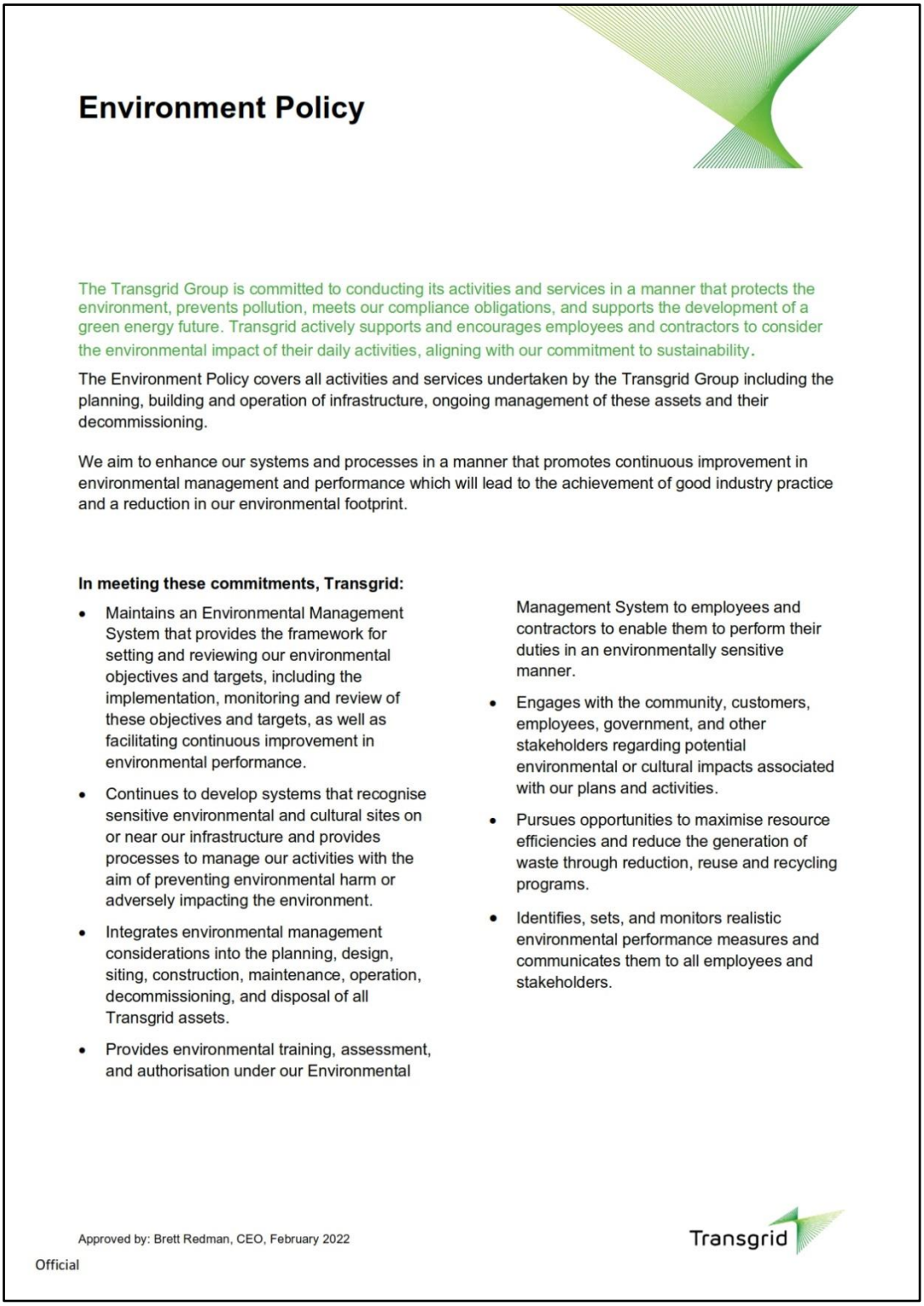
1. Draw active participation from all Fluence staff, subcontractors, suppliers, and leadership to maintain environmental integrity.
2. Undertake all business activities in a safe and professional manner.
3. Build and maintain facilities throughout the world with adherence to environmental standards and strict safety practices.
4. Minimize and, where practical, eliminate any adverse impact on the environment arising from routine business activities.
5. Meet or exceed all pertinent legal and client requirements to preserve environmental stewardship.
6. Promote responsible energy and water use, and waste management practices in all business, subcontractor, partner, and supplier operations.
7. Maximize reduction, reuse, and recycling of construction materials, and ensure environmentally responsible disposal of all waste in business activities.
8. Minimize the environmental impact of hazardous materials and dangerous goods in all activities.
9. Foster continuous improvement based on the concept of Plan-Do-Check-Act, consistent with ISO 14001:2015 methodologies.
10. Make appropriate resources available to manage environmental impacts and ensure roles and responsibilities are defined.
11. Ensure that the Fluence Environmental Policy is easily accessible to all staff and subcontractors, and that they are provided with the necessary training to effectively apply the policy and adhere to all pertinent regulations, in all activities.

Julian Nebreda / President & Chief Executive Officer, Fluence /

1

Transforming the way we power our world.

Figure 4.1: Fluence Environmental Policy



Environment Policy

The Transgrid Group is committed to conducting its activities and services in a manner that protects the environment, prevents pollution, meets our compliance obligations, and supports the development of a green energy future. Transgrid actively supports and encourages employees and contractors to consider the environmental impact of their daily activities, aligning with our commitment to sustainability.

The Environment Policy covers all activities and services undertaken by the Transgrid Group including the planning, building and operation of infrastructure, ongoing management of these assets and their decommissioning.

We aim to enhance our systems and processes in a manner that promotes continuous improvement in environmental management and performance which will lead to the achievement of good industry practice and a reduction in our environmental footprint.

In meeting these commitments, Transgrid:

- Maintains an Environmental Management System that provides the framework for setting and reviewing our environmental objectives and targets, including the implementation, monitoring and review of these objectives and targets, as well as facilitating continuous improvement in environmental performance.
- Continues to develop systems that recognise sensitive environmental and cultural sites on or near our infrastructure and provides processes to manage our activities with the aim of preventing environmental harm or adversely impacting the environment.
- Integrates environmental management considerations into the planning, design, siting, construction, maintenance, operation, decommissioning, and disposal of all Transgrid assets.
- Provides environmental training, assessment, and authorisation under our Environmental Management System to employees and contractors to enable them to perform their duties in an environmentally sensitive manner.
- Engages with the community, customers, employees, government, and other stakeholders regarding potential environmental or cultural impacts associated with our plans and activities.
- Pursues opportunities to maximise resource efficiencies and reduce the generation of waste through reduction, reuse and recycling programs.
- Identifies, sets, and monitors realistic environmental performance measures and communicates them to all employees and stakeholders.

Approved by: Brett Redman, CEO, February 2022

Transgrid

Official

Figure 4.2: TransGrid Environment Policy Statement

5 Organisational structure, roles and responsibilities

5.1 Key stakeholders

The stakeholders in the Wellington South Battery Energy Storage System project include regulators, project delivery partners and community stakeholders. **Table 5-1** lists the key stakeholders.

Table 5-1: Key stakeholders

Regulators	Project stakeholders	Community stakeholders
• DPHI • Dubbo Regional Council • Registered Aboriginal Parties (RAPs) • NSW Rural Fire Service (NSW RFS) • Department of Climate Change, Energy, the Environment and Water (DCCEEW) (Commonwealth) • Transport of NSW (TfNSW) • SafeWork NSW • Essential Energy	• AMPYR Australia • Fluence Energy • Transgrid • Balance of Plant (BoP) Contractor • Operations and Maintenance (O&M) Contractor • Specialist subcontractors • Specialist consultants • Transport and logistics companies • Project financiers/ investors • MAAS Civil (access road construction contractor)	Traditional Owners and First Nations peoples Host land holders • Neighbours • Local business owners • Local employers • Local suppliers • Local employees Local accommodation providers Local not for profit and community support organisations incl social investment recipients

5.2 Project organisational structure

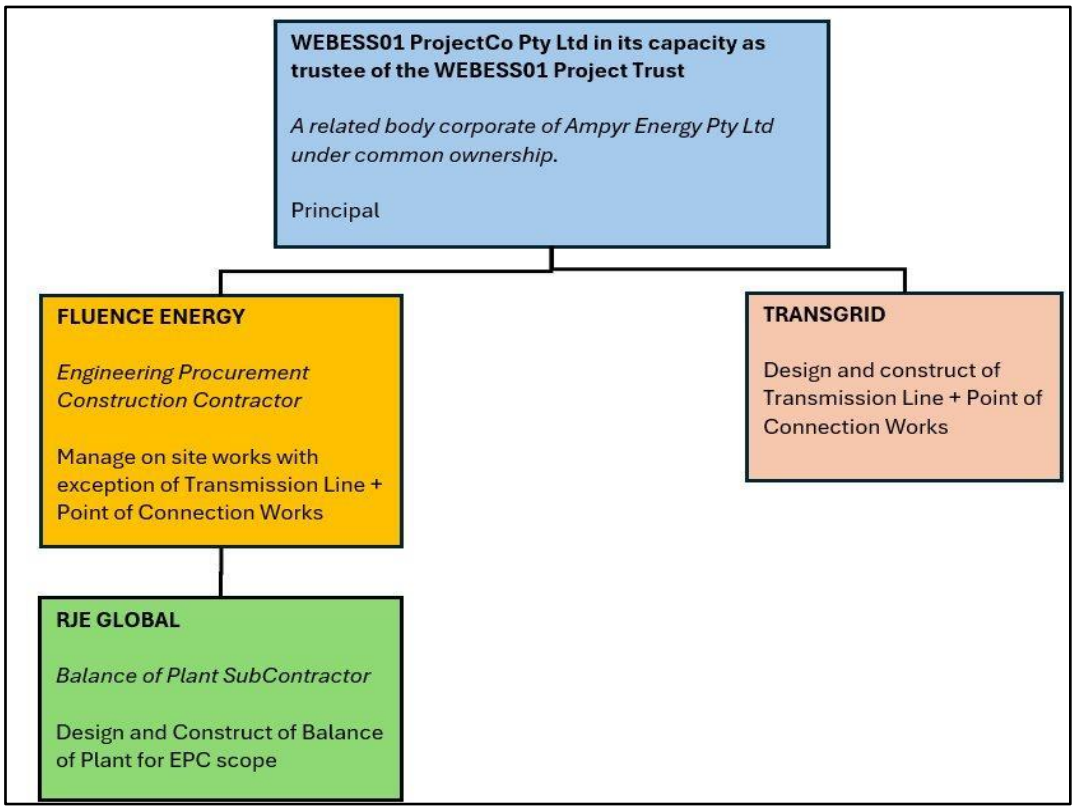
Knowledge of the organisational structure of the project is important when it comes to understanding the roles and responsibilities of the various project stakeholders.

Figure 5.1 is a schematic showing the organisational relationship between The Principal as project proponent, Fluence as EPC contractor, Fluence's balance-of-plant (BoP) subcontractors, and Transgrid as the contractor for the connection to the transmission network.

The Twelve Road access road intersection will be directly managed by The Principal.

Figure 5.1 shows the organisational structure of the Project Management Team.

Figure 5.1: Project organisational structure



5.2.1 Applicant (Project Proponent)

AMPYR is the project's proponent and will be referred to as The Principal

5.2.2 EPC Contractor

The Principal has engaged Fluence as the EPC contractor to undertake the works described in Section 3.1.1.

As the EPC contractor for the project, Fluence will design, procure, construct and commission the Battery Energy Storage System for The Principal.

5.2.3 BoP Contractors

Fluence will engage a Balance of Plant (BoP) contractor to assist with the delivery of the works.

5.2.4 Substation construction contractor

The Principal has engaged Transgrid to connect the Project to the transmission network as described in Section 3.1.2.

5.3 Roles and responsibilities of the project

The roles that AMPYR, Fluence and Transgrid have assigned to the project are described below. Detailed responsibilities for the implementation of this BMP are described in Section 6.1.

5.3.1 The AMPYR project manager

The Principal's Project Manager is to ensure that the works that are the subject of this plan are undertaken according to the CoCs of Development Consent SSD-27014706 and commitments outlined in the EIS.

The Principal's Project Manager is also responsible for engaging Fluence and Transgrid to undertake the works. In addition, the Principal's Project Manager will provide safety and environmental advice to the project team and engage with the regulators and the community.

5.3.2 Fluence management team

The key roles to be filled by Fluence as EPC contractor include a project manager, and a health, safety and environment (HSE) advisor.

The role of principal contractor will be nominated to Fluence's BoP subcontractor, so the BoP subcontractor will nominate the key roles of health, safety and environment (HSE) manager, and construction manager and site manager.

Lead Project Manager

The Fluence Lead Project Manager is responsible for the preparation of preconstruction constructability assessment, budget control, contract administration, planning subcontractor work, tendering and award, subcontract issuance, subcontractor liaison, change management, safety management, and district and owner reporting.

5.3.3 Fluence BoP subcontractors

Each of Fluence's BoP subcontractors will have their own HSE management with an obligation to plan, organize and implement training for their workers. The Fluence HSE manager will liaise with subcontractor HSE representatives to assist in achieving outcomes.

Lead Construction Manager

The BoP Lead Construction Manager has the responsibility to plan, coordinate and supervise all on-site functions to ensure that the project is constructed in accordance with design and quality expectations, within the stipulated budget and schedule. Develop and execute quality control plans, inspect work for conformity to specifications and arrange for correction of defects/ deficiencies. The Lead Construction Manager will also manage site communication between the construction team and project managers.

Health, Safety and Environment Manager

The BoP Health, Safety and Environment (HSE) Manager is responsible for direct supervision of the district HSE supervisors and coordinators on all major projects as well as conducting project audits and inspections. The HSE Manager is also responsible for:

- ensuring the safety training of all construction staff (in consultation with subcontractor HSE representatives)
- managing all field aspects of the project's HSE budget, schedule, safety and general performance
- providing proactive leadership in:
  - health, safety and environment, including construction procedures and safe work, and job safety analysis
  - and project planning and execution.

Construction Manager

The BoP Construction Manager is accountable to and draws authority from the Lead Construction Manager. The Construction Manager is responsible for building excellent relationships with peers, supervisors, direct reports, clients, trade contractors, and consultants.

Design and Commissioning Manager

The BoP Design and Commissioning Manager is responsible for managing the safe energisation of plant.

Refer to Section 6.1 for specific biodiversity related roles and responsibilities.

5.3.4 Transgrid management team

The key roles to be filled by Transgrid in connecting the Project to the connection assets and transmission network used by Transgrid include a project manager, a health, safety and environment (HSE) manager, a construction manager and a site manager. Their roles are described below.

Project Manager

The Transgrid Project Manager is responsible for the preparation of preconstruction constructability assessment, budget control, contract administration, planning subcontractor work, tendering and award, subcontract issuance, subcontractor liaison, change management, safety management, and district and owner reporting.

Construction Manager

The Transgrid Construction Manager has the responsibility to plan, coordinate and supervise all on-site functions to ensure that the project is constructed in accordance with design and quality expectations, within the stipulated budget and schedule. Develop and execute quality control plans, inspect work for conformity to specifications and arrange for correction of defects/ deficiencies. The Construction Manager will also manage site communication between the construction team and project managers.

Health, Safety and Environment Manager

The Transgrid Health, Safety and Environment (HSE) Manager is responsible for direct supervision of the district HSE supervisors and coordinators on all major projects as well as conducting project audits and inspections. The HSE Manager is also responsible for planning, organising and implementing safety training of all construction staff.

Site Manager

The Transgrid Site Manager is accountable to and draws authority from the Construction Manager. He is responsible for building excellent relationships with peers, supervisors, direct reports, clients, trade contractors, and consultants.

Commissioning Manager

The Transgrid Commissioning Manager is responsible for managing the safe energisation of plant and the safe connection of the Project to the connection assets and transmission network used by Transgrid.

5.3.5 Project Ecologist

The Project Ecologist shall have an applicable tertiary qualification or similar. The ecologist shall be familiar with the scope of works proposed, the project objectives and have a clear knowledge of the ecology of the locality. The role of the ecologist is to oversee specific activities as outlined in the BMP and may be subcontracted out on an as needs basis.

Proof of all licences, approvals and qualifications shall be provided at the commencement of the ecologist's involvement in this project.

5.4 Environmental management system

As required under the contract with the Principal, Fluence and Transgrid will develop and implement a Construction Environmental Management Plan (CEMP) for their works. The HSEMP will establish a set of minimum HSE requirements for the works and ensure HSE management in line with good industry practices and legislative requirements.

The CEMP describes in detail how environmental management will occur on the Project and shall be developed using the approach of the Australian and New Zealand standards:

- AS/NZS ISO 45001:2018 Occupational health and safety management systems
- AS/NZS ISO 9001 Quality management systems
- AS/NZS ISO 14001 Environmental management systems.

Prior to physical connection and energisation with the transmission system, an operational update to the CEMP shall be provided, reflecting the Contractor's changed role onsite. This update shall, at a minimum:

- document any modifications required to the HSE systems to reflect the operational status of the site
- document the process for assessing any new, changed or evolving hazards given the operational status of the site and confirming the adequacy of existing controls
- document minimum training requirements for access to and operation of any equipment that will be operational, energized or required for the purpose of exporting energy to the transmission network, from the period of First Synchronization through to Practical Completion.

A component of the HSEMP will be an environmental management system, developed using the approach of the AS/NZS ISO 14001a standard. A well designed and carefully implemented environmental management system provides an important framework for environmental management activities.

Fluence and Transgrid will implement environmental management systems consistent with that outlined below and the requirements of the Principal.

This environmental management system is a five-step iterative system which comprises the documented systems and processes used for the safe construction, operations and decommissioning of the Project. The system enables hazards to be identified and assessed to eliminate or minimise the risk of impact to the environment to a level that is as low as reasonably practical (ALARP) throughout construction of the project. The site's environmental management plans for construction and operations describe how the risks are assessed and managed, as outlined below and in and shown diagrammatically in Figure 5.2.

Step 1 – Policy establishment: The environmental management system development process starts with establishing an Environmental Policy that is tied to the organization's mission. Fluence and Transgrid both have environmental policies.

Step 2 – Planning: The planning step consists of identifying regulatory and other requirements; identifying processes, resources, and significant environmental impacts; identifying management and mitigation measures; developing objectives and targets for improvement efforts; and creating a planning, programming, and budgeting system.

The implementation and operation of various components of the environmental management system are detailed in the management plans, as appropriate.

Step 3 – Implementation: The implementation step consists of defining the structure, responsibilities, and programs; implementing induction and training; creating the

environmental management system documentation (including document control and record keeping); communicating the environmental management system to personnel; developing and implementing standard operating procedures [SOPs]; and developing and implementing emergency preparedness and response procedures.

The implementation and operation of various components of the environmental management system are detailed in the management plans, as appropriate.

Step 4 – Checking and correction: The checking and corrective action step includes monitoring and measuring (e.g., internal assessments), problem and cause identification, corrective and preventative action implementation, and an environmental management system review.

Step 5 – Review: In the management review step, upper management reviews the environmental management system, including the results of internal assessments. Modifications to the environmental management system are made, as necessary, to ensure compliance. The management review is designed to ensure continual improvement of the environmental management system, taking into account the results of checking and corrective actions undertaken in Step 4.

Refer to Section 8.3 for management of biodiversity related hazards and risks.

Figure 5.2: Environmental Management System Process

5.5 Risk assessment and register

Fluence and Transgrid will create and maintain a risk register that will be used to record identified hazards, risk assessment and risk control methods.

Risk assessments will be undertaken by Fluence and Transgrid that consider all HSE risks associated with the works. The risk assessments will be used to populate HSE risk registers. The risk registers will specifically include, identify and address environmental risks. The risk assessment process will be broadly consistent with the *ISO 31000, Risk management* standard (or Australian Standard equivalent).

The risk registers will be live documents that are consistently updated as the works progress, with risks and control methods added, reviewed, modified and retired as appropriate.

5.6 Emergency response

An Emergency Response Plan (ERP) has been prepared setting out the actions to be followed by Fluence and Transgrid in the event of an emergency, including safely evacuating site personnel; notifying emergency services, potentially affected, community and regulators, and hazard response/containment.

The ERP has been informed by a Fire Safety Study (FSS).

A Bushfire Management Plan has also been prepared and is appended to the ERP.

5.7 Document management system

Fluence and Transgrid will implement a web-based project and document management systems for project correspondence, including the communication and transmittal of all information requests and responses and the issue of all drawings and documents and the review and approval of the same.

The system shall maintain document registers which list all documents and drawings including those in relation to environmental management such as:

- environmental management plans and subplans
- aspects and impacts register
- risk register
- standards, codes and guidelines
- environmental procedures
- incident and non-compliance reports
- monitoring, inspection and auditing reports
- community engagement database and complaints register
- safety data sheets
- The Principal and regulator correspondence.

The system will record information including:

- title, document number and revision
- review status
- date of approval.

5.8 Administrative conditions

Schedule 2 of the DC sets out administrative conditions, a number of which are relevant to the works of Fluence and Transgrid, as outlined below (where not covered earlier in this EMS).

5.8.1 Terms of consent

In accordance with CoC A2 – A4, Fluence and Transgrid will assist the Principal in complying with any relevant requirement/s of the Planning Secretary arising from the Department's assessment of:

A2 The development may only be carried out:

(a) in compliance with the conditions of this consent;
(b) in accordance with all written directions of the Planning Secretary;
(c) generally in accordance with the EIS; and
(d) generally in accordance with the Development Layout in Appendix 1 (of Conditions of Consent).

A3. The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:

(a) any strategies, plans or correspondence that are submitted in accordance with this consent;
(b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
(c) the implementation of any actions or measures contained in these documents.

A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

5.8.2 Upgrading of Batteries and ancillary infrastructure

In accordance with CoC A6, the Principal may upgrade the battery storage and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.

5.8.3 Structural adequacy

In accordance with CoC A7, Fluence and Transgrid will ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the *Building Code of Australia*.

5.8.4 Demolition work

In accordance with CoC A8, Fluence and Transgrid will 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.

5.8.5 Protection of public infrastructure

In accordance with CoC A9, unless Fluence and the applicable authority agree otherwise, Fluence and Transgrid will:

(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and

(b) relocate or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

5.8.6 Operation of plant and equipment

In accordance with CoC A10, Fluence and Transgrid will ensure that all plant and equipment used on site, or in connection with the development, is:

(a) maintained in a proper and efficient condition; and operated in a proper and efficient manner.

(b)] operated in a proper and efficient manner.

6 Biodiversity Management Plan

6.1 BMP Roles and Responsibilities

The below roles and responsibilities supplement the overall project roles and responsibilities as described in Section 5.3.

6.1.1 Construction Phase

Whilst the construction of the Project is occurring, the following roles and responsibilities will apply as shown in **Table 6-1**.

Table 6-1: Construction roles and responsibilities within the BMP

Role	Responsibility in relation to the BMP	Contact details of staff (to be updated regularly)
AMPYR Project Manager	• Overall accountability for the compliance with the Development Consent conditions • Overall accountability for ensuring AMPYR, Fluence and Transgrid comply with the Development Consent conditions and the Management Protocols • Responsible for external reporting of incidents, non-compliances and complaints • Confirm that Protocols 1-17 are being implemented on site	• Name: • Number: • Email:
Fluence Lead Project Manager	• Overall accountability for the implementation of the BMP • Ensure that all works on site are undertaken in compliance with the BMP • Implementing the procedures and protocols contained in the BMP • Provide induction education and contact with all employees and contractors on issues. • Analysis of monitoring results and inclusion in reporting. • Timely reporting of environmental monitoring data. • Organise revisions of the plan as necessary. • Ensure that all training, auditing, reporting and incident management requirements are met. • Compliance with the Protocols 1-17 is being maintained	• Name: • Number: • Email:
Fluence Lead Construction Manager	• Ensure all site personnel (including contractors and sub-contractors) have received the appropriate inductions and training for their responsibilities. • Ensure controls provided in the Management Protocols of the BMP are implemented. • Report any incidences or complaints immediately to the Fluence Lead Project Manager. • Provide feedback on the adequacy and effectiveness of the BMP. • Implement Protocols 1-17 on site	• Name: • Number: • Email:
Principal Contractor Health, Safety and	• Organise pre-clearance surveys by the Subcontractor - Project Ecologist to identify habitat trees and evidence of fauna use. • Organise Subcontractor - Project Ecologist to supervise habitat tree clearing.	• Name: • Number: • Email:

Environment (HSE) Manager	• Organise Subcontractor - Project Ecologist to manage fauna impacted by habitat tree clearing • Identify if the BMP needs to be reviewed and updated. • Conduct regular inspections of the work area to monitor compliance with the BMP. • Coordinate the review of the BMP. • Oversee monitoring requirements as per Table 4-2. • Ensure that works are being undertaken in compliance with the Protocols 1-17	
Subcontractor - Project Ecologist	• Conduct pre-clearance surveys to identify habitat trees actively being used by fauna • Attend habitat tree clearing events to detect and capture any disturbed wildlife. • Relocate displaced fauna as appropriate • Provide advice on vertebrate pest management • Conduct fence monitoring during construction and post-construction if required. • Pre-clearance weeds identification and mapping • Participate in review of BMP • Ensure compliance with Protocols 1,2,3,4,5,6,7,9,14,15,16,17 • Provide formal "sign off" prior to clearing or ground disturbance activities to ensure that all relevant protocols are followed	• Subcontractor to be determined and engaged prior to construction
All Fluence contractors and sub-contractors	• Ensure the implementation of the BMP with respect to their specific work practices. • Act in accordance with the management procedures or protocols outlined in the BMP. • Ensure any potential or actual issues, including environmental incidents and non-compliances, are reported to the immediate supervisor.	• Compliance at all times
Transgrid HSE Advisor (or equivalent)	• Ensure all Transgrid personnel (and sub-contractors) have received the appropriate inductions and training for their responsibilities. • Ensure controls provided in the Management Protocols of the BMP are implemented. • Report any incidences or complaints immediately to the Fluence Lead Project Manager. • Provide feedback on the adequacy and effectiveness of the BMP. • Protocols 1,2,3,4,5,6,7,9,12,13,14,15,16,17	• To be provided

Transgrid's extent of work is confined to the substation site and a short length of overhead powerline within a defined easement. Once initial clearing of the site and easement have occurred Transgrid's impact on biodiversity will be minimal. However, they will manage biodiversity issues relating to their component of work, including vegetation clearance and weed pest animal management, in accordance with relevant procedures in this BMP and in accordance with relevant Conditions of Consent. The Transgrid HSE or equivalent will be responsible for monitoring the BMP and liaising with the Fluence HSE to identify and deficiencies, opportunities for improvement and potential revisions.

6.1.2 Operational Phase

During the operational phase, the following roles and responsibilities as shown in **Table 6-2** will apply. The contact details of the O&M staff will be provided closer to O&M phase commencing.

Table 6-2: Operation roles and responsibilities within the BMP

Role	Responsibility in relation to BMP	Contact details of staff (to be updated regularly)
AMPYR Site Manager	• Overall accountability for the compliance with the Development Consent conditions • Overall accountability for ensuring AMPYR, Fluence and Transgrid comply with the with the Development Consent conditions and the Management Protocols • Responsible for external reporting of incidents, non-compliances and complaints • **Note: Non-compliances which have been notified as an incident do not need to also be notified as a non-compliance.**	• Name: • Number: • Email:
O&M Supervisor	• Overall accountability for the implementation of the BMP • Ensure that all works on site are undertaken in compliance with the BMP. • Ensure monitoring responsibilities in accordance with the BMP. • Undertake consultation with relevant organisations or the Subcontractor - Project Ecologist regarding operational activities which may impact biodiversity values (e.g. weed control, tree trimming). • Ensure that all training, auditing, reporting and incident management requirements are met. • Organise fence monitoring • Coordinate review of the BMP • Protocols 3,5,6,7,8,9,10,11,12,13	• Name: • Number: Email:
O&M Contractors	• Ensure the implementation of the BMP with respect to their specific work practices. • Act in accordance with the management procedures or protocols outlined in the BMP. • Ensure any potential or actual issues, including environmental incidents, are reported to the immediate supervisor.	• To be managed by O&M Supervisor
Subcontractor - Project Ecologist	• Partake in fence monitoring • Monitor fauna mortality • Monitor remnant vegetation • BMP review in consultation with O&M Supervisor and AMPYR • Protocols 3,5,6,17	• To be engaged separately or activities completed by O&M Supervisor when required

6.2 CPHR Consultation

In accordance with Condition B14 of Schedule 2 of Development Consent SSD-27014706, the Biodiversity Conservation and Science Directorate (BCS) of the Department of Climate Change, Energy and the Environment, Water (DCCEEW) was consulted in June 2024 by the subcontractor OzArk Environment & Heritage on behalf of AMPYR in regard to the required contents for this BMP.

OzArk was provided with advice that has been incorporated into this BMP, namely that relevant conditions of consent are addressed. And that management plans include tailored, quantitative performance measures and targets, completion criteria, monitoring and trigger points using SMART principles. Management targets must be measurable and expressed such that evaluation of strategic goals and completion criteria can be achieved.

Appendix E provides tabular details of changes made to the BMP resulting from CPHR feedback.

7 Existing Environment

7.1 Land Use History

The land has previously been used for agricultural practices (cropping and grazing) which has resulted in native vegetation occurring as paddock trees and small patches of canopy. There are also areas of derived native grassland, though some of these areas are dominated by exotic grasses and herbaceous species. Other sections have been historically cropped and have no developed vegetation structure or native vegetation. Vegetation within the buffer area increases in density as larger patches are present. However, connectivity is still impacted due to historical land clearing.

7.2 Landform, Geology and Soils

The topography of the site is that of a consistent relief, sloping at around 5% to the southwest with a minor rise located to the west of the project site. Soil structure and fertility have been depleted over the years from this land use. Soils could be susceptible for rill and gully erosion.

7.3 Biodiversity

The current design boundary contains the following biodiversity elements see **Figure 7-1**:

- 8.79 ha of White Box grassy woodland in the upper slopes sub-region of the NSW South West Slopes Bioregion (PCT 266)
- Up 38 hollow-bearing trees, of which seven (7) will be removed
- A small number of nests were observed containing the Australian Magpie (*Gymnorhina tibicen*) and Brown Goshawk (*Accipiter fasciatus*)
- The Superb Parrot was the only threated species to be observed during targeted surveys
- Small areas of embedded rocky habitat occur which may be suitable for reptiles
- The Pink-tailed Legless Lizard is assumed present (due to rocky habitat)
- No threatened flora species were recorded on site
- Waterways on site are highly degraded due to stock access, vegetation clearing and weed encroachment, they do not contain regular flowing water.

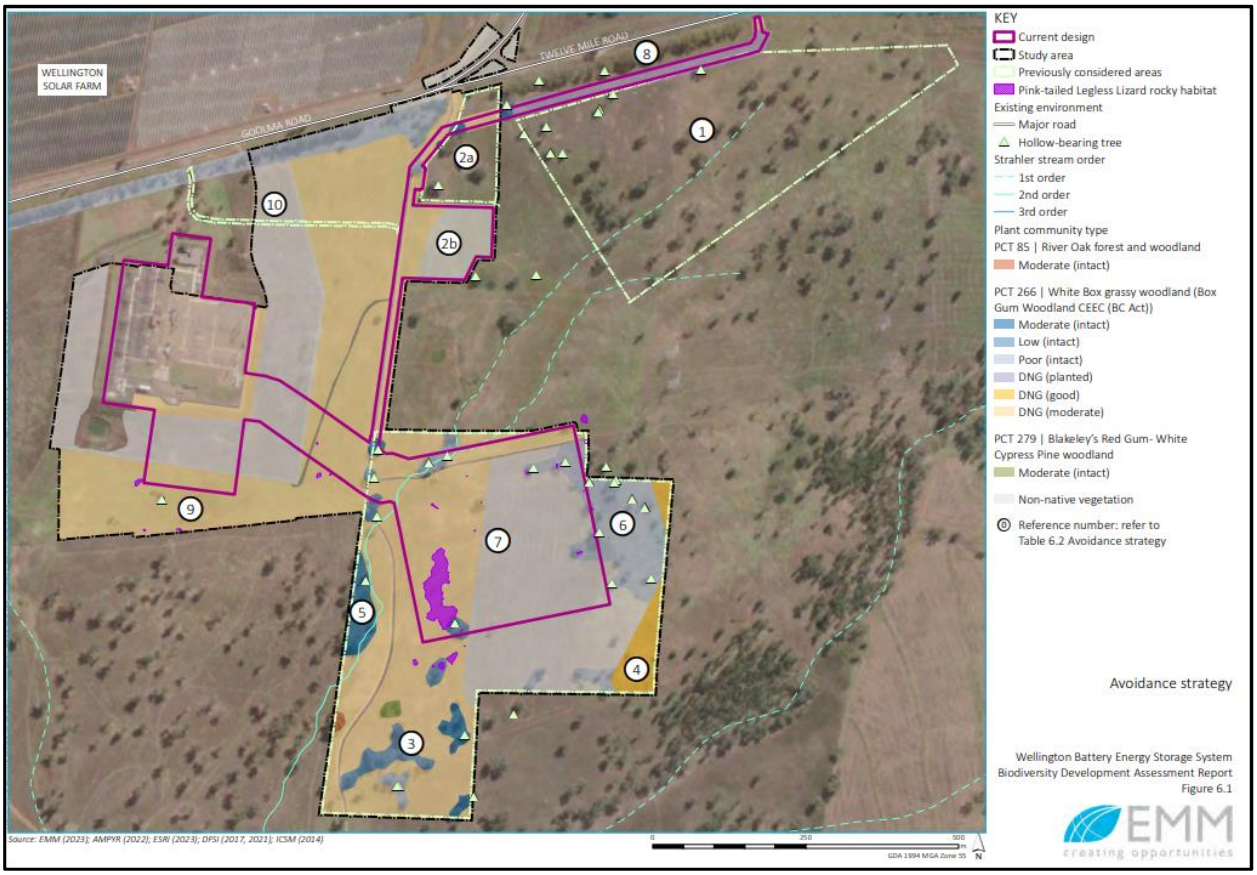
7.4 Recorded Weed and Pest Species

The BDAR (EMM 2023c) includes the following weed species gathered as part of the BAM plots required for the assessment process. There were four introduced flora species that are listed as High Threat Exotics, with African Boxthorn also listed as a Priority Weed and a Weed of National Significance recorded on site. These were:

- *Lycium ferocissimum* (African Boxthorn)
- *Xanthium spinosum* (Bathurst Burr)
- *Carthamus lanatus* (Saffron Thistle)
- *Paspalum dilatatum* (Paspalum)

No exotic mammal species were recorded on site during the development of the BDAR.

Figure 7-1: Ecological elements on site.



8 Biodiversity Management Plan and Completion Criteria

The BMP covers the construction and operation phase of the project. This BMP does not cover the decommissioning phase of the Project, however the BMP will be revised by the Applicant prior to the commencement of decommissioning to incorporate this phase. Information relating to the direct and indirect impacts, strategies/mitigation measures from the BDAR and development consent conditions form the basis of the plan (**Table 8-1**). Monitoring and Reporting, along with Triggers and Responses are included as **Table 8-2 (construction)** and **Table 8-3 (operation)**. Management Protocols referred to in these tables are listed in **Section 10** and are based on the **mitigation measures** from the BDAR. They primarily apply only to the development boundary of the project.

The requirements of the BMP should form a component of the site inductions that all contracted personnel are expected to undertake.

8.1 Project Design Impact

The Project is situated on largely disturbed and cropped land that has low vegetation integrity. As a result, impacts of the Project are limited to the following:

- 8.79 ha of White Box grassy woodland in the upper slopes sub-region of the NSW Sout West Slopes Bioregion (PCT 266) and associated fauna habitat
- Loss of 7 hollow-bearing trees

8.2 Impact and Mitigation Measures

Table 8-1 describes the risks and potential direct and indirect impacts of the Project on biodiversity; it also outlines mitigation measures to be implemented to reduce these risks and potential impacts. Finally, it describes the monitoring responses and responsibility for implementing these measures.

Table 8-1:Site environmental risks, mitigation measures, monitoring responses and responsibilities.

Risk/Impact to be managed	Consequences	Mitigation Measures	Summary of Monitoring	Responsibility
DIRECT IMPACTS				
1. Removal of native vegetation	General loss of flora including 8.79 ha of White Box grassy woodland General loss of habitat for fauna Loss of 7 hollow-bearing trees Hollow-dependent fauna species will be impacted due to loss of habitat trees. Impact to threatened species Superb Parrot and Pink-tailed Legless Lizard Creation of temporary disturbance areas in development footprint.	Where possible, clearing should be avoided and minimised. Ensure that only those areas identified and offset in the conditions of approval are cleared. Protocol 1 – Vegetation Clearing General Protocol 2 – Vegetation Clearing - Habitat Tree Protocol 3 – Management of Displaced Fauna Protocol 4 – Protocol 7 – Fencing Construction and Management **Objective: To mitigate risk associated with fence construction** Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be	Sign off Project Ecologist that all relevant Protocols have been met prior to the commencement of clearing. Inspection and supervision of clearing site to ensure relevant protocol requirements are met. Maintain a log of salvaged animals and actions taken to relocate them. Rehabilitated areas to be monitored weekly for the first six months to ensure plant establishment, then monthly thereafter for next six months after construction is completed for success of work. See Section 8.7 for details. . Monthly monitoring of exclusion zone fencing during construction to ensure fence integrity and trapped fauna.	Principal Contractor HSE Manager to arrange mitigation measures, monitoring and ensure compliance. Subcontractor – Project Ecologist to undertake pre-clearance surveys, supervise clearing, undertake any fauna handling except where emergency situations require assistance from WIRES or local veterinarians.

Risk/Impact to be managed	Consequences	Mitigation Measures	Summary of Monitoring	Responsibility
		summarised in the site induction for all workers. Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Operational phase responsible position: O&M Supervisor To reduce the potential for impacts to fauna, the following fencing construction and management protocol be implemented. This protocol will be incorporated into the induction process for the project. Biodiversity Conservation Trust's *Essential Conservation Fencing Infrastructure (Nov 2022)* to be considered by Fluence and AMPYR when designing fences or when undertaking repairs, taking into consideration the definition of		

Risk/Impact to be managed	Consequences	Mitigation Measures	Summary of Monitoring	Responsibility
		'standard' and 'difficult' sites within the above-mentioned document. Protocol 14 – Superb Parrot inspection program Protocol 15 – Unexpected Finds – threatened species Protocol 16 – Bush Rock Removal Rehabilitation planting in development footprint to restore land for pasture/stock or to native vegetation where practical after construction is completed based on IFC timeframes. Maintain integrity of exclusion zone fencing		
2. Construction of battery systems and perimeter fencing	Trapped fauna may exhaust food resources and water supply, causing death. Trapped fauna may cause degradation of retained native vegetation. Security fences may obstruct the movement of larger terrestrial species such as kangaroos, wallabies and other fauna species. Vehicle strike causing injury to fauna on internal roads	Protocol 3 – Management of Displaced Fauna Protocol 7 – Fencing Construction and Management **Objective: To mitigate risk associated with fence construction** Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.	Inspection and supervision of clearing site to ensure relevant protocol requirements are met. Maintain a log of salvaged animals and actions taken to relocate them. Regular (weekly) inspection and maintenance of fencing during construction (See Protocol 7 – Fencing Construction and Management **Objective: To mitigate risk associated with fence construction** Principal Contractor HSE Manager will share this protocol with	Principal Contractor HSE Manager Project Ecologist to undertake any fauna handling.

Risk/Impact to be managed	Consequences	Mitigation Measures	Summary of Monitoring	Responsibility
		Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Operational phase responsible position: O&M Supervisor To reduce the potential for impacts to fauna, the following fencing construction and management protocol be implemented. This protocol will be incorporated into the induction process for the project. Biodiversity Conservation Trust's *Essential Conservation Fencing Infrastructure (Nov 2022)* to be considered by Fluence and AMPYR when designing fences or when undertaking repairs, taking into consideration the definition of 'standard' and 'difficult' sites within the above-mentioned document.	relevant subcontractors, and will be summarised in the site induction for all workers. Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Operational phase responsible position: O&M Supervisor To reduce the potential for impacts to fauna, the following fencing construction and management protocol be implemented. This protocol will be incorporated into the induction process for the project. Biodiversity Conservation Trust's *Essential Conservation Fencing Infrastructure (Nov 2022)* to be considered by Fluence and AMPYR when designing fences or when	

Risk/Impact to be managed	Consequences	Mitigation Measures	Summary of Monitoring	Responsibility
		Maintain speed limit of 20 kilometre per hour	undertaking repairs, taking into consideration the definition of 'standard' and 'difficult' sites within the above-mentioned document.) Monthly inspection for fencing for first three months of operations, then quarterly for the remainder of the year. Then annually or incident based. Implementation of TMP (noting location of vehicle strike as required).	
INDIRECT IMPACTS				
3. Changed management practices on Site.	Vegetation condition may decline over time due to increased abundancy of weeds.	Protocol 5 – Weed Management Protocol 8 – Erosion and Sediment Control Protocol 12 – Vehicle Hygiene	Visual inspections to detect new weed germination in disturbed area. At least monthly during construction	Principal Contractor HSE Manager
4. Increased traffic and visitation	Degradation and modification of adjacent habitat due to spread of weeds and feral pests.	Protocol 5 – Weed Management Protocol 6 – Feral Pest Management Protocol 9 – Dust Control Protocol 12 – Vehicle Hygiene Protocol 13 – Noise Management	Visual inspections to detect new weed germination in disturbed area. Monthly during construction Vehicle hygiene procedure implemented and recorded. Implementation of TMP.	Principal Contractor HSE Manager
5. Ground disturbance	Creation of dust and facilitation of waterborne sediment. Sedimentation	Protocol 8 – Erosion and Sediment Control	Sediment control measures and rehabilitation areas will be checked and	Principal Contractor HSE Manager

Risk/Impact to be managed	Consequences	Mitigation Measures	Summary of Monitoring	Responsibility
	could adversely affect the surrounding vegetation. Rehabilitation with respect to construction of laydown area.	Protocol 9 – Dust Control Protocol 9 – Dust Control Rehabilitate temporary disturbance areas with pre-development species. Works to be undertaken at an appropriate time of year to ensure survival of the planted species. Rehabilitation works should be completed within 18 months -post-construction as per Section 8.7.	maintained at regular intervals (weekly during construction and immediately following rainfall events that cause runoff). Quarterly inspections of rehabilitated areas for two years after works; half-yearly inspections for the life of the project. Implement appropriate responses if rehabilitation fails.	
6. Light Spill	Light spill from artificial light may affect nocturnal species such as arboreal mammals, large forest owls and foraging microbats.	Protocol 10 – Lighting Design	Inspection of site for potential light source spill against Australian Standard AS/NZS 4282:2019 at commencement of construction. Inspection of site for potential light source spill against Australian Standard AS/NZS 4282:2019 at commencement of operation then annually.	Principal Contractor HSE Manager
7. Pollution	Contamination of land and water from chemical spill.	Protocol 11 – Chemical Management	Fortnightly check of integrity and adequacy of bunding during construction. Check that vehicles involved in refuelling mobile plant away from a bunded area have spill kit and portable bund or drip tray.	Principal Contractor HSE Manager

8.3 Trigger, Action, Response, Monitoring and Reporting

Monitoring and reporting commitments are summarised below in **Table 8-2 (Construction)** and **Table 8-2 (Operation)**. Reports will be provided to the Applicant and DPHI. Any recommendations or changes to the ecological aspects of the monitoring should be acted upon by the Applicant. All monitoring actions/inspections will be recorded and used to meet reporting requirements.

Table 8-2: Multi-level Trigger, Action, Response, Monitoring and reporting requirements during construction.

Trigger Levels

Level 1	**Normal Level**
Level 2	**Early Warning Level**
Level 3	**Exceedance Level**

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
1 Vegetation Clearing	General loss of flora General loss of habitat for fauna Hollow-dependent fauna species will be impacted due to	Pre-clearance surveys completed No impact on vegetation and fauna outside the Development Footprint	Clearing in accordance with Protocol 1 – Vegetation Clearing Procedure and Protocol 2 – Habitat Tree Removal Vegetation is appropriately demarcated with fencing and/or flagging tape as per Protocol 1 –	Project Ecologist to review BMP and ensure vegetation to be removed vs vegetation to be retained is appropriately marked prior to continuing works	Principal Contractor to inspect the clearing site to ensure relevant protocol requirements are met. Project Ecologist complete post-clearing checklist	Daily during clearing activities	Principal Contractor HSE Manager to undertake monitoring and ensure compliance. Project Ecologist to undertake pre-clearance surveys, supervise clearing and undertake any fauna handling.

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
	loss of habitat trees. One Threatened Ecological Community is present and will be directly impacted (*White box grassy woodland in the upper slopes sub region of the NSW SWS bioregion*)	Displaced Fauna management completed as per protocol	Vegetation Clearing Procedure and Protocol 2 – Habitat Tree Removal. Manage any displaced fauna in accordance with Protocol 3 Management of Displaced Fauna.		and provide to HSE Manager		
			Development footprint demarcation down	Reinstate fallen demarcation measures	Inspect the clearing site to ensure relevant protocol requirements are met	Daily during clearing activities	Project Ecologist
			Development footprint demarcation removed. Unauthorised clearing	If any vegetation is removed outside the approved development footprint, stop work, and report incident. Reinstall demarcation measures If work not being completed in accordance	Inspect the clearing site to ensure relevant protocol requirements are met	Daily during clearing activities	Project Ecologist, HSE Manager, AMPYR Project Manager AMPYR Project Manager to report to DPHI, Planning Secretary

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
				with this BMP, stop work and review protocols Undertake additional training with operators and relevant site personnel.			
2 **Construction of batteries and perimeter fencing**	Trapped fauna may cause degradation of retained native vegetation. Security fences may obstruct the movement of larger terrestrial species such as kangaroos, wallabies and other fauna species.	Perimeter fencing intact No large terrestrial mammal species trapped by fencing	Fencing intact. Implement Protocol 7 – Fencing Construction and Management Salvaged animals relocated.	Regular (weekly) inspection and maintenance of fencing during construction Implement Protocol 7 – Fencing Construction and Management	Inspect and maintain fencing. Maintain a log of salvaged animals and actions taken to relocate them.	Weekly	Principal Contractor HSE Manager, Project Ecologist, Fluence Lead Construction Manager
			Fencing is damaged or not being maintained. Injured or deceased fauna is identified along or near fencing.	Repair fencing Implement Protocol 7 – Fencing Construction and Management	Inspect and maintain fencing. Inspect and maintain fencing. Maintain a log of salvaged animals and actions taken to relocate them.	Weekly	Principal Contractor HSE Manager, Project Ecologist, Fluence Lead Construction Manager

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
			Fencing is missing and has not been repaired. Fauna deaths Listed Threatened Species trapped inside the perimeter fence.	Replace and / or repair missing fencing, Implement Protocol 7 – Fencing Construction and Management Undertake additional training with operators and relevant site personnel. Project Ecologist to capture, if possible, listed Threatened Species and relocate. Implement Protocol 3 – Management of Displaced Fauna.	Inspect and maintain fencing. Maintain a log of salvaged animals and actions taken to relocate them.	Weekly	Principal Contractor HSE Manager, Project Ecologist, Fluence Lead Construction Manager AMPYR Project Manager to report to DPHI as required.
	Rehabilitation with respect to construction.	Rehabilitation of disturbance zones	Disturbed areas meeting rehabilitation objectives.	Inspect disturbed areas for compliance with agreed rehabilitation objectives.	Inspect disturbed areas for rehabilitation success.	Weekly	Principal Contractor HSE Manager, Fluence Lead Construction Manager.
			Disturbed areas not meeting rehabilitation objectives. Failed vegetation patches less than $10m^2$	Implement appropriate responses if rehabilitation fails. Identify and implement control measures in Protocol 5 – Weed	Inspect disturbed areas for rehabilitation success.	Weekly	Principal Contractor HSE Manager, Fluence Lead Construction Manager. Fluence Lead Project Manager.

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
			Proliferation of non-native vegetation or ground cover <70% in disturbance area.	Management and Protocol 19 - Rehabilitation Failed vegetation patches less than 10m^2 to be actively managed within 30 days using the most appropriate method per the prevailing climatic conditions.			AMPYR Project Manager to report to DPHI
			Updated Erosion and sediment control devices not functioning. Sedimentation occurring. Failed vegetation patches greater than 10m^2.	Implement appropriate responses if rehabilitation fails. Identify and implement control measures in Protocol 5 – Weed Management and Protocol 17 - Rehabilitation Failed vegetation patches less than 10m2 to be actively managed within 30 days using the most appropriate method per the prevailing climatic conditions.	Inspect disturbed areas for rehabilitation success.	Weekly	Principal Contractor HSE Manager, Fluence Lead Construction Manager. Fluence Lead Project Manager. AMPYR Project Manager to report to DPHI
6. Light Spill	Light spill from artificial light may affect nocturnal species.	Dark Sky Planning Guidelines implemented.	Works being undertaken in accordance with the Conditions of Consent and there is no light spill.	Implement management actions in Protocol 10 – Lighting Design in accordance with AS4282	Inspect lighting in project area. Compliance with approved hours of construction.	Weekly	Principal Contractor HSE Manager, Principal Contractor Lead Construction Manager.

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
			Works being undertaken outside of the Conditions of Consent and there is no light spill.	Implement management actions in Protocol 10 – Lighting Design in accordance with AS4282. Manage site in accordance with Dark Sky Planning Guideline Fluence Lead Construction Manager to investigate the circumstances regarding out of hours works.	Inspect lighting in project area. Compliance with approved hours of construction.	Weekly	Principal Contractor Lead Construction Manager. Fluence Lead Project Manager. AMPYR Project Manager to report to DPHI
			Works being undertaken in accordance with the Conditions of Consent and there is light spill	Implement management actions in Protocol 10 – Lighting Design in accordance with AS4282. Manage site in accordance with Dark Sky Planning Guideline Fluence Lead Construction Manager to investigate the circumstances regarding out of hours works and light spill	Inspect lighting in project area. Compliance with approved hours of construction.	Weekly	Principal Contractor HSE Manager, Principal Contractor Lead Construction Manager. Fluence Lead Project Manager. AMPYR Project Manager to report to DPHI
7. Pollution	Contamination of land and water from chemical spill.	No chemical spills	No spills.	Implement management actions in Protocol 11 – Chemical Management	Inspect chemical storage areas	Fortnightly	Principal Contractor HSE Manager, Fluence Lead Construction Manager.

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
Construction							
			Minor spill, outside of definition of Incident in Conditions of Consent.	Stop work in the spill area. Clean up spill. Implement management actions in Protocol 11 – Chemical Management	Inspect chemical storage areas	Fortnightly	Principal Contractor Lead Construction Manager. Fluence Lead Project Manager. AMPYR Project Manager to report to DPHI
			Spill which is considered an Incident	Stop work in the spill area, Clean up spill, Report the incident. Review and update management actions in Protocol 11 – Chemical Management if required.	Inspect chemical storage areas	Fortnightly	Principal Contractor HSE Manager, Fluence Lead Construction Manager. Fluence Lead Project Manager. AMPYR Project Manager to report to DPHI

Table 8-3: Multi-level Trigger, Action, Response, Monitoring and reporting requirements during operation.

Trigger Levels

Level 1	**Normal Level**
Level 2	**Early Warning Level**
Level 3	**Exceedance Level**

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
2 **Operation of battery systems and perimeter fencing**	Security fences may obstruct the movement of larger terrestrial species such as kangaroos, wallabies and other fauna species.	No trapped fauna within development boundary	Fencing intact. No fauna detected. No vehicle strikes.	Regular monthly inspections and maintenance of fencing for the first three months post-construction, then quarterly for the remainder of the first-year post-construction. Then annually, provided fauna deaths are infrequent. Maintain a log of vehicle strikes. Implementation of TMP. Salvaged animals relocated. Implement Protocol 7 – Fencing Construction and Management	Inspect and maintain fencing. Maintain a log of salvaged animals and actions taken to relocate them.	Monthly for first three months of operations, then quarterly for the remainder of the year. Then annually or incident based.	O&M Supervisor, Project Ecologist
			Fencing is damaged or not being maintained.	Regular monthly inspections and maintenance of fencing for the first three months	Inspect and maintain fencing.	Monthly for first three months of operations, then quarterly for the	O&M Supervisor, AMPYR Operations Manager

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
			Injured or deceased fauna is identified along or near fencing or within the site.	post-construction, then quarterly for the remainder of the first-year post-construction. Then annually, provided fauna deaths are infrequent. Inspect and maintain fencing. Maintain a log of salvaged animals and actions taken to relocate them. Implement Protocol 7 – Fencing Construction and Management	Maintain a log of salvaged animals and actions taken to relocate them. Maintain a log of vehicle strikes. Implementation of TMP.	remainder of the year. Then annually or incident based.	
			Fencing is missing and has not been repaired. Fauna trapped. Fauna deaths. Listed Threatened Species trapped inside the perimeter fence.	Regular monthly inspections and maintenance of fencing for the first three months post-construction, then quarterly for the remainder of the first-year post-construction. Then annually, provided fauna deaths are infrequent. Replace and / or repair missing fencing.	Inspect and maintain fencing. Maintain a log of salvaged animals and actions taken to relocate them.	Monthly for first three months of operations, then quarterly for the remainder of the year. Then annually or incident based.	O&M Supervisor, AMPYR Operations Manager

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
				Investigate cause of death or injury and record details. Review fencing design if investigation identifies improvement required. Review Protocol 7 – Fencing Construction and Management			
3. Changed management practices on Site.	Vegetation condition may decline over time due to increased abundancy of weeds and presence of feral pests.	No decline in vegetation condition	Establishment of baseline weeds survey in operational phase No incursions of feral pests (eg rabbit, fox and pig) on site	Ongoing visual monitoring. On-going weed management as required by specific weeds. Log opportunistic sightings of feral pests.	Inspect for weeds Opportunistic sightings of ferals	Annual weed survey Ad hoc monitoring for ferals	O&M contractor
			Increase in weed density and distribution from baseline weed survey of 10%. Presence of feral animals within boundary	Identify and implement control measures in Protocol 5 – Weed Management Implement management actions in Protocol 6 – Feral Pest Management.	Inspect for weeds Engage approved contractor to undertake weed management as per Protocol 5. Opportunistic sighting of ferals.	Annual weed survey Ad hoc monitoring for ferals	O&M contractor

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
			Increase in weed density and distribution from baseline weed survey by more than 10%. Presence of feral animals within boundary	Identify and implement control measures in Protocol 5 – Weed Management. Reporting of Priority Weeds (Declared Noxious Weeds) to AMPYR and Local Land Services (LLS) Targeted control of priority weeds (Declared noxious Weeds). Consult LLS for advice on feral pest management.	Inspect for weeds Engage approved contractor to undertake weed management as per Protocol 5. Engage approved contractor to undertake feral pest management.	Annual weed survey Ad hoc monitoring for ferals	O&M Supervisor, AMPYR Operations Manager
5. Ground Disturbance Rehabilitation	Monitor rehabilitated areas	Rehabilitation ground cover at a minimum of 70%	Maintenance of non-native vegetation or ground cover >70% in disturbance area.	Continued monitoring	Quarterly inspections of rehabilitated areas for two years after works; half-yearly inspections for the life of the project.	Quarterly inspections of rehabilitated areas for two years after works; half-yearly inspections for the life of the project.	Project Ecologist O&M Supervisor
			Disturbed areas not meeting rehabilitation objectives.	Implement management actions in Protocol 8 – Erosion and Sediment Control Protocol 17 – Rehabilitation	Quarterly inspections of rehabilitated areas for two years after works; half-	Quarterly inspections of rehabilitated areas for two years after works; half-yearly	Project Ecologist O&M Supervisor

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
			Failed vegetation patches less than 10m^2 Proliferation of non-native vegetation or ground cover <70%.	Section 8.7 Identify and implement control measures in Protocol 5 – Weed Management Failed vegetation patches less than 10m^2 to be actively managed within 30 days using the most appropriate method per the prevailing climatic conditions.	yearly inspections for the life of the project.	inspections for the life of the project.	
			Failed vegetation patches greater than 10m^2 Proliferation of weeds, non-native vegetation within rehabilitated areas or ground cover <70% in disturbance area.	Implement management actions in Protocol 8 – Erosion and Sediment Control Protocol 17 – Rehabilitation Section 8.7 Identify and implement control measures in Protocol 5 – Weed Management Failed vegetation patches less than 10m2 to be actively managed within 30 days using the most appropriate method per the prevailing climatic conditions.	Quarterly inspections of rehabilitated areas for two years after works; half-yearly inspections for the life of the project.	Quarterly inspections of rehabilitated areas for two years after works; half-yearly inspections for the life of the project.	Project Ecologist O&M Supervisor

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
7. Light Spill	Light spill from artificial light may affect nocturnal species	Dark Sky Planning Guidelines implemented	Works being undertaken in accordance with the Conditions of Consent and there is no light spill.	Implement management actions in Protocol 10 – Lighting Design in accordance with AS4282 Manage site in accordance with Dark Sky Planning Guideline.	Inspect lighting in project area. Compliance with Conditions of Consent.	Upon commencement of operation then annually.	O&M Supervisor
			Works being undertaken in accordance with the Conditions of Consent and there is light spill.	Implement management actions in Protocol 10 – Lighting Design in accordance with AS4282. Manage site in accordance with Dark Sky Planning Guideline O&M Supervisor to investigate the circumstances regarding light generation and check for compliance with Conditions of Consent. If out of hours works are involved, then O&M Supervisor and AMPYR to seek Secretary's Approval for such works.	Inspect lighting in project area. Compliance with Conditions of Consent	Upon commencement of operation then annually.	O&M Supervisor. AMPYR Operations Manager to report to DPHI
			Works being undertaken in accordance with the Conditions of	Implement management actions in Protocol 10 – Lighting Design in accordance with AS4282.	Inspect lighting in project area.	Upon commencement of operation then annually.	O&M Supervisor. AMPYR Operations Manager to report to DPHI

Impact from Table 8.1	Result of Impact	Performance Criteria	Decision Trigger	Action	Monitoring Action	Timing	Responsibility
OPERATION							
			Consent and there is light spill	Manage site in accordance with Dark Sky Planning Guideline Manager O&M Supervisor to investigate light spill that doesn't conform with Conditions of Consent (eg light shining above the horizontal). If out of hours works are required AMPYR to seek Secretary's Approval for such works	Compliance with Conditions of Consent		

8.4 BMP Performance

Analysis of broad Completion Criteria across all risk/impacts to determine performance of the BMP in managing biodiversity of the development are shown below. Specific completion criteria activities are shown in **Table 8-4**. This will include:

- **Construction**
    - Habitat tree felling will only occur in summer, autumn or winter (1 December to 31 August) and will not occur in spring (1 September to 30 November) (see Protocol 2). Special provisions apply to Superb Parrot, see Protocol 14, which restricts tree felling from 1 September to 31 December.
    - If the Superb Parrot is found to be utilising a hollow, removal of the hollow-bearing tree must be postponed until the breeding pair has left the hollow for the breeding season and no eggs or hatchlings remain in the hollow (September to December). An exclusion zone must be installed should the Superb Parrot be found within a hollow.
    - Zero removal of 'to be retained' native vegetation during construction and operational phases.
    - Removal of 7 hollow bearing trees offset by installation of 7 nest boxes or equivalent.
    - Any post construction ground cover revegetation to occur within 3 months of construction completion or upgrading using native grasses. Rehabilitation works including reshaping, topsoil spreading will commence within 10 days of the completion of construction.
- **Operation**
    - Failed vegetation patches greater than $10m^2$ to be actively managed within 10 days using the most appropriate method per the prevailing climatic conditions.
    - Management of feral animals and weeds for the life of the project
    - Monitoring and reporting requirements as required in **Table 8-3** met for life of the project.

Table 8-4: Specific completion criteria for the BMP

Action	Where monitoring will be undertaken	Description	Short-term performance criteria During construction	Short Term performance criteria 6-12 months post construction	Medium Term performance criteria 1-5 years post construction	Long Term performance criteria > 5 years post construction	Corrective actions (adaptive management responses)	Completion Criteria (Long term outcome)
Rehabilitation areas monitored and maintained (as required)	Areas disturbed by construction will be rehabilitated within three months of completion of construction Other disturbed areas as identified in DC Appendix 7 will need to meet that criteria (see below).	Areas requiring rehabilitation, including temporary disturbance areas, will be reshaped, topsoiled and sown with suitable species (see protocol 17). Where climatic conditions require, the use of short-term seasonal sterile cover crop such as Rye Corn or Oats is permitted prior to establishment of native species.	**Responsibility – HSE Coordinator** **Performance Criteria:** Within 10 days of completion of construction activities, disturbed areas will have rehabilitation commenced. Within 3 months of construction being completed, disturbed areas will be rehabilitated	**Responsibility – HSE Coordinator** **Performance Criteria:** Maintain ground cover to 70% cover in the disturbance area with native pasture species Failed vegetation patches greater than $20m^2$ actively managed within 10 days	**Responsibility – O&M Contractor** **Performance Criteria:** Maintain ground cover to 70% cover in the disturbance area with native pasture species Failed vegetation patches greater than $10m^2$ actively managed within 10 days	**Responsibility – O&M Contractor** **Performance Criteria:** Maintain ground cover to 70% cover in the disturbance area with native pasture species Failed vegetation patches greater than $10m^2$ actively managed within 10 days	**Short-term adaptive management action:** Scours greater than 100 mm deep and 20 metres long will be actively managed within 10 days.	**Long-term outcome:** The site will be rehabilitated with minimum 70% cover.

Action	Where monitoring will be undertaken	Description	Short-term performance criteria During construction	Short Term performance criteria 6-12 months post construction	Medium Term performance criteria 1-5 years post construction	Long Term performance criteria > 5 years post construction	Corrective actions (adaptive management responses)	Completion Criteria (Long term outcome)
Landscape plan monitored and maintained (as required)	The area as defined in DC Appendix 7 – Landscape Plan	Vegetation would be planted as per Landscape Plan	**N/A**	**Responsibility – HSE Coordinator** **Performance Criteria** 100% of planting completed	**Responsibility – O&M Contractor** **Performance Criteria** 60% survival rate of plants. Enact corrective action as required.	**Responsibility – O&M Contractor** **Performance Criteria** 80% survival rate of plants. Enact corrective action as required.	**Short-term adaptive management action:** Replace plantings to maintain a minimum of 90% successful growth at any one time.	**Long-term outcome** BESS is screened via vegetation as per Appendix 7 – Landscape Plan.
Native Fauna trapped within The Project	The Project area disturbance areas will be monitored	Inspections of fences will be undertaken. Monthly for first three months of operations, then quarterly for the remainder of the year. Then annually or incident based.	**Responsibility – HSE Coordinator** **Performance Criteria** Monthly for first three months of operations, then quarterly for the remainder of the year. Then	**Responsibility – HSE Coordinator** **Performance Criteria** 100% of fence lines in good repair.	**Responsibility – O&M Contractor** **Performance Criteria** 100% of fencelines in good repair. Native fauna not trapped within the project.	**Responsibility – O&M Contractor** **Performance Criteria** 100% of fencelines in good repair.	**Short-term adaptive management action:** Undertake repairs to fenceline as necessary. Removal and relocation of trapped native fauna by	**Long-term outcome** Fencing maintained for duration of project. No trapped fauna.

Action	Where monitoring will be undertaken	Description	Short-term performance criteria During construction	Short Term performance criteria 6-12 months post construction	Medium Term performance criteria 1-5 years post construction	Long Term performance criteria > 5 years post construction	Corrective actions (adaptive management responses)	Completion Criteria (Long term outcome)
			annually or incident based.	Native fauna not trapped within the project.		Native fauna not trapped within the project.	ecologist, WIRES representative or local Vet.	
Installation of 7 nest boxes or equivalent monitored and maintained (as required)	Across the site	Installation of 7 nest boxes or equivalent in suitable habitat.	**N/A**	**Responsibility – HSE Coordinator** **Performance Criteria** Installation of 7 nest boxes or similar in suitable habitat.	**Responsibility – O&M Contractor** **Performance Criteria** Annual assessment of 7 nest boxes or equivalent. 7 nest boxes in condition suitable for use by fauna (structurally sound)	**Responsibility – O&M Contractor** **Performance Criteria** Annual assessment of 7 nest boxes or equivalent. 7 nest boxes in condition suitable for use by fauna (structurally sound)	Replacement of structurally unsound nest boxes.	Structurally sound nest boxes on site.

Action	Where monitoring will be undertaken	Description	Short-term performance criteria During construction	Short Term performance criteria 6-12 months post construction	Medium Term performance criteria 1-5 years post construction	Long Term performance criteria > 5 years post construction	Corrective actions (adaptive management responses)	Completion Criteria (Long term outcome)
Undertake Baseline Weed Survey	The project area	A baseline weed survey will be undertaken at commencement of operation.	**Responsibility – HSE Coordinator** **Performance Criteria** Removal of weeds prior to or as part of the clearing process to the extent practicable and appropriately stockpiled to avoid spread of seed and other propagules	**Responsibility – HSE Coordinator** **Performance Criteria** Completion of weed baseline study. Completion of weed management	**Responsibility – O&M Contractor** **Performance Criteria** Completion of annual weed survey. Completion of weed management.	**Responsibility – O&M Contractor** **Performance Criteria** Completion of annual weed survey. Completion of weed management.	Review prevalent weeds and determine if nearby source	Weeds controlled on site for the duration of the project.

Action	Where monitoring will be undertaken	Description	Short-term performance criteria During construction	Short Term performance criteria 6-12 months post construction	Medium Term performance criteria 1-5 years post construction	Long Term performance criteria > 5 years post construction	Corrective actions (adaptive management responses)	Completion Criteria (Long term outcome)
Undertake Baseline Feral Pest Survey	The project area	A baseline feral pest survey will be undertaken at completion of construction.	**Responsibility – HSE Coordinator** **Performance Criteria** Completion of feral pest management survey at end of construction.	**Responsibility – HSE Coordinator** **Performance Criteria** Completion of feral pest management guided by ad-hoc survey and this BMP	**Responsibility – O&M Contractor** **Performance Criteria** To be confirmed based on previous pest surveys and management.	**Responsibility – O&M Contractor** **Performance Criteria** To be confirmed based on previous pest surveys and management.	Building on information in baseline pest survey to investigate source of pest species, implement management actions as per Protocol 6 of this BMP.	Feral pests controlled on site for the duration of the project.

8.5 Training

8.5.1 Induction

As part of the induction for **construction** phase of the Project, personnel and relevant subcontractors will become familiar with:

- the purpose of the BMP and all relevant Post approval plans
- the protocols of the BMP and environmental controls
- the processes for environmental emergencies and key contacts
- key roles and responsibilities relevant to BMP.

Protocols in this BMP relevant to that day's activities will be highlighted in the pre-start meeting, and protocols that relate specifically to managing flora and fauna on site are to be included in the induction material developed for the project.

The Site Induction will be updated prior to the commencement of operations to reflect the changes in onsite activities, environmental management and personnel. The Operations Site Induction will be administered by the O&M Manager.

This site will have Site Inductions and an induction register will be kept on-site, signed by inductees, with awareness of the requirements of the BMP highlighted.

As part of the induction for **operational** phase of the Project, personnel and relevant subcontractors will become familiar with:

- the purpose of the BMP and all relevant Post approval plans
- the protocols of the BMP and environmental controls
- the processes for environmental emergencies
- key roles and responsibilities relevant to BMP.

8.6 Website

A website has been established for the Project at https://wellingtonbess.com

This website will be maintained and kept up to date by the Proponent AMPYR. As the EPC, Fluence will provide AMPYR with information as required to ensure the website has up-to-date information. In accordance with Schedule 2, Condition C20, of the conditions of consent, the website will make the following information publicly available at a minimum, as relevant to the stage of the development:

- The EIS
- the final layout plans for the development
- current statutory approvals for the development
- approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan)

- the proposed staging plans for the development if the construction, operations or decommissioning of the development is to be staged
- a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
- how complaints about the development can be made
- any independent environmental audit, and the Applicant's response to the recommendations in any audit
- any other matter required by the Planning Secretary.

This information on the website will be kept up to date.

8.7 Rehabilitation

Any post construction ground cover revegetation to occur within 3 months of construction completion or upgrading using native grasses. Rehabilitation works including reshaping and topsoil spreading will commence within 10 days of the completion of construction.

It is recommended that the following list and supporting documents be used as a guide for providing the correct native species. 70% ground cover in accordance with the Landcom 2004 will be achieved in the disturbance area.

- *Themeda triandra* (Kangaroo Grass)
- *Austrodanthonia species* (Wallaby Grass)
- *Bothriochloa macra* (Red Grass, Red-Leg Grass)
- *Austrostipa scabra* (Rough Speargrass)
- *Chloris truncate* (Windmill Grass)
- Common native grasses of Central West NSW by the Local Land Service LLS https://www.lls.nsw.gov.au/__data/assets/pdf_file/0007/567628/native-grasses-guide.pdf)
- Grazing Management for Native Pastures on the North West Slopes of NSW (https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0018/162252/grazing-native.pdf)

Within 18 months of cessation of operations, as per Schedule 2, Condition B36, the applicant must rehabilitate the site to the satisfaction of the Planning secretary, as shown in **Table 8-5**. A detailed decommissioning and rehabilitation plan will be developed at the time of decommissioning.

Table 8-5: Rehabilitation Objectives.

Feature	Objective
Site	• Safe, stable and non-polluting
Battery Storage infrastructure	• To be decommissioned and removed, unless the Planning Secretary agrees otherwise, with the exception of assets held by the Network Service Provider
Land use	• Restore land capability to pre-existing use
Community	• Ensure public safety at all times

8.8 BMP Review and improvement

Continuous improvement of this BMP will be achieved by the ongoing evaluation of performance.

During operations, a review and evaluation of the BMP to identify opportunities for improvement will be completed by AMPYR, Fluence and Project Ecologist.

This BMP will be reviewed and updated, if required, at the following times of the project:

- Prior to upgrading or decommissioning activities on site
- In accordance with Condition 2, Schedule 4, within 1 month of:
    - Submission of an incident report under condition 7 of Schedule 4
    - Submission of an audit report under condition 9 of Schedule 4
    - Any modifications to the conditions of this consent
- Within three years after the project commences operations, then 5 years thereafter.
- The reviewed BMP will be provided to DPHI for the Secretary's approval of modified/updated plans

Part of the continuous improvement process will also include an annual meeting held during the operation phases of the project, and be designed to:

- identify areas of opportunity for improvement of environmental management and performance.
- determine the cause or causes of non-compliance and deficiencies.
- develop and implement a plan of corrective and preventative action to address any non-compliances and deficiencies.
- verify the effectiveness of the corrective and preventative actions.
- document any changes in procedures resulting from process improvement.
- make comparisons with objectives and targets.

Outcomes associated with the continuous improvement process will be distributed to relevant personal via internal communication networks. The updates will also be uploaded to the project website.

9 Biodiversity Offsetting

The BMP has been prepared cognisant that offsetting biodiversity impacts of the development will be required under Schedule 2, Condition B14. Prior to commencing construction, unless the Secretary agrees otherwise, the Proponent must retire biodiversity credits of a number and class specified in Table 1 of Schedule 2, Condition B12 (see **below**).

Table 1 | Ecosystem Credit Requirements

Ecosystem Credits	Credits Required
PCT266 – White Box grassy woodland in the upper slopes ub-region of the NSW South Western Slopes Bioregion	41

Table 2 | Species Credit Requirements

Species Credit Species	Credits Required
Superb Parrot	56
Pink-tailed Legless Lizard	36

AMPYR will pay the offset credit liability prior to construction commencing and will receive a certificate from BCT under section 6.3.3 of the BC Act to confirm receipt of payment. Evidence will be provided to DPHI and posted on the project website.

10 Biodiversity Management Protocols

The following protocols have been developed to make the implementation of the BMP easier to manage for both the Construction and Operation phases.

10.1 Protocol 1 – Vegetation Clearing – General

Objective: To mitigate risk associated with vegetation clearing

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

This protocol is to be read in conjunction with Protocol 2.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Transgrid

Specific measures to minimise the impact of vegetation clearing include:

1. Refer to Figure 7-1 for guidance on trees to be removed vs retained. The protocol for habitat tree removal is Protocol 2, which stipulates that habitat tree felling will only occur in summer, autumn or winter (1 December - 31 August) and will not occur in spring (1 September to 30 November). Special provisions apply to Superb Parrot, see Protocol 14, which restricts tree felling from 1 September to 31 December.
2. Retain vegetation where possible within the transmission line connection and limit the removal of vegetation to necessary trees and trimming of branches in accordance with the Transgrid Easement Guidelines June 2024 or the latest version.
3. All workers are to be made aware of ecologically sensitive areas and the need to avoid impacts, including adjacent native vegetation (BIO 11).
4. Clearing will not be undertaken during periods of potentially extreme weather (temperatures are greater than 35^{o}C to reduce stress to fauna), or when the clearance activity is deemed to be a high risk by the Principal Contractor HSE Manager.
5. Using GIS data, areas of vegetation to be retained are to be clearly demarcated by the Principal Contractor HSE Manager with high visibility fencing to prevent accidental clearing during the construction phase.
    a. Clearly marked on Issued for Construction Plans (IFC), which will delineate areas to be cleared, exclusion zones, Heritage Items (refer to Heritage Management Plan for further details)

b. Non-habitat trees to be removed will be spray painted with a red X on the trunk

c. Habitat tree to be removed will be spray painted with white H on the trunk and encircled with red and white flagging (see Protocol 2 for details)

6. Existing cleared areas, farm tracks or areas of existing disturbance will be utilized where possible for laydown areas, boundary fences and access tracks to minimise the amount of vegetation clearing required.

7. All material stockpiles, vehicle parking and machinery storage will be signposted and located within cleared areas or areas proposed for clearing, and not within areas of vegetation to be retained.

8. The Principal Contractor HSE Manager will regularly record the clearing as undertaken and confirm that approved disturbance areas align with actual clearing conditions. GIS and digital records will be kept and updated regularly. These actions/management measures that will minimise unnecessary clearance during construction and include:

    a. Digital recording (photographs, GPS coordinates and GIS shapefiles) of areas to be cleared prior to clearing

    b. IFC drawings to clearly show areas to be cleared.

    c. Digital recording (photographs, GPS Coordinates and GIS shapefiles) of cleared areas after clearing

9. Pre-clearance surveys must be undertaken by the Project Ecologist 1-2 weeks prior to commencement of any clearing activities; the Project Ecologist will conduct pre-clearing surveys to identify:

    a. Fauna species likely to be encountered during construction and potential impacts to those fauna during vegetation clearing

    b. Habitat actively used by native fauna within the Project Site (digital note taken and species spray painted onto tree)

    c. Suitable locations to relocate fauna near to the Project Site (collect GPS co-ordinates)

    d. Retained trees will be marked for their protection during construction, where required with green flagging tape. These markings will be monitored and reflagged during construction where necessary (BIO 09). Signage to be placed

near trees providing reasons why the green flagging tape is in place, and a warning not to remove and to seek additional details from HSE manager or ecologist.

e. Local WIRES representatives or local vets willing to care for injured animals will be notified

f. Vegetation removal within the transmission line connection area will be minimised (BIO 01)

10. Prior to all clearing operations the Project Ecologist will verify and certify that all the relevant Protocols have been satisfied.

11. The Project Ecologist is to be present on site during all native vegetation tree clearing operations.

12. Native Vegetation should be cleared in a way that will allow fauna species living in or near the clearing site enough time to move out of the area without additional human intervention. Specifically, clearing should begin with non-habitat trees and start at the centre of the Project site, working towards the boundary, to encourage wildlife to disperse to remnant patches.

13. No clearing should occur at dawn, dusk or at night, as this is when fauna are most likely to be on the move and are more vulnerable to injury. Specifically, works should begin a minimum of two hours after first light, and cease a minimum of 90 minutes prior to sunset.

14. Habitat links must be maintained during clearing to allow fauna species to move safely from the site to adjacent areas.

15. Clearing should begin in the area that is farthest from vegetation to be retained.

16. The direction of clearing should also ensure that fauna species are directed away from threats such as roads, developed areas or disturbed areas (e.g. residential areas or cleared spaces >100m). Directional felling of trees may be achieved with an excavator or may require specialised equipment such as feller buncher, swivel grab attachment for excavator or chainsaw.

17. To avoid soil disturbance and prevent inadvertent damage, use of a chainsaw is preferable in situations where partial clearing is proposed.

18. The removal of 7 hollow bearing trees will be offset by the installation of 7 nest boxes or equivalent. These should include the reuse of the removed hollows into the remaining trees on site. (BIO 04; BIO 05).

10.2 Protocol 2 – Vegetation Clearing - Habitat Trees

Objective: To mitigate risk associated with vegetation clearing of Habitat Trees

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

This protocol is to be read in conjunction with Protocol 1 and Protocol 16.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Transgrid

Habitat trees must be carefully felled under the supervision of the Project Ecologist (BIO 06). The following recommendations have been developed in consideration of best practise guidelines:

1. Project Ecologist to sign off that all mitigation measure have been implemented.
2. All habitat trees to be cleared are to be surveyed and marked with high visibility red and white flagging tape 1-2 weeks prior to clearing taking place.
3. Non habitat trees will be removed first, followed by habitat trees, with at least 24 hours separating the two events.
4. Habitat tree felling will only occur in summer, autumn or winter (1 December - 31 August) and will not occur in spring (1 September to 30 November). Special provisions apply to Superb Parrot, see Protocol 14, which restricts tree felling from 1 September to 31 December.
5. Suitably qualified persons, such as arborists to be used for the felling/branch removal process.
6. Check weather conditions prior to removal, habitat trees may only be removed when temperatures are less than 35^{o}C to reduce stress to fauna, i.e., habitat tree clearing must cease if temperatures exceed 35^{o}C.
7. Habitat links must be maintained during clearing to permit fauna species to move safely from the site to adjacent areas:

8. Clearing should begin in the area that is farthest from those areas of vegetation that are to be retained and move progressively towards the area retained. i.e, clearing should begin in the centre of the site and work towards the perimeter.
9. Sequential clearing should not create an 'island' of habitat that is isolated from adjoining habitat by roads, or cleared and disturbed areas
10. The direction of clearing should ensure that fauna species are directed away from threats such as roads, developed areas or disturbed areas
11. Trees should be felled in a staged manner, with removal of non-hollow bearing limbs should occur first.
12. Habitat trees are to be mechanically shaken or agitated multiple times immediately prior to felling to encourage any remaining animals to either leave the tree or show themselves and subsequently be removed by the Project Ecologist prior to felling. The contractor should wait a minimum of two minutes between shaking the tree and felling the tree to allow time for fauna to emerge.
13. Felling will involve gently pushing the tree and lowering or felling using a forestry harvester (such as feller buncher) to avoid sudden falling as this is likely to injure or kill wildlife; or if this is infeasible due to a lack of access to forestry harvesting equipment, trees will be gently shaken and agitated multiple times prior to implementing traditional felling methods.
14. Directional felling of trees may be achieved with an excavator or may require specialised equipment such as feller buncher, swivel grab attachment for excavator or chainsaw.
15. To avoid soil disturbance and prevent inadvertent damage, use of a chainsaw is preferable in situations where partial clearing is proposed.
16. Following felling, habitat trees will be systematically checked from the ground by the Project Ecologist for any remaining fauna.
17. Uninjured fauna must be relocated to suitable nearby habitat by the Project Ecologist
18. Injured fauna must be taken to a local Vet or a Wildlife Rehabilitator identified by the Project Ecologist.

19. Felled habitat trees will be left in position overnight to allow any undetected fauna further opportunity to escape.
20. If any hollow-bearing tree is found or suspected to contain any threatened species, the tree should be left in place for a minimum of two days and must be reinspected no more than two hours prior to felling to ensure that the threatened species is no longer present. If the species is still present these steps should be repeated.
21. If Superb Parrot is found in any hollow bearing tree, refer to Protocol 14 BIO 07)
22. The removal of 7 hollow bearing trees will be offset by the installation of 7 nest boxes or equivalent. These should include the reuse of the removed hollows into the remaining trees on site. (BIO 04; BIO 05)
23. Bush Rock pre-clearance surveys to be conducted immediately prior to removal of logs, rocks and debris (BIO 09).
24. Avoid relocation of rocks during Pink-tailed Legless Lizard breeding season (December to late March) (BIO 08). Special provisions apply to Pink-tailed Legless Lizard, see Protocol 16.
25. Relocate collected specimens as close as possible to disturbed habitat or in an area that closely mimics the disturbed habitat.
26. Retain hollow logs, all rocks and debris to be used post construction in remnant woodland. These will be relocated outside of the subject land (within the cadastral boundary) in the remnant woodland to the east, south and west to retain species habitat and connectivity (BIO 10).
27. Records of the habitat clearing must be kept by Project Ecologist and submitted to Principal Contractor HSE Manager. Information recorded to include tree species, tree size, hollow number and size, fauna encountered, the outcome for those fauna (e.g., relocated to nearby habitat, taking to a wildlife rehabilitator, deceased etc), and staff/contractors involved in clearing.

10.3 Protocol 3 – Management of Displaced Fauna

Objective: To manage displaced fauna if found in the development boundary

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Transgrid

Operational phase responsible position: O&M Supervisor, Project Ecologist (subcontractor)

Construction

1. All handling of fauna should be conducted by the Project Ecologist except where emergency situations require assistance from WIRES or local veterinarians.
2. If any injured fauna species are found, works in the immediate vicinity of the fauna must stop immediately so that the injured animal can be taken to a veterinarian or wildlife carer by the Project Ecologist as has been sourced prior to construction commencement.
3. Any vehicle strike incidents will be recorded.

Operation

4. All handling of fauna should be conducted by the Wires or other organisations trained to undertake fauna handling.
5. Operational staff trained in snake handling, may undertake the relocation of snakes if they are interfering with operational activities.

10.4 Protocol 4 – Stockpiles and Re-using Resources as Woody Debris

Objective: To mitigate risk associated with location of stockpiles and reusing resources

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Transgrid

This protocol is to be read in conjunction with Protocol 16.

To reduce the potential for impacts to native vegetation and fauna species, it is recommended that the following methods for re-using resources be implemented:

1. Identify and mark out/sign post suitable stockpile locations as per ESCP. The location of Salvaged native vegetation and coarse woody debris stockpiles will be identified in IFC drawings and ESCPs.
2. Stockpiles to be located away from native vegetation and drainage paths and in areas already cleared/disturbed. Minimum distance 40 m.
3. Salvaged native vegetation, coarse woody debris and soil from construction would be inspected and reserved for beneficial re-use on site in similar locations/environments as suitable. Suitable salvage vegetation includes limbs with hollows (>10 cm in diameter), coarse woody debris (>10 cm in diameter and >50 cm long), and vegetation that can be mulched and reused on site to stabilise cleared areas. Soil would be suitable for reuse provided it is not contaminated with chemicals or weeds. Woody debris, including logs with hollows, should be placed within the areas of the Project Site where vegetation is to be retained.
4. Pre-clearance surveys to be conducted immediately prior to removal of logs, rocks and debris (BIO 09).
5. Retain hollow logs, all rocks and debris to be used post construction in remnant woodland. These will be relocated outside of the subject land (within the cadastral boundary) in the remnant woodland to the east, south and west to retain species habitat and connectivity.
6. There will be no removal of timber habitat material from site.

10.5 Protocol 5 – Weed Management

Objective: To mitigate risk associated with potential weeds on site

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: Principal Contractor Lead Project Manager

Operational phase responsible position: O&M Supervisor

Refer to and implement the Landscaping Plan (LP).

- Weeds … within development envelope… are to be removed prior to or as part of the clearing process to the extent practicable and appropriately stockpiled to avoid the spread of seed and other propagules (BIO 13)
- No foreign vegetative or fill material will be bought on site unless it is certified as being weed free or virgin excavated natural material (VENM)

10.6 Protocol 6 – Feral Pest Management

Objective: To mitigate risk associated with managing feral pests

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Transgrid

Operational phase responsible position: O&M Supervisor, Project Ecologist (subcontractor)

Measures to control feral animals.:

1. Conduct fence inspection prior to completion of fencing to reduce risk of animals being trapped within the Project site.
2. Keep a log of opportunistic sightings of feral pests in the Project site, including location or sighting, species sighted, and any relevant details (e.g., damaged fence that they are entering through)
3. Ad hoc monitoring (via vehicular visual inspection) of project site will be used to determine presence of feral animals.
4. Feral pest management activities to be in consultation, and coordinated with, Local Lands Service (LLS).

10.7 Protocol 7 – Fencing Construction and Management

Objective: To mitigate risk associated with fence construction

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor),

Operational phase responsible position: O&M Supervisor

To reduce the potential for impacts to fauna, the following fencing construction and management protocol be implemented. This protocol will be incorporated into the induction process for the project.

Biodiversity Conservation Trust's *Essential Conservation Fencing Infrastructure (Nov 2022)* to be considered by Fluence and AMPYR when designing fences or when undertaking repairs, taking into consideration the definition of 'standard' and 'difficult' sites within the above-mentioned document.

1. The perimeter fence will meet safety requirements, whilst taking into consideration biodiversity needs where practicable.
2. Weekly inspection of perimeter fencing will be undertaken during construction.
3. The perimeter fence is to meet the Australian/International standard required for a Substation.
4. All workers to be made aware of ecologically sensitive areas and the need to avoid impacts, including adjacent native vegetation (BIO 11).

10.8 Protocol 8 – Erosion and Sediment Control

Objective: To mitigate risk associated with managing erosion and sediments on site

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: Principal Contractor Lead Project Manager

Operational phase responsible position: O&M Supervisor

Refer to and implement the Erosion and Sediment Control Management Plan (ESCP).

- The ESCP will be developed in accordance with CoC B28(b) and will include measures to reduce sediments within waters entering low lying areas of vegetation. The ESCP will identify these habitat features.
- Commitment BIO 12 is covered in the ESCP.
- Pre-starts and/or Tool-box talks will be held to discuss the ESCP as it is progressively updated.

10.9 Protocol 9 – Dust Control

Objective: To manage dust generation

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: Principal Contractor Lead Project Manager

Operational phase responsible position: O&M Supervisor

As per Condition B20, measures to minimise the generation of dust and associated impacts on adjacent natural environments are provided for in the CEMP and ESCP.

1. Review activities during adverse weather conditions to reduce excessive dust.
2. Monitor dust levels and implement suppression strategies such as wetting down dirt roads and reducing vehicle speeds (BIO 15).

10.10 Protocol 10 – Lighting Design

Objective: To mitigate risk of light spill from impacting fauna within the project site and surrounds

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: Principal Contractor Lead Project Manager

Operational phase responsible position: O&M Supervisor

Construction

The hours of construction, upgrading and decommissioning are contained in Condition B23 Schedule 2: Unless the Planning Secretary agrees otherwise, the Applicant may only undertake road upgrades, construction, upgrading or decommissioning activities between:

(a) 7 am to 6 pm Monday to Friday;

(b) 8 am to 1 pm Saturdays; and

(c) at no time on Sundays and NSW public holidays.

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

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

Lighting design will be undertaken to minimise light spill as contained in Condition B23. Measures to minimise light spill (as outlined in the CEMP and will be covered in the OEMP) include:

1. Minimising light spillage from the development to road users, residential sensitive receivers and fauna species (mostly nocturnal species) by ensuring external lighting associated with the development:
    a. Is installed as low intensity lighting (except where required for safety or emergency purposes)
    b. Does not shine above the horizontal
    c. Complies with AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting, and the Dark Sky Planning Guideline (DPE 2023) or their latest versions
    d. Follows the Best Practice Lighting Design guidance in the National Light Pollution Guidelines for Wildlife (DEE 2020).

Operation

2. During operation, lighting will continue to minimise light spill by ensuring external lighting associated with the development:
    a. Does not shine above the horizontal
    b. Complies with AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting, and the Dark Sky Planning Guideline (DPE 2023) or their latest versions
    c. Is directed away from the exclusion zone where practicable.

10.11 Protocol 11 – Chemical Management

Objective: To mitigate risk associated with chemical management

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: Principal Contractor Lead Project Manager

Operational phase responsible position: O&M Supervisor

Refer to and implement the Soil and Water Management Plan (SWMP).

Chemical storage would be located away from habitat features such as the unnamed waterway, and rocky areas.

All chemicals will be stored appropriately when not in use and spill kits will be present on the site

Chemical application, such as herbicide used to control weeds, would be applied by qualified personnel.

10.12 Protocol 12 – Vehicle Hygiene

Objective: To mitigate risk associated with transference of biohazards into and on site

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager, Transgrid

Vehicle hygiene procedures will be implemented for any vehicle that enters the development site (BIO 14). During the initial construction phase when ground clearing occurs, the procedures outlined below will be followed.

When the hardstand area is constructed, and delivery vehicles are dropping of equipment, self-certification will be required and random audits will be undertaken by the HSE Manager.

Training for personnel involved in vehicle inspections will be provided during the site inductions.

The **Clearing and Civil Works** procedures will include:

1. All machinery will be inspected and cleaned prior to entering the site.
2. If plant / machinery leaves site for 12 weeks or more, it will require reinspection.
3. Plant and light vehicle authorisations (including weed and seed inspections) upon arrivals in laydown area.
4. Driver induction and vehicle inspection prior to vehicles being given approval to enter indirect disturbance areas and weed and seed sticker applied to plant or light vehicle. Principal Contractor HSE Manager is responsible during the construction phase. O&M Contractor is responsible during the operational phase.
5. If dirt, seeds or vegetative matter are present, the vehicle should be refused entry.
6. Inspection after leaving disturbance areas and prior to leaving the site. Responsible staff will determine if off-site washing will be required for vehicles should they become dirty from on-site activities.
7. Inspections will be recorded and kept on a Vehicle Hygiene Register and kept on site. Principal Contractor HSE Manager is responsible during the construction phase. O&M Supervisor is responsible during the operational phase.

8. Any machinery or equipment that has been used in Queensland needs to adhere to the requirements of a Carrier Biosecurity Certificate in relation to Parthenium weed. Details are available at https://www.dpi.nsw.gov.au/biosecurity/weeds/parthenium-greatest-threat

The **Post Clearing** procedures will include:

1. Self-certification of cleanliness of the vehicle is required and will be spot checked.
2. Any machinery or equipment that has been used in Queensland needs to adhere to the requirements of a Carrier Biosecurity Certificate in relation to Parthenium weed. Details are available at https://www.dpi.nsw.gov.au/biosecurity/weeds/parthenium-greatest-threat

10.13 Protocol 13 – Noise Management

Objective: To mitigate risk associated with noise generating activities

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager, Transgrid

Operational phase responsible position: O&M Supervisor

The hours of road upgrades, construction, commissioning, demolition, upgrading or decommissioning activities are contained in Condition B15 Schedule 2: Unless the Planning Secretary agrees otherwise, the Applicant may only undertake road upgrades, construction, upgrading or decommissioning activities between:

(a) 7 am to 6 pm Monday to Friday;

(b) 8 am to 1 pm Saturdays; and

(c) at no time on Sundays and NSW public holidays.

Condition B16 allows for the following activities to be carried out outside the hours specified in Condition B15 above:

- Commissioning activities that are inaudible at non-associated receivers;
- The delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or
- Emergency work to avoid the loss of life, property and/or material harm to the environment.

Specific measures relating to the Noise Management include:

1. Minimise the noise generated by an construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline (*DECC, 2009), or its latest version; and
2. Ensure that the noise generated by the operation of the development does not exceed 35 dB(A) LAeq, 15min to be determined in accordance with the procedures in the NSW Noise Policy for Industry (EPA, 2017) at any non-associated residence.
3. Provide awareness training during site inductions and toolbox talks and-emphasise the importance of limiting noise generation during construction and operation.
4. Machinery, trucks and equipment will be restricted to designated parking areas away from existing vegetation.
5. Minimise night works carried out on site to reduce impact to fauna.

10.14 Protocol 14 – Superb Parrot inspection protocol

Objective: To mitigate risks associated with Superb Parrot

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager; Project Ecologist

Inspections will be carried out as per Protocol 1 and Protocol 2.

If Superb Parrot/s are found to be utilising a hollow, the following steps must be undertaken.

1. A hollow inspection will be undertaken using an elevated work platform, tree climber and/or inspection camera.
2. If eggs are present in the hollow, these eggs will remain in place and removal of the hollow-bearing tree must be postponed until birds have fledged and left the hollow for the breeding season (September to December).
3. If hatchlings are present, removal of the hollow-bearing tree must be postponed until birds have fledged and left the hollow for the breeding season (September to December).
4. An exclusion zone must be established around the tree with a 5 metre buffer from the drip line.

10.15 Protocol 15 – Unexpected finds – threatened species protocol

Objective: To mitigate risks associated with an unexpected find associated with threatened species

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager; Project Ecologist

This Unexpected Finds Protocol is to be used in the event that a new threatened flora or fauna species is found on site during construction, which is likely be affected by the construction. The process is outline below (BIO 16).

1. Stop Work Immediately.
    a) The worker/contractor is to stop work and notify the Site Manager and other workers in the immediate area.
    b) Site Manager is to notify the Lead Project Manager and HSE Manager
    c) Lead Project Manager will notify AMPYR Project Manager
2. The Site Manager/Project Manager will demarcate the site/area and prevent access to reduce impact to the species and if practical, move works to an alternative location.
3. The Site Manager and Project Ecologist will record and document the unexpected find, including species, abundance, location etc. Should the Project Ecologist be unavailable at short notice, species identification via the use of photographs may be undertaken remotely.
4. Delay any ground or tree clearance works within the immediate vicinity to allow the species to naturally vacate the area. This is a minimum of one day.
5. Where possible, the fauna species will be captured by a qualified person
6. If not possible, attempts to actively encourage the species to relocate may be attempted. This would be done under the supervision and guidance of the Project Ecologist, If the individual does not leave, follow the requirements of 'soft felling' a tree if needed; i.e., lowered gently under supervision of an arborist so that impact to the individual is mitigated
7. The Site Manager, Project Manager and Project Ecologist to assess the situation
    a) The Project Ecologist to determine the level of impact significance to the threatened species and develop appropriate management options.
    b) These options will be discussed with AMPYR
    c) AMPYR to consult with DPHI and CPHR regarding this unexpected find

d) AMPYR to obtain relevant approvals, permits and/or licences if the threatened species is likely to be impacted

e) Additional offsets may be required to account for the impact to the threatened species

8. All management measures or requirements from approvals will be implemented under supervision of Project Ecologist and Site Manager
9. Once management measures (as required) are completed, the site may be demarcated and work recommence.
10. A report outlining the above actions will be prepared and relevant species information included into the induction process and toolbox talks.
11. Regular inspections will be maintained

10.16 Protocol 16 – Bush Rock Removal

Objective: To mitigate risks associated with the Pink-tailed Legless Lizard and bush rock removal

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

This protocol is to be read in conjunction with Protocol 1 and 2.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor), Transgrid

Bush rock must be carefully removed/relocated under the supervision of the Project Ecologist (BIO 06). The following procedure has been developed in consideration of best practise guidelines:

1. Bush Rock pre-clearance surveys to be conducted immediately prior to removal of logs, rocks and debris (BIO 09).
2. Avoid relocation of rocks during Pink-tailed Legless Lizard breeding season (December to late March) (BIO 08).
3. Undertake a survey of the rocks during September – November to determine whether any individuals are present on site. If individuals are found, then no clearing can take place from December until after March. If no individuals are found, then instigate the protocol procedure of clearing on the day of relocation.
4. If one specimen is found, relocate collected specimens as close as possible to disturbed habitat or in an area that closely mimics the disturbed habitat. If more than one specimen is found, then stop work, follow Protocol 15 for guidance on

demarcating the site and seek advice from a herpetologist regarding relocation of specimens.

5. Retain hollow logs, all rocks and debris to be used post construction in remnant woodland. These will be relocated outside of the subject land (within the cadastral boundary) in the remnant woodland to the east, south and west to retain species habitat and connectivity (BIO 10) and will be done in accordance with Protocol 4.

6. Records of the habitat clearing must be kept by Project Ecologist and submitted to Principal Contractor HSE Manager. Information recorded to include tree species, tree size, hollow number and size, fauna encountered, the outcome for those fauna (e.g., relocated to nearby habitat, taking to a wildlife rehabilitator, deceased etc), and staff/contractors involved in clearing.

7. Bushrock to be retained on site and used in a beneficial manner such as erosion and sediment control. Further guidance is available in the Transport for NSW Biodiversity Guidelines, available at: https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/guides-manuals/biodiversity_guidelines.pdf

8. There will be no removal of bush rock or timber habitat material from site.

10.17 Protocol 17 – Rehabilitation

Objective: To mitigate risks associated rehabilitation of the development boundary

Principal Contractor HSE Manager will share this protocol with relevant subcontractors, and will be summarised in the site induction for all workers.

Construction phase responsible position: AMPYR Project Manager, Fluence Lead Project Manager, Fluence Lead Construction Manager, Principal Contractor HSE Manager and Project Ecologist (subcontractor),

Operational phase responsible position: O&M Supervisor

Rehabilitation of disturbed ground will be completed using the following as a guide.

1. Vegetating and/or rehabilitating disturbed land surfaces and stockpiles as soon as practicable as outlined in the SWMP and ESCP.

2. The areas disturbed by construction will be rehabilitated within 3 months of construction being completed. Rehabilitation includes the reshaping, spreading of topsoil and sowing of suitable species on disturbed areas.

3. Suitable local grass species (from PCT 266) will be used as ground cover in any rehabilitation areas to meet the requirements in section 8.7 (BIO 03).

    a. *Themeda triandra* (Kangaroo Grass)

    b. *Austrodanthonia species* (Wallaby Grass)

c. *Bothriochloa macra* (Red Grass, Red-Leg Grass)

d. *Austrostipa scabra* (Rough Speargrass)

e. *Chloris truncate* (Windmill Grass)

11 Monitoring, auditing, reporting and review of the overarching EMS.

During construction there will be continuous monitoring, auditing, reporting and review by Fluence and Transgrid of their construction areas and construction activities. Individuals and work crews will be required to demonstrate that the requirements of this Plan, the EMS and other management plans and subplans are being adhered to.

Monitoring, auditing, reporting and review of site activities will also be undertaken during the operation and decommissioning of the project.

All reports, reviews, and audits will be maintained by the Fluence and Transgrid Project Managers (and equivalent manager during operation/decommissioning) and will be made be available on request to the appropriate managers (The Principal and subcontractors). Audit results will be used to review management techniques to ensure compliance with the DC.

11.1 Monitoring

Monitoring of environmental impacts is an essential component of effective environmental management. Specific monitoring requirements for individual environmental aspects during the construction works by Fluence and Transgrid and during operation and decommissioning are set out in the management plans and subplans shown in Figure 1.3.

11.1.1 Site inspection

Regular site inspections will be a key component of the environmental monitoring program.

During the works, Fluence, Transgrid and their subcontractors will conduct regular inspections to confirm compliance with the CEMP/OEMP and management subplans and to ensure all construction footprints are compliant with approved development plans. Inspection records will be maintained by Fluence and Transgrid and reported to The Principal on a regular basis as detailed in Table 7.1 of the EMS.

Inspection reports will be circulated to the Fluence and Transgrid Project Managers and the on-site teams. Key environmental risks and issues will be discussed at pre-start team meetings and toolbox meetings.

A summary of the inspections required as listed in section 8 of the BMP is provided in Table 11.1.

Daily inspections

The Fluence and Transgrid Construction Managers (or their delegates) will ensure that site personnel are undertaking daily inspections of the construction activities they are overseeing to ensure general compliance with the EMS and other management plans and subplans. All areas identified for improvement will be addressed directly and added to the Incident Register.

Weekly monitoring

Once per week (at least) during construction, the Fluence and Transgrid Construction Managers and/or delegate(s) will conduct monitoring of construction activities to ensure compliance with the EMS and other management plans. All areas identified for improvement will be added to a corrective action register.

Monthly inspections

Once per month (at least) during construction, the Fluence and Transgrid Project Managers and/or delegate(s) will conduct a thorough inspection of construction activities to ensure compliance with the EMS and other management plans. All areas identified for improvement will be added to a corrective action register. The Fluence and Transgrid Project Managers and/or delegate(s) will also conduct an inspection of the condition of the roads for, and responding to, any emergency repair and/or maintenance requirements.

Table 11-1: Summary of monitoring required.

Plan	**Plan Reference**	**Aspect to be monitored**	**Frequency**	Phase	**Responsibility**
BMP	Table 8.2	Inspect the clearing site to ensure relevant protocol requirements are met	Weekly during clearing activities	Construction	Project Ecologist
BMP	Table 8.2	Inspect and maintain fencing.	Weekly	Construction	Principal Contractor HSE Manager
BMP	Table 8.2	Inspect disturbed areas for rehabilitation success.	Weekly	Construction	Principal Contractor HSE Manager
BMP	Table 8.2	Inspect lighting in project area.	Weekly	Construction	Principal Contractor Lead Construction Manager
BMP	Table 8.2	Inspect chemical storage areas	Fortnightly	Construction	Principal Contractor Lead Construction Manager

BMP	Table 8.2	Inspect and maintain fencing.	Monthly for first three months of operations, then quarterly for the remainder of the year. Then annually or incident based.	Operations	O&M Supervisor,
BMP	Table 8.2	Maintain a log of salvaged animals and actions undertaken to relocate them.	Incident based	Operations	O&M Supervisor,
BMP	Table 8.2	Maintain a log of vehicle strikes.	Incident based	Operations	O&M Supervisor,
BMP	Table 8.2 Section 8.7	Maintenance of non-native vegetation or ground cover >70% in disturbance area.	Quarterly inspections of rehabilitated areas for two years after works; annual inspections for the life of the project.	Operations	Project Ecologist
BMP	Table 8.2	Inspect lighting in project area.	Upon commencement of operation then annually.	Operations	O&M Supervisor
BMP	Table 8.4	Installation of 7 nest boxes or equivalent	Annual	Operations	O&M Contractor
BMP	Table 8.4	Weed inspection	Annual	Operations	O&M Contractor
BMP	Table 8.4	Feral pest survey	Annual	Operations	O&M Contractor

11.2 Incidents and non-compliances

11.2.1 Incident notification and response

Any incident or accident that results in harm to the environment and/or off-site receptors is to be regarded as an environmental incident.

As defined in the DC an incident is a set of circumstances that causes or threatens to cause material harm to the environment. Material harm is defined in the DC as harm that:

- involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or
- 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 makegood harm to the environment.

In accordance with CoC C10, the Department must be notified via the Major Projects website immediately after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 of Schedule 2 or, having given such notification, subsequently forms the view that an incident has not occurred. Accordingly, Fluence and Transgrid will notify the Principal immediately after an incident occurs to enable prompt reporting by the Principal to the Planning Secretary.

The incident notification to the Principal must 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 8 (of Conditions of Consent).

The written notification of an incident must:

(a) identify the development and application number;
(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
(c) identify how the incident was detected;
(d) identify when the applicant became aware of the incident;
(e) identify any actual or potential non-compliance with conditions of consent;
(f) describe what immediate steps were taken in relation to the incident;
(g) identify further action(s) that will be taken in relation to the incident; and
(h) 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 the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

The Incident Report must include:

(a) a summary of the incident;

(b) outcomes of an incident investigation, including identification of the cause of the incident;
(c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
(d) details of any communication with other stakeholders regarding the incident.

Response agencies need to be informed of pollution incidents quickly, so action can be coordinated to prevent or limit harm to the environment and human health generally. These are listed in Table 7.12 of the EMS.

Incidents will be recorded in an Incident Register, as outlined in Section 5.4.

Table 11-2: Response agency contact details

Response agency	Contact details
Environment Protection Authority NSW (EPA NSW)	131 555 or (02) 9995 5555
Ministry of Health NSW	(02) 9391 9000
SafeWork NSW	131 050
Dubbo Regional Council	(02) 6801 4000
Fire and Rescue NSW	000 or, for Mobiles only, 112
Rural Fire Service Orana Region	(02) 6881 3900
Heritage NSW (for Aboriginal finds, as per HMP)	(02) 9873 8500
NSW Police (for human remains, as per HMP)	131 444

11.2.2 Non-compliance notification and response

A project non-compliance is defined in the DC as an occurrence, set of circumstances or development that is a breach of the consent but is not an incident.

Environmental non-compliances will be reported and actioned through the incident management procedures detailed in Section 7.2.1 of the EMS.

In accordance with CoC C11 of the DC, The Principal is required to notify the Department in writing via the Major Projects website within 7 days after the Principal becomes aware of any non-compliance with the conditions of this consent. Accordingly, Fluence and Transgrid will notify the Principal immediately after a non-compliance is identified to enable prompt reporting by the Principal to the Planning Secretary.

In accordance with CoCs C12 and C13 of the DC the non-compliance notification to the Principal will set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

11.2.3 Corrective actions

Once an environmental incident or non-conformance has been reported to the Principal's Project Manager, a set of appropriate corrective actions will be raised by Fluence and Transgrid. Measures already implemented, additional measures to be implemented as a result and any corrective actions will be reported to the Principal's Project Manager. Actions will be implemented to the satisfaction of the Principal's Project Manager and their effectiveness confirmed to demonstrate appropriate measures have been implemented to acceptably minimise the risk of reoccurrence.

11.3 Auditing

In accordance with CoC C14, the Principal is obliged to commission independent environmental audits of the development in accordance with the *Independent Audit Post Approval Requirements* (2020) within 3 months of commencing construction and within 3 months of commencement of operations and submitted to Planning Secretary within two months of undertaking the independent audit.

Fluence and Transgrid will provide support to the independent environmental auditing process by making documents and site personnel available as required and by helping host the independent auditors while on site. Fluence and Transgrid will also assist the Principal in implementing the recommendations of the audits.

11.4 Record keeping

Fluence and Transgrid will maintain an Incident Register for the project and will make this available to the Principal upon request. The Incident Register will document, record, track, manage and report all environmental (and safety) incidents and observations.

Fluence and Transgrid will also maintain a Complaints Register for the project and will make this available to the Principal upon request. The Complaints Register will document, record, track, manage and report all complaints.

Inspections will be recorded and kept on site. Principal Contractor HSE Manager and Principal Contractor Lead Construction Manager are responsible during the construction phase.

11.5 Review and update

Fluence and Transgrid will undertake ongoing review and improvement of existing systems and controls.

In accordance with CoC C2, this EMS (and any strategy, plan or program required under the DC) will be reviewed to the satisfaction of the Secretary of DPHI. The EMS will be:

(a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and
(b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 1 month of the:
    i. submission of an incident report under condition C10 of Schedule 2;

ii. submission of an audit report under condition C14 of Schedule 2; or
iii. any modification to the conditions of this consent.

When revised, the revision status of this Plan will be indicated on the title page of this document. This Plan will be made publicly available on the project website in accordance with CoC C20 of the DC. A hard copy of this Plan will also be kept at the site project office during construction.

Review is a critical element of any environmental management systems and involves a formal evaluation of the adequacy of the environmental management plans and documents – taking into account any new environmental issues, legislation, changing circumstances and continual improvement.

To ensure a rigorous, all-encompassing review process, Fluence and Transgrid will conduct quarterly management review meetings with the Principal. These meetings should be attended by individuals with either executive or specialist responsibility. At this stage of the development this may include:

- the Principal's Project Manager
- the Fluence /Transgrid Project Manager
- the Fluence /Transgrid HSE Manager
- the Fluence /Transgrid Construction Manager
- the Fluence /Transgrid Site Manager
- the subcontractor management representatives, as appropriate.

Fluence and Transgrid commit to complying with CoC A3 and will comply with any requirement/s of the Secretary arising from the Department's assessment of:

a. any strategies, plans or correspondence that are submitted in accordance with this consent
b. any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
c. the implementation of any actions or measures contained in these documents

Fluence and Transgrid commit to complying with CoC A3 in full.

11.6 Continuous improvement of environmental performance

Areas for improvement identified during daily inspections will be addressed by the Fluence and Transgrid environment teams at daily pre-start (Toolbox) meetings with the appropriate construction supervisor and crew.

At the discretion of the environment team, identified areas of improvement may also form the basis for more formalised weekly project meeting. Addressing non-conformance and areas for improvement with the construction crews in this forum is aimed at continuously improving the environmental performance of the project and driving environmental awareness on site.

Audits also play an important part in the continuous improvement process and the results of the audits should be considered when updating the BMP.

12 Complaints management

To facilitate open communication and active complaint resolution, it is important that local stakeholders are able to raise issues and complaints in a formal way.

Concerns and issues raised are recorded and responded to in a timely and consistent manner, and in accordance with regulatory standards and company policies. The following are key principles adhered to by Fluence and the project in responding to issues or concerns raised by local stakeholders:

- timeliness – complaints will be dealt with in a timely and efficient manner.
- sensitivity – ensure that both parties' feelings and perspectives are respected.
- fairness and impartiality – both parties will be afforded substantive and procedural fairness in the resolution process; and
- confidentiality – only parties directly involved in the complaint or those involved in decision making about outcomes will have access to information about the complaint.

In the event that a complaint is received from the community, the Fluence and Transgrid Project Managers (or their representative) will ensure the complaint is recorded, reported to the Principal and that further investigation is undertaken.

The process for managing complaints is described below.

12.1 Complaints Management Procedure

The details of the complaint will be recorded by Fluence and Transgrid in Complaints Registers, which will include the following:

- the date and time, where relevant, of the complaint
- the means by which the complaint was made (telephone, mail, email or in person)
- who received the complaint
- any personal details of the complainant that were provided, or if no details were provided, a note to that effect
- the nature of the complaint
- any actions taken in relation to the complaint, including timeframes for initial and ongoing responses and implementing the action
- if no action was taken in relation to the complaint, the reason(s) why no action was taken
- the status of the complaint (i.e. open/closed)
- measures to avoid reoccurrence (if any).

The Complaints Registers will be managed and maintained by the Fluence and Transgrid Project Managers or their representative during construction. They will be responsible for:

- notifying the Principal of the complaint

- confirming that the Principal provides a response to the person complaining within a reasonable time frame of the complaint being made
- logging all details of the complaint and supporting documentation in the Complaints Register while meeting privacy requirements; and
- notifying the relevant management staff as appropriate

The Principal will ensure the Complaints Register is made available on the Project website and updated regularly, in accordance with CoC B10 (iv), C1 and C20, with personal details kept private.

12.2 Contact details for complainants

The following avenues are available for complaints and enquiries to be lodged by the community and other stakeholders:

Email: info@wellingtonbess.com

Online contact form: up to date version can be downloaded from http://www.wellingtonbess.com

Phone: 1800 718 538

They are communicated via the Project website and signage at the site entrance and will be coordinated between Fluence and AMPYR.

12.3 Dispute Resolution

In the event that the actions taken to address a complaint, including the measures for avoiding a recurrence, are not sufficient to satisfy the complainant and a dispute arises, the Principal will do the following:

- advise DPHI that there is a dispute
- provide DPHI with copies of the relevant complaint history
- if determined necessary by DPHI, engage a specialist with expertise relevant to the issue at hand to investigate the dispute and provide recommendations for resolution
- advise the third party in dispute (the complainant) and DPHI in writing, as to when the dispute investigation will be completed
- provide the third party and DPHI a copy of the dispute investigation report, inclusive of the Principal's intentions with regards to the implementation of the recommendations for resolution.

Fluence and Transgrid will support the Principal, where appropriate, in the reporting, understanding and resolution of disputes.

13 References

EMM (2022) Wellington South Battery Energy Storage System Environmental Impact Statement, prepared for AMPYR Australia Pty Ltd by EMM Australia Pty Ltd. October 2022

EMM (2023a) Wellington South Battery Energy Storage System: Response to Submissions Report, for AMPYR Australia Pty Ltd by EMM Australia Pty Ltd. July 2023

EMM (2023b) Wellington South Battery Energy Storage System: Amendment Report, for AMPYR Australia Pty Ltd by EMM Australia Pty Ltd. July 2023

EMM (2023c) Wellington South Battery Energy Storage System: Biodiversity Development Assessment Report (Version 2), for AMPYR Australia Pty Ltd by EMM Australia Pty Ltd. 13 September 2023

Transgrid (2024) Easement Guidelines – Living and working with electricity transmission lines, Transgrid June 2024.

Appendix A:
Conditions of Consent SSD 27014706

Condition No.	Condition Description	Reference
Schedule 2 Administrative Conditions		
Obligations to minimise harm to the environments		
A1	*In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.*	EMS Section 1.3/ CEMP/OEMP
Terms of Consent		
A2	*The Applicant must carry out the development:* *(a) in compliance with the conditions of this consent;* *(b) in accordance with all written directions of the Planning Secretary;* *(c) generally in accordance with the EIS; and* *(d) generally in accordance with the Development Layout in Appendix 1 (of Conditions of Consent)*	EMS Section 2/ CEMP/OEMP
A3	*The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:* *(a) any strategies, plans or correspondence that are submitted in accordance with this consent;* *(b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and* *(c) the implementation of any actions or measures contained in these documents.*	EMS Section 5.10.1
A4	*The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In*	

Condition No.	Condition Description	Reference
	the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	
Battery Storage Restriction		
A5	*Unless the Planning Secretary agrees otherwise in writing, the battery storage associated with the development must not exceed a total delivery capacity of 500 MW.* *Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage in the future*	
Upgrading of Battery Storage and Ancillary Infrastructure		
A6	*The Applicant may upgrade the battery storage and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.*	EMS Section 5.10.2
Structural Adequacy		
A7	*The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.* *Notes:* • *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.*	EMS Section 5.10.3

Condition No.	Condition Description	Reference
	• *The EP&A Regulation sets out the requirements for the certification of the development.*	
Demolition		
A8	*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.*	EMS Section 5.10.4
Protection of Public Infrastructure		
A9	*Unless the Applicant and the applicable authority agree otherwise, the Applicant must:* *(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and* *(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.* *This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.*	EMS Section 5.10.5
Operation of Plant and Equipment		
A10	*The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:* (a) *maintained in a proper and efficient condition; and* (b) *operated in a proper and efficient manner.*	EMS Section 5.10.6
Subdivision		

Condition No.	Condition Description	Reference
A11	*The Applicant may subdivide land comprising the site for the purposes of carrying out the development as identified in Appendix 3 (of Conditions of Consent) and in accordance with the requirements of the EP&A Act, EP&A Regulation and the Conveyancing Act 1919 (NSW).* *Notes:* • *Under Part 6 of EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision.* • *Division 6.4 of Part 6 of the EP&A Act sets out the application requirements for subdivision certificates.*	Outside scope of EMS/EMPs
Applicability Of Guidelines		
A12	*References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.* *However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.*	
Compliance		
A13	*The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.*	Anyone entering the site, including, but not limited to, all employees, contractors, subcontractors and all

Condition No.	Condition Description	Reference
		others will be required to undertake any induction as required per management plans prepared for the project.
Evidence of Consultation		
A14	*Where conditions of this consent require consultation with an identified party, the Applicant must:* *(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and* *(b) provide details of the consultation undertaken including:* *(i) the outcome of that consultation, matters resolved and unresolved; and* *(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.*	Refer to consultation undertaken with CPHR in Appendix D.
Community Enhancement		
A15	*Subject to the agreement of Council, prior to commencing construction, or other timeframe agreed by the Planning Secretary, the Applicant may enter into a VPA with Council in accordance with:* *(a) Division 7.1 of Part 7 of the EP&A Act; and* *(b) the terms of the letter of offer dated 8 November 2023, which are summarised in Appendix 5* (of Conditions of Consent).	Outside scope of EMS/EMPs

Condition No.	Condition Description	Reference
Part B Environmental Conditions - General		
Transport: Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions		
B1	*The Applicant must ensure that the:* *(a) development does not generate more than:* *I. 60 heavy vehicle movements a day during construction, upgrading and decommissioning;* *II. 80 Light movements and 30 heavy vehicle movements during the AM (6 - 7 am) or PM (5 - 6 pm) project peak hour during construction, upgrading or decommissioning; and* *III. 20 over-dimensional vehicle movements during construction, upgrading and decommissioning; and* *(b) length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 26 metres, unless the Planning Secretary agrees otherwise.*	Traffic Management Plan (TMP)
B2	*The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering or leaving the site each day for the duration of the project.*	TMP
Transport: Access Route		
B3	*All heavy vehicles and heavy vehicles requiring escort associated with the development must travel to and from the site via:* *(a) Castlereagh Highway, Goolma Road and Twelve Mile Road; or* *(b) Mitchell Highway, Goolma Road and Twelve Mile Road,* *as shown in Appendix 4 (of Conditions of Consent).*	TMP

Condition No.	Condition Description	Reference
	Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of heavy vehicles requiring escort on the road network.	
Transport: Site Access		
B4	*Unless the Planning Secretary agrees otherwise, all vehicles associated with the development must enter and exit the site via the site access point off Twelve Mile Road as identified in Appendix 1 (of Conditions of Consent) identified in Condition B7.*	TMP
B5	*The existing site access off Twelve Mile Road must be closed by the applicant prior to the commencement of any construction activities.*	TMP
Transport: Road upgrades		
B6	*Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Goolma Road / Twelve Mile Road intersection and realignment must be completed as per the scope and conditions of the Uungula Wind Farm SSD-6687*	Outside scope of EMS/EMPs
B7	*Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must design and construct the new access road intersection on Twelve Mile Road with Basic Left Turn (BAL) and Short Channelised Right-turn (CHR(s) treatments as shown in Appendix 6 (of Conditions of Consent).* *Unless the relevant road authority agrees otherwise, these upgrades must comply with the current Austroads Guidelines, Australian Standards and TfNSW supplements, and be carried out to the satisfaction of the relevant roads authority.*	
Transport: Road Maintenance		

Condition No.	Condition Description	Reference
B8	*The Applicant must, in consultation with Council:* *(a) undertake an independent dilapidation survey to assess the:* *I. existing condition of Twelve Mile Road on the transport route, prior to construction, upgrading or decommissioning works; and* *II. condition of Twelve Mile Road on the transport route, following construction, upgrading or decommissioning works;* *(b) repair Twelve Mile Road on the transport route if dilapidation surveys identify that the road has been damaged during construction, upgrading or decommissioning works.* *If there is a dispute between the Applicant and Council about the repair of Twelve Mile Road, then either party may refer the matter to the Planning Secretary for resolution.*	TMP
Transport: Operating Conditions		
B9	*The Applicant must ensure:* *(a) the internal roads are constructed and maintained as all-weather roads;* *(b) any existing internal roads are maintained as all-weather roads;* *(c) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;* *(d) the capacity of the existing roadside drainage network is not reduced;* *(e) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and* *(f) development-related vehicles leaving the site are in a clean condition, with loads appropriately covered or contained, to minimise dirt being tracked onto the sealed public road network*	TMP
Transport: Traffic Management Plan		

Condition No.	Condition Description	Reference
B10	*Prior to commencing road upgrades identified in Condition B6 and B7, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council, and to the satisfaction of the Planning Secretary. This plan must include details of the transport route to be used for all development-related traffic.* *(a) details of the transport route to be used for all development-related traffic;* *(b) details of the road upgrade works required by condition B6 and B7;* *(c) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:* *I. details of the dilapidation surveys required by condition B8;* *II. temporary traffic controls, including detours and signage;* *III. notifying the local community about development-related traffic impacts;* *IV. procedures for receiving and addressing complaints from the community about development related traffic;* *V. minimising potential cumulative traffic impacts with other State significant development projects in the area;* *VI.) minimising potential for conflict with school buses and other road users as far as practicable, including preventing queuing on the public road network;* *VII. minimising dirt tracked onto the public road network from development-related traffic;* *VIII. details of employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage employee use of this service as described in the EIS;* *IX. facilitate car-pooling or ride sharing by employees;* *X. scheduling of heavy vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;* *XI. responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;*	TMP

Condition No.	Condition Description	Reference
	XII. responding to any emergency repair or maintenance requirements; and *XIII. a traffic management system for managing heavy vehicles requiring escort;* *(d) driver's code of conduct that addresses:* *a. driver fatigue* *b. procedures to ensure that drivers adhere to the designated transport routes and speed limits; and* *c. procedures to ensure that drivers implement safe driving practices; and* *(e) 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.* *Following the Planning Secretary's approval, the Applicant must implement the Traffic Management Plan*	
Biodiversity: Vegetation Clearance		
B11	*The Applicant must:* *(a) not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.*	Biodiversity Management Plan (BMP)
Biodiversity: Biodiversity Offsets		
B12	*Prior to carrying out any development that could directly or indirectly impact on biodiversity values requiring NSE Government Offset, the Applicant must retire biodiversity credits of a number and class specified in Table 1 and Table 2 below, unless the Planning Secretary agrees otherwise.* *The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:*	BMP – Section 9

<table>
<tr><th>Condition No.</th><th>Condition Description</th><th>Reference</th></tr>
<tr><td></td><td>
(a) acquiring or retiring 'biodiversity credits' within the meaning of the Biodiversity Conservation Act 2016;
(b) making payments into an offset fund that has been developed by the NSW Government; or
(c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.

Table 1: Ecosystem Credit Requirements
<table>
<tr><th>Ecosystem Credits</th><th>Credits Required</th></tr>
<tr><td>PCT266 – White Box grassy woodland in the upper slopes sub-region of the NSW South Western Slopes Bioregion</td><td>41</td></tr>
</table>
Table 2 Species Credit Requirements
<table>
<tr><th>Ecosystem Credits</th><th>Credits Required</th></tr>
<tr><td>Superb Parrot</td><td>56</td></tr>
<tr><td>Pink – tailed Legless Lizard</td><td>26</td></tr>
</table>
</td><td></td></tr>
<tr><td>B13</td><td>Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.</td><td>BMP – Section 9</td></tr>
<tr><td colspan="3">Biodiversity: Biodiversity Management Plan</td></tr>
</table>

Condition No.	Condition Description	Reference
B14	*Prior to commencing construction road upgrades, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS, and to the satisfaction of the Planning Secretary. This plan must:* *(a) be prepared in accordance with the revised Biodiversity Development Assessment Report (dated 13 September 2023);* *(b) include a description of the measures and timeframes that would be implemented for:* *I. protecting vegetation and fauna habitat outside the approved disturbance areas;* *II. managing the remnant vegetation and fauna habitat on site;* *III. minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;* *IV. minimising the impacts to fauna on site and implementing fauna management protocols;* *V. maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; and* *VI. controlling weeds, feral pests and pathogens.* *(c) include a program to monitor and report on the effectiveness of mitigation measures;* *(d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/or offset options to be implemented if additional threatened species are discovered on site; and* *(e) include details of who would be responsible for monitoring, reviewing and implementing the plan.* *Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.* *Note: If the biodiversity credits are retired via a Biodiversity Stewardship Agreement, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biodiversity Stewardship Agreement*	BMP – see Table 2-1

Condition No.	Condition Description	Reference
Amenity: Construction Hours		
B15	*Road upgrades, construction, Commissioning, demolition, upgrading or decommissioning activities (excluding blasting) may be only undertaken between:* *(a) 7 am to 6 pm Monday to Friday;* *(b) 8 am to 1 pm Saturdays; and* (c) *at no time on Sundays and NSW public holidays.*	EMS Section 3.3 /CEMP/OEMP
Amenity: Exceptions to Construction Hours		
B16	The following activities may be carried outside the hours specified in condition B15 above: (a) *commissioning activities that are inaudible at non-associated residences* (b) *the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or* (c) *emergency work to avoid the loss of life, property or prevent material harm to the environment.*	
Amenity: Variation of Construction Hours		
B17	The hours of construction activities specified in condition B15 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be: (a) considered on a case-by-case or activity-specific basis; (b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours; (c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been or will be undertaken;	

<table>
<tr><th>Condition No.</th><th>Condition Description</th><th>Reference</th></tr>
<tr><td></td><td>(d) accompanied by evidence that all feasible and reasonable noise mitigation measures have been put in place; and
(e) accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECC, 2009), or latest version.</td><td></td></tr>
<tr><td colspan="3">Amenity: Noise</td></tr>
<tr><td>B18</td><td>The Applicant must:
a) minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the Interim Construction Noise Guideline (DECC, 2009), or its latest version; and
b) take all reasonable and feasible steps to minimise operational noise and ensure that the noise generated by the operation of the development does not exceed the noise limits in Table 3 below to be determined in accordance with the procedures in the NSW Noise Policy for Industry (EPA, 2017) at any non-associated residences unless the Planning Secretary agrees otherwise;
Table 3 Operational Noise Limit Requirements
<table>
<tr><th rowspan="3">Location</th><th colspan="4">Noise Limits in dB(A)</th></tr>
<tr><td>Day</td><td>Evening</td><td>Night</td><td>Night</td></tr>
<tr><td>L Aeq (15min)</td><td>L Aeq (15min)</td><td>L Aeq (15min)</td><td>L AF max</td></tr>
<tr><td>Non – Associated Residences</td><td>40</td><td>35</td><td>35</td><td>52</td></tr>
</table>
</td><td>CEMP/OEMP</td></tr>
</table>

Condition No.	Condition Description	Reference
B19	*Unless the Planning Secretary agrees otherwise, within 3 months of the commencement of operation, the Applicant must prepare and submit a Noise Monitoring Report for the development to the satisfaction of the Planning Secretary. The Noise Monitoring Report must:* *(a) be prepared by a suitably qualified, experienced and independent acoustic consultant;* *(b) demonstrate that noise monitoring:* *I. has been carried out in accordance with the procedures in the Noise Policy for Industry (EPA, 2017); and* *II. includes monitoring during the day, evening and night periods during operational, temperature and meteorological conditions that would represent typical worst-case scenarios where reasonable and feasible; and* *(c) include:* *I. 1/3 octave data and calculated sound power levels along with a discussion of any excessive annoying characteristics and directionality;* *II. an analysis of compliance with the noise limits specified in condition B18 at R15;* *III. an outline of implemented at-source and transmission pathway mitigation measures and their effectiveness at reducing operational noise; and* *IV. a description of contingency measures in the event implemented mitigation measures are not effective at reducing noise levels to comply with limits specified in condition B18 at R15 at all times.* *The Applicant must undertake further noise monitoring of the development if required by the Planning Secretary.*	
Amenity: Dust		
B20	*The Applicant must minimise the dust generated by the development.*	CEMP/OEMP

Condition No.	Condition Description	Reference
Amenity: Visual		
B21	*The Applicant must:* *a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection;* *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.*	CEMP/OEMP
Amenity: Vegetation Buffer		
B22	*Unless the Planning Secretary agrees otherwise, the Applicant must establish and maintain a vegetation buffer (landscape screening), at the locations identified in the landscape plan in Appendix 7 of this consent and as described in the EIS. The landscape screening must:* *(a) be planted prior to commencing operation;* *(b) be comprised of species that are endemic to the area;* *(c) be designed and maintained in accordance with RFS's Planning for Bushfire Protection 2019 (or equivalent); and* *(d) be properly maintained with appropriate weed management.*	
Amenity: Lighting		
B23	*The Applicant must:* *(a) minimise the off-site lighting impacts of the development; and*	CEMP/OEMP

Condition No.	Condition Description	Reference
	(b) ensure that any external lighting associated with the development: *I. is installed as low intensity lighting (except where required for safety or emergency purposes);* *II. does not shine above the horizontal; and* *III. complies with Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting, and the Dark Sky Planning Guidelines (DPE 2018) or its latest versions.*	
Heritage: Protection of Heritage Items		
B24	*The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items located outside the approved development footprint.*	Heritage Management Plan (HMP)
Heritage: Unexpected Finds Protocol – Aboriginal Heritage		
B25	*Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with the Aboriginal Stakeholders, and to the satisfaction of heritage NSW. Following approval, the Applicant must implement the Chance Finds Protocol.*	
Soil and Water: Water Supply		
B26	*The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.* *Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development*	Soil and Water Management Plan (SWMP)

Condition No.	Condition Description	Reference
Soil and Water: Water Pollution		
B27	*The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.*	ESCP
Soil and Water: Operation Conditions		
B28	*The Applicant must:* *a) minimise erosion and control sediment generation;* *b) ensure that construction, upgrading or decommissioning of the development have appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, or its latest version;* *c) ensure the battery and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site;* *d) ensure the battery and ancillary infrastructure (including security are designed, constructed and maintained to avoid any erosion on site:*	ESCP
Hazards: Fire Safety Study		
B29	*Prior to commencing construction of the battery storage facility, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning Secretary. The study must:* *a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline;* *b) describe the final design of the battery storage facility.*	Fire Safety Study (FSS)

Condition No.	Condition Description	Reference
	c) include reasonable worst-case fire scenario to and from the battery storage and the associated fire management; and *d) identify measures to eliminate the expansion of any fire incident including:* *I. adequate fire safety systems and appropriate water supply;* *II. separation and / or compartmentalisation of battery units; and* *III. strategies and incident control measures specific to the battery storage design.* *Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study.* *Note: 'to the satisfaction of FRNSW' above means confirmation in writing from FRNSW that the study meets the requirements of FRNSW as required by the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline.*	
Hazards: Storage and Handling of Dangerous Goods		
B30	*The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:* *a) the requirements of all relevant Australian Standards; and* *b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids* *In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.*	SWMP
Hazards: Operating Conditions		

Condition No.	Condition Description	Reference
B31	*The Applicant must:* *a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;* *b) ensure that the development:* *I. complies with the relevant asset protection requirements in the RFS's Planning for Bushfire Protection 2019 (or equivalent) and Standards for Asset Protection Zones; and* *II. is suitably equipped to respond to any fires on site, including provision of a 10,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection;* *c) ensure that the battery storage area:* *I. includes a 10 metre defendable space between the vegetation hazard and the infrastructure that permits unobstructed vehicle access; and* *II. is managed as an asset protection zone (including the defendable space);* *d) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and* *e) notify the relevant Local Emergency Management Committee following construction of the development, and prior to commencing operations.*	Emergency Plan (EP)/Bushfire Management Plan
Hazards: Emergency Plan		
B32	*Prior to commencing commissioning, the Applicant must develop and implement a comprehensive Emergency Plan (including an emergency responders induction plan) and detailed emergency procedures for the development, and provide a copy of the plan to the relevant NSW RFS Fire Control Centre and FRNSW. The plan must:* *a) be prepared in accordance with the findings of the Fire Safety Study required under Condition B29 of Schedule 2;*	EP

Condition No.	Condition Description	Reference
	b) 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); *c) include details on how the battery storage and sub-systems can be safely isolated in an emergency;* *d) include bushfire emergency management planning, including:* *I. details of the location, management and maintenance of the Asset Protection Zone;* *II. a list of works that should not be carried out during a total fire ban;* *III. iii) details of how RFS would be notified, and procedures that would be implemented, in the event that:* *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* *e) include an Emergency Services Information Package in accordance with Emergency services information and tactical fire plan (FRNSW, 2019), to the satisfaction of FRNSW and RFS..*	
B33	*The Applicant must:* *a) implement the Emergency Plan and the Emergency Services Information Package for the duration of the development; and* *b) following commencement of commissioning of the battery storage, keep a copy of the Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times.*	
Waste		

Condition No.	Condition Description	Reference
B34	*The Applicant must:* *a) minimise the waste generated by the development;* *b) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version);* *c) store and handle all waste on site in accordance with its classification;* *d) not receive or dispose of any waste on site; and* *e) remove all waste from the site as soon as practicable, and ensure it is reused, recycled or sent to an appropriately licensed waste facility for disposal.*	Waste and Resource Management Plan
Accommodation and Employment Strategy		
B35	*Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council, and to the satisfaction of the Planning Secretary. This strategy must:* *a) propose measures to ensure there is sufficient accommodation for the workforce associated with the development;* *b) consider the cumulative impacts associated with other State significant development projects in the area and tourism activity;* *c) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and* *d) include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction.* *Following the Planning Secretary's approval, the Applicant must implement the Accommodation and Employment Strategy.*	Accommodation and Employment Strategy (AES)

<table>
<tr><th>Condition No.</th><th>Condition Description</th><th>Reference</th></tr>
<tr><td colspan="3">Decommissioning and Rehabilitation</td></tr>
<tr><td>B36</td><td>Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to comply with the objectives in Table 4.

Table 4: Rehabilitation Objectives
<table><tr><th>Feature</th><th>Objective</th></tr><tr><td>Site</td><td>•Safe, stable and non-polluting</td></tr><tr><td>Battery Storage infrastructure</td><td>•To be decommissioned and removed, unless the Planning Secretary agrees otherwise, with the exception if assets held by the Network Service Provider</td></tr><tr><td>Land use</td><td>•Restore land to pre-existing use</td></tr><tr><td>Community</td><td>•Ensure public safety at all times</td></tr></table></td><td>Decommissioning Plan (see OEMP)</td></tr>
<tr><td colspan="3">Part C Environmental Management, Reporting and Auditing</td></tr>
<tr><td colspan="3">Environmental Management: Environmental Management Strategy</td></tr>
<tr><td>C1</td><td>Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:

a) provide the strategic framework for environmental management of the development;
b) identify the statutory approvals that apply to the development;</td><td>Environmental Management Strategy (EMS)</td></tr>
</table>

Condition No.	Condition Description	Reference
	c) *describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;* d) *set out 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* II. *receive, handle, respond to, and record complaints* III. *resolve any disputes that may arise* IV. *respond to any non-compliance* V. *respond to emergencies; and* e) *include:* I. *references to any plans approved under the conditions of this consent; and* II. *a clear plan depicting all the monitoring to be carried out in relation to the development* Following the Planning Secretary's approval, the Applicant must implement the Environmental Management Strategy.	
Environmental Management: Revision of Strategies, Plans and Programs		
C2	*The Applicant must:* a) *update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and* b) *review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 1 month of the:* I. *submission of an incident report under condition C10 of Schedule 2.* II. *submission of an audit report under condition C14 of Schedule 2; or* III. *any modification to the conditions of this consent.*	CEMP/OEMP

Condition No.	Condition Description	Reference
Environmental Management: Updating and Staging of Strategies, Plans or Programs		
C3	*With the approval of the Planning Secretary, the Applicant may stage the development and may:* *(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);* *(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and* (c) *update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development)*.	CEMP/OEMP
C4	*If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent*	
C5	*If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program*	
C6	*If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.*	

Condition No.	Condition Description	Reference
Notification: Notification of Department		
C7	*Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing 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.*	CEMP/OEMP
Notification: Final Layout Plans		
C8	*Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website and to Council, showing comparison to the approved layout and including details on the siting of battery storage and ancillary infrastructure.* *The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans.*	CEMP
Notification: Work as Executed Plans		
C9	*Prior to commencing operations or following the upgrades of any battery storage components or ancillary infrastructure, the Applicant must submit work as executed plans of the development showing comparison to the final layout plans to the Department via the Major Projects website and also to Council and NSW Subsidence Advisory.*	CEMP/OEMP
Notification: Incident Notification		

Condition No.	Condition Description	Reference
C10	*The Department 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 development 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 8* (of Conditions of Consent).	CEMP/OEMP
Notification: Non-Compliance Notification		
C11	*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*	CEMP/OEMP
C12	*A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.*	CEMP/OEMP
C13	*A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*	CEMP/OEMP
Independent Environmental Audit		
C14	*Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) to the following frequency:* *(a) within 3 months of commencing construction; and* *(b) within 3 months of commencement of operations.*	CEMP/OEMP

Condition No.	Condition Description	Reference
C15	*Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.*	CEMP/OEMP
C16	*The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition C14 of Schedule 2 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.*	CEMP/OEMP
C17	*In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:* *a) review and respond to each Independent Audit Report prepared under condition C14 of Schedule 2 of this consent, or condition C16 of Schedule 2 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.*	CEMP/OEMP
C18	*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.*	CEMP/OEMP
C19	*Notwithstanding the requirements of the Independent Audit Post Approvals Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.*	OEMP
Access to Information		

Condition No.	Condition Description	Reference
C20	*The Applicant must:* *a) make the following information publicly available on its website as relevant to the stage of the development:* *I. the EIS;* *II. the final layout plans for the development;* *III. current statutory approvals for the development;* *IV. approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan);* *V. the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;* *VI. a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;* *VII. how complaints about the development can be made;* *VIII. any independent environmental audit, and the Applicant's response to the recommendations in any audit; and* *IX. any other matter required by the Planning Secretary; and* *b) keep this information up to date.*	EMS Section 7.4/CEP

Appendix B:
EIS and Amendment report commitments

Table C1 Consolidated EIS and Amendment report commitments

Impact/risk	ID	Measure	Timing
Biodiversity			
Removal of Box Gum Woodland and derived native grassland	BIO01	Retain vegetation where possible within the transmission line connection. Limit the removal of vegetation to necessary trees and trimming of branches.	Construction; post-construction
Removal of Box Gum Woodland and derived native grassland	BIO02	Locate the access of the BESS on most of the existing access track within the project boundary.	Design
Removal of Box Gum Woodland and derived native grassland	BIO03	Following construction, include species consistent with PCT 266 into landscaping and vegetation screens.	Post-construction
Removal of hollow-bearing trees	BIO04	Minimise removal of hollow-bearing trees which occur within the project boundary, where possible. A visual screening area is included in the project boundary, where efforts to retain the 7 remaining trees will be made. Although this is the aim of AMPYR, impacts to hollow-bearing trees include the removal of the 7 trees within the subject land for the purpose of this assessment	Design
Removal of hollow-bearing trees	BIO05	Install 7 nest boxes or equivalent within the cadastral boundary of the site in remnant woodland. As a priority, the removed hollows should be retained to be re-installed on remnant trees within the site. Where this is not possible, nest boxes can be used.	Construction
Removal of potential habitat fauna (hollow-bearing trees) (for all species including the Superb Parrot)	BIO06	Pre-clearance surveys to be conducted prior to removal of hollow-bearing trees (at the locations specified in the BDAR).	Pre-construction
Removal of potential habitat fauna (hollow-bearing trees) (for all species including the Superb Parrot)	BIO07	If the Superb Parrot is found to be utilising a hollow, a hollow inspection will be undertaken using an elevated work platform, tree climber and/or inspection camera. If eggs are present in the hollow, these eggs will be collected and provided to a wildlife carer for raising, prior to release. If hatchlings are present, removal of the hollow-bearing tree must be postponed until birds have fledged and left the hollow for the breeding season (September to December).	Pre-construction
Removal of logs and debris from the subject land	BIO08	Retain hollow logs, all rocks and debris to be used post construction in remnant woodland. These will be relocated	Post-construction

		outside of the subject land (within the cadastral boundary) in the remnant woodland to the east, south and west to retain species habitat and connectivity. Avoid relocation of rocks during Pink-tailed Legless Lizard breeding season (December to late March).	
Removal of logs and debris from the subject land	BIO09	Pre-clearance surveys to be conducted immediately prior to removal of logs, rocks and debris.	Pre-construction
Indirect impacts on White Box woodland to be retained	BIO10	Retained trees will be marked for their protection during construction, where required. Markings will be monitored and reapplied where necessary during construction.	Pre-construction
Indirect impacts on White Box woodland to be retained	BIO11	All workers to be made aware of ecologically sensitive areas and the need to avoid impacts. This includes adjacent native vegetation.	Pre-construction
Erosion and sedimentation to the indirect impact area	BIO12	Sediment controls, including fencing and sediments traps, should be installed in any areas where works will occur in proximity to low lying vegetation. This includes along the boundary of the unnamed watercourse. avoid the spread of seed and other propagules.	Pre-construction
Weed introduction and spread	BIO13	Remove weeds prior to clearing. Weeds are to be stockpiled appropriately prior to removal from the subject land to avoid the spread of seed and other propagules.	Construction
Weed introduction and spread	BIO14	Weed hygiene protocols are in place prior to entering the subject land. This includes wash-down procedures to all plant and machinery.	Construction
Disturbance	BIO15	Monitor dust levels and implement suppression strategies where required such as wetting down dirt roads or reducing vehicle speeds.	Construction
Threatened species finds	BIO16	Have a threatened species protocol; for managing threatened species which may be found on site during construction.	Pre-construction Construction
Ground disturbance			
Ground disturbance	ACH01	All site personnel should be made aware that there are registered Aboriginal sites within the vicinity of the project area and therefore must not undertake ground disturbance outside of approved areas. Appropriate signage and temporary fencing should be erected around AHIMS 36-4-0203 to ensure no inadvertent impacts occur to this site.	Prior to ground disturbance
Impact to known heritage items	ACH02	Appropriate signage and temporary fencing should be erected around AHIMS	Pre-construction

		36-4-0203 to ensure no inadvertent impacts occur to this site.	
Reporting and record keeping	ACH03	Prior to ground disturbance an Aboriginal cultural heritage management plan (ACHMP) must be developed by a heritage specialist in consultation with the Aboriginal stakeholders and consent authority to provide the post-approval framework for managing Aboriginal heritage within the project area. The ACHMP should include the following aspects: • • A workshop between the archaeologists and the RAPs prior to undertaking the ACHMP to develop the approach to the document as requested by WVWAC during the ACHA review period. • Liaise with the RAPs in developing suitable visual strategies to minimise impacts of the project to the broader cultural landscape (eg cultural plantings, screening, paint styles, etc). • Process, timing, and communication methods for maintaining Aboriginal community consultation and participation through the remainder of the project. • Description and methods for undertaking further Aboriginal heritage assessment, investigation and mitigation of any areas of the project area that have changed following completion of the Aboriginal heritage assessment and/or during the final design and construction phases of the project. • Procedures for managing the unexpected discovery of Aboriginal objects, sites and/or human remains during the project and delivered through an Aboriginal Cultural Heritage Induction Program developed and delivered by the RAPs onsite to ensure culture, heritage and artefactual materials are identified and managed appropriately • Procedures for the curation and long-term management of cultural materials if recovered as part of unexpected finds.	Pre-construction

		• Processes for reviewing, monitoring, and updating the AHMP as the project progresses.	
Reporting and record keeping	ACH04	The Construction Environment Management Plan (CEMP), or equivalent, should reinforce how the cultural landscape is considered throughout the project and detail the rehabilitation of the project area. This should be undertaken in consultation with the RAPs. The CEMP should be distributed to the RAPs for their records.	Pre-construction
Consultation	ACH05	Consultation should be maintained with the RAPs during the finalisation of the assessment process and throughout the construction phase of the project. Details for how this consultation should be undertaken will be outlined in the ACHMP.	Pre-construction
Consultation	ACH06	A copy of the ACHA should be lodged with AHIMS and provided to each of the RAPs.	Pre-construction
Information management	ACH07	Where the heritage consultant changes through the project, suitable hand over should occur to minimise loss or mistranslation of the intent of the information, findings and future steps in heritage management.	Pre-construction
Noise and vibration			
Construction noise and vibration	NV01	Regular reinforcement (such as at toolbox talks) of the need to minimise noise and vibration amongst construction personnel.	Construction
Construction noise and vibration	NV02	Use of portable radios, public address systems or other methods of site communication that may unnecessarily impact upon nearby residents will be avoided.	Construction
Construction noise and vibration	NV03	Routes for the delivery of materials and parking of vehicles to minimise noise will be developed.	Construction
Construction noise and vibration	NV04	Where possible, use of equipment that generates impulsive noise will be avoided.	Construction
Construction noise and vibration	NV05	Nearby residents will be notified prior to the commencement of intensive works.	Construction
Plant and equipment noise and vibration	NV06	Where possible, quieter plant and equipment based on the optimal power and size to most efficiently perform the required tasks will be selected.	Design and construction
Plant and equipment noise and vibration	NV07	Plant and equipment to be operated in the quietest and most efficient manner.	Design and construction
Plant and equipment noise and vibration	NV08	Plant and equipment will be regularly inspected and maintained to minimise	Construction and operation

		noise and vibration level increases and to ensure that all noise and vibration reduction devices are operating effectively.	
Operational noise and vibration	NV09	To address the residual noise exceedance at R1 negotiations have commenced between the applicant and the landholder for treatment to the dwelling (upgraded glazing and where necessary alternative ventilation) to ensure equivalent internal noise levels are achieved (-10dB or more) below the relevant external PNTL and will be documented in the form of a negotiated agreement. It is recommended that the treatment to the dwelling contained in the agreement be implemented during the early stages of Phase 1 construction in order to further mitigate construction noise impacts.	Construction and operation
Operational noise and vibration	NV10	During the detailed design phase of the project all plant and equipment will be reviewed to ensure noise levels predicted in the NVIA can be achieved through: • selection of plant and equipment; • site layout and orientation of equipment; • provision of acoustic barrier (wall/retaining wall and batter or earth mounds) four metres in height to the north, east, south and west with site access provision provided in north-west corner; • utilisation and operational procedures consistent with the assumptions in this NVIA; • consideration of additional earth mound to the north-east three metres in height adjacent the Twelve Mile Road site boundary; or • a combination of the above measures.	Design
Operational noise and vibration	NV11	An EMP will be prepared to manage environmental impacts during the operational phase of the project. For operations, the EMP will address noise management and mitigation options (where required) prior to commencement of operations. The EMP will outline a procedure to: • Measure operational noise levels at early stages during commissioning or	Pre-construction

		within 3 months of operation to validate • the predicted operational noise levels. • Re-evaluate the predicted operational noise levels at assessment locations, and where required review noise • management, mitigation measures and site management to reduce levels where required. This may include (but is • not limited to): – equipment noise controls; – provision of additional or amended acoustic barriers; – at receiver noise treatment; – negotiated agreement; and – measuring operational noise levels at assessment locations, especially during the evening and night-time period, if relevant, and implementing further noise management and mitigation measures where an exceedance of approved noise levels is identified.	
Historic Heritage			
Unexpected finds	HER01	If unexpected finds of historical nature are discovered during work, work within 5 m of the find must cease and the any following steps taken: • an archaeologist will be contacted to assess the find, where relic moderate to high potential to be a relic (this may require additional); • if the find is determined to be a relic, a s146 (of the *Heritage Act*) is to be forwarded to the Heritage Council who will be consulted on the appropriate management measure; and • if the find is assessed and is not a relic, work inside the area that was made a no-go area can re-commence."	Construction and operation
Human remains	HER02	In the event that known or suspected human remains (generally in skeletal form) are encountered during the activity, the following procedure will be followed immediately upon discovery:	Construction and operation

		• all work in the immediate vicinity will cease and the find will be immediately reported to the work supervisor who will advise the Environment Manager or other nominated senior staff member; • the Environment Manager or other nominated senior staff member will promptly notify the police (as required for all human remains discoveries); • the Environment Manager or other nominated senior staff member will contact Heritage NSW for advice on identification of the human remains; • if it is determined that the human remains are Aboriginal ancestral remains, the Local Aboriginal Land Council will be contacted, and consultative arrangements will be made to discuss ongoing care of the remains; and • if it is determined that the human remains are not Aboriginal ancestral remains, further investigation will be conducted to determine if the remains represent a historical grave or if police involvement is required.	
Hazards and Risks			
Offsite safety incidents	HAZ01	AMPYR to consult with Fire and Rescue NSW (FRNSW) during detailed design of the facility to ensure that the relevant aspects of fire protection measures have been included. These may include: 1. type of firefighting or control medium; and 2. demand, storage and containment measures for the medium. The above aspects will form an input to the Fire Safety Study which may be required as part of the development consent conditions, for review and approval by FRNSW.	Design
Offsite safety incidents	HAZ02	AMPYR to review the investigation reports on the Victorian Big Battery Fire (occurred on 31 July 2021) and implement relevant findings for the project. The publicly available investigation reports include:	Design

		• Energy Safe Victoria: Statement of Technical Findings on fire at the Victorian Big Battery. • Fisher Engineering and Energy Safety Response Group: Report of Technical Findings on Victorian Big Battery Fire.	
Land Resources			
Impacts to land and soil capability	LR01	As part of the CEMP, soil management measures are recommended to ensure the preservation of soil resources, including: • assessment of topsoil depths to be stripped prior to stripping to minimise the mixing of topsoil and subsoil; • attempt to strip and manage different soils types separately; • avoid mixing topsoil with subsoil during stripping operations; • avoid stripping topsoil following heavy rain periods that leaves the soil structure saturated; • avoid compaction of topsoil during stripping and stockpiling operations; • amelioration of topsoil and, where necessary, subsoil during stripping operations in accordance with a soil scientists' recommendations. Ameliorants should be applied prior to stripping of their respective layers, to maximise mixing of the ameliorants during the stripping process; • stockpile topsoil separately from subsoil (if it is necessary to strip subsoil); • where practical and possible, the subsoils and topsoils should be located so that stockpiled material is placed on the same underlying soil unit; protection of stockpiles from erosion using soil stabilising polymers, cover crops or other forms of stabilisation; • revegetation of long-term topsoil stockpiles with native plant community types to minimise stockpile water logging, the generation of anaerobic conditions, help maintain topsoil	Design

		biological viability and to create a seed store; and • test stockpiled subsoil and topsoil to determine amelioration requirements prior to reinstatement.	
Erosion and sedimentation	LR02	Drainage and landform design to: • avoid concentration of flow and maintain sheet flow conditions where practicable; • avoid excavating drains in dispersive soils and locate roads, hardstands and pads to utilise the natural slope so that water drains away as required • maintain the velocity of flows below 0.3m/s; • avoid the use of structures that pond water and can cause tunnel erosion such as check dams and channel banks in concentrated flows and benches on cut and fill batters; • use back-push diversion in lieu of channel banks if it is necessary to divert flow; • ameliorate dispersive soils particularly in cable trenches and fill embankments where there is a high risk of tunnel erosion; and • use high efficiency sediment basins (Type B) with flow activated dosing systems to treat turbid runoff to protect downstream receivers.	Design
Land disturbance extent and duration	LR03	As part of the CEMP, land disturbance processes will be developed to ensure unnecessary land disturbance does not occur, including provision for site inspection by the site Environmental Manager or delegate prior to disturbance to identify any necessary environmental, cultural, drainage and erosion and sediment controls are planned and implemented as required.	Design
Land disturbance extent and duration	LR04	Initial earthworks and major land disturbing activities to avoid high rainfall erosivity period (summer storm season) November through to March where practical to minimise erosion. Where major land disturbing works need to occur in high rainfall erosivity periods then a commensurate level of erosion and sediment control will be adopted.	Design

Land disturbance extent and duration	LR05	The timing of stabilisation and rehabilitation works are to consider: • proximity to sensitive receptors • soil erosivity; • slope gradient and length; • time of year (rainfall risk); and • site access.	Design
Water movement through the site	LR06	Clean upslope run-on should be diverted around areas of ground disturbance to minimise the erosion potential and volume of turbid runoff that needs to be treated.	Design
Water movement through the site	LR07	Access tracks should be designed and constructed to avoid the concentration of flow where possible. The roads should have a crowned profile in most instances with a minimum cross fall of 4% to minimise the formation of corrugations, with infall and outfall drainage only where necessary.	Design
Water movement through the site	LR08	Track drainage should be turned out using back push diversion banks or trapezoidal mitre drains where possible. Drains will need to be lined (generally rock) where flow velocities exceed the maximum permissible velocity of the soil.	Design
Water movement through the site	LR09	Track surfaces should be stabilised using a soil stabilising polymer emulsion design to minimise erosion, turbid runoff, dust emissions, watering and maintenance.	Design
Water movement through the site	LR10	The waterway crossings should be a low-level concrete causeway with low flow culverts and a stilling pond type energy dissipator to minimise erosion of the watercourse downstream of the crossing.	Design
Water movement through the site	LR11	Early installation of the causeway should be a priority during track construction to allow the safe passage of clean run- on water.	Construction
Water movement through the site	LR12	Rainfall falling onto the roofs of offices and workshop facilities is clean water and should be captured using gutters and stored in tanks for re-use and overflows directed away from active construction areas.	Operation
Water movement through the site	LR13	Turbid water runoff from the substation/BESS, laydown and where practicable, access tracks should be diverted to Type B sediment basins for treatment.	Design
Water movement through the site	LR14	Sediment Basins should be constructed as a priority before any other land disturbances to maximise the capture of sediment and turbid runoff.	Construction

Water movement through the site	LR15	Fuel storages should be self-bunded and other hydrocarbon and chemical storages bunded in accordance with AS1940.	Design
Stabilisation	LR16	Progressive stabilisation and rehabilitation of disturbed areas should be undertaken to minimise erosion and the generation of sediment and turbid runoff. Due to the gentle slope gradients on site and presence of suitable quality topsoil, bonded fibre matrix hydro-mulches (BFM) are considered appropriate for site rehabilitation purposes. For slopes steeper than 1:2 a hydraulically applied growth medium (HGM) is recommended.	Construction
Stabilisation	LR17	Ensure that non-water soluble, mineral based, biologically inoculated fertilisers are used in any revegetation works to not impact on background landowners participating in organic or carbon farming initiatives.	Construction
Sediment retention	LR18	Type B high efficiency sediment basins with flow activated dosing systems are recommended where calculated soil loss exceeds 150 t/ha/y (Substation/BESS and Laydown Area) or control of turbidity is required to protect creek systems.	Design
Sediment retention	LR19	In-stream sediment controls should be avoided where possible by scheduling works in creeks to avoid the summer storm season.	Construction
Sediment retention	LR20	As part of the CEMP, water movement processes will be developed to minimise the potential for accidental turbid water discharge during pumping and dewatering activities on site.	Design
Erosion and sedimentation	LR21	Drainage, erosion and sediment control measures at all times until their function is no longer required.	Construction and operation
Erosion and sedimentation	LR22	Inspections of control measures need to be undertaken following rainfall that causes run-off or monthly during dry conditions.	Construction and operation
Erosion and sedimentation	LR23	Inspections should be undertaken by the site Environmental Manager or delegate. That person shall have the following knowledge: • an understanding of site environmental values that could be impacted by site construction and operation; • an understanding of the requirements of the Ministers Conditions of Approval and	Construction and operation

		Environmental Protection Licence that are relevant to drainage, erosion and sediment control; • a good working knowledge of drainage, erosion and sediment control fundamentals and the project specific application thereof; • ability to provide advice and guidance on appropriate measures and procedures to maintain the site at all times in a condition representative of regionally specific best practice, and that is reasonably likely to achieve the required standards; and • a good working knowledge of the correct installation, operation and maintenance procedures for the full range of drainage, erosion and sediment control measures used on the project.	
Erosion and sedimentation	LR24	Control measures to be maintained to the maximum practicable extent so that control measures: • will best achieve the sites required environmental protection including achieving the water quality criteria specified in the Environmental Protection Licence in the nominated design storm event; • are in accordance with the specified operational standard for each drainage, erosion and sediment control measure; and • prevents or minimises safety risks.	Construction and operation
Erosion and sedimentation	LR25	All water, debris and sediment removed from control measures shall be disposed of in a manner that will not create an erosion or pollution hazard.	Construction and operation
Erosion and sedimentation	LR26	It is recommended that a hierarchical ESC planning system be adopted for construction and operation of the project consisting of an overarching project wide ESCP with Progressive ESCP's for all disturbance areas to ensure that the projects ESCP's are living documents that can and will be modified as site conditions change, or if the adopted control measures fail to achieve the desired treatment standard.	Design

Erosion and sedimentation	LR27	The ESCP's are recommended to be prepared and certified by a suitably qualified and experienced Certified Professional in Erosion and Sediment Control.	Design
Erosion and sedimentation	LR28	If a site inspection or environmental monitoring identifies a significant failure of the adopted drainage, erosion and sediment control measures, a critical evaluation of the failure should be undertaken to determine the cause and appropriate modifications made to the control measures on site and ESCP's amended.	Construction and operation
Erosion and sedimentation	LR29	All project personnel including contractors are recommended to have an appropriate level of drainage, erosion and sediment training. Three levels of competency training for personnel are recommended: Level 1 – basic awareness level training and provided during the site induction. Level 2 – half day training for foreman, engineers, project managers etc on the legal aspects of drainage, erosion and sediment control, fundaments and site-specific strategies, techniques and requirements. Level 3 – detailed one day training course where drainage, erosion and sediment control is a regular component of their daily activities and competence is required.	Construction and operation
Social			
Amenity related to traffic noise	SOC01	Implement ongoing community engagement mechanism (i.e. dedicated project phone number and email), which provides the opportunity for stakeholders to raise complaints, grievances, and provide feedback.	Construction and operation
Community related to community investment, social cohesion, and resilience	SOC02	Develop funding and grant opportunities within the local and regional area where need is determined.	Pre-construction and operation
Community related to community investment, social cohesion, and resilience	SOC03	Develop a strategy for the enhanced identification and implementation of shared value opportunities within the local area.	Pre-construction and operation
Community related to community investment, social	SOC04	Utilise a community and stakeholder engagement strategy to facilitate funding decisions that are informed by the local community, including regular meetings	Pre-construction and operation

cohesion, and resilience		with local MP's, Dubbo Regional Council, local community groups, and local community members.	
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC05	Action the recommendations of the TIA to improve road safety objectives along the Goolma Road.	Pre-construction and operation
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC06	Liaise with Dubbo Regional Council and TfNSW to explore the potential and utility of a reduction in the speed limit along Goolma Road as well as for an increase in road maintenance. AMPYR should look to implement a corporate policy that restricts its heavy vehicle fleet to travelling a maximum of 80 km/h along Goolma Road.	Pre-construction and operation
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC07	Implement driver inductions, including a driver code of conduct, requiring compliance with road safety procedures and prohibiting unsafe driving practices such as tailgating, convoying, and speeding. Explore carpooling and utilisation of a bus service as a way to mitigate public safety impacts and manage driver fatigue.	Pre-construction and operation
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC08	Continue community engagement to monitor compliance with road safety measures and encourage local residents to report any instances of unsafe driving of construction vehicles using community engagement grievance mechanisms.	Pre-construction and operation
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC09	Implementing a risk prevention strategy to limit heavy vehicle traffic occurring along the school bus route during school commuting times. The school bus route occurs between 7.52 am – 8.47 am and 3.07 pm – 4.18 pm and it is recommended that heavy vehicles are restricted from travelling during these times. As a precaution, AMPYR should ensure that there is a reduction in heavy vehicle speed along the school bus route on Goolma Road during school commuting hours.	Pre-construction and operation
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC10	Liaison between the proponent, TfNSW, local Council and the bus operator is recommended to establish safe rural bus stops to enable the bus to draw fully off the road in conjunction with school bus zone signage.	Pre-construction and operation
Public safety related to increased traffic on	SOC11	Implementation a Driver's Code of Conduct which would manage AMPYR's	Pre-construction and operation

Goolma Road and through Goolma Road and Twelve Mile Road intersection		contribution to these safety issues. The Driver's Code of Conduct should include a requirement for all truck drivers to give way to school bus movements.	
Public safety related to increased traffic on Goolma Road and through Goolma Road and Twelve Mile Road intersection	SOC12	AMPYR to be involved in consultation with other developments in the area, namely the proponents of Wellington North Solar Farm and Uungula Wind Farm as well as Dubbo Regional Council, Wellington schools and bus service operator to establish community meetings if required to serve as a consistent means of monitoring the safety of school bus route during construction.	Pre-construction and operation
Public safety related to fire	SOC14	Action the recommendations stated in the PHA to mitigate any potential public safety risks stemming from fire hazards.	Pre-construction and construction
hazards	SOC15	Consult with Fire and Rescue NSW (FRNSW) during detailed design of the facility to ensure that the relevant aspects of fire protection measures have been included.	Pre-construction and construction
Public safety related to fire	SOC16	Consult with the local Wellington Fire Service and the Rural Fire Service to implement a Fire Management Plan.	Pre-construction and construction
Livelihood related to increased local employment opportunities	SOC17	Seek to appoint a construction contractor(s) who adopts a preferential approach to hiring which prioritises employment of workers with relevant skills residing within the local area, then the regional area, followed by hiring outside of these areas.	Pre-construction and construction
Livelihood related to increased local employment opportunities	SOC018	The proponent and/or its construction contractor(s) to work with local employment, apprenticeship and training agencies to enhance the potential of hiring of local and regional workers thereby minimising the need to hire workers from outside of the local and regional areas.	Pre-construction and construction
Livelihood related to increased local employment opportunities	SOC19	Partnership with local employment and training agencies could create specific benefits for at-risk youth and people struggling to find employment by providing direct employment opportunities.	Pre-construction and construction
Livelihood related to increased local employment opportunities	SOC20	Provision of apprenticeship and training opportunities.	Pre-construction and construction
Livelihood related to training and	SOC21	To maximise potential benefits, it is recommended that AMPYR and/or its construction contractor(s) partner with	Pre-construction and construction

apprenticeship opportunities		local employment training agencies to provision for apprenticeships and training programs that are tailored to the local community and promote skilled employment pathways for the project.	
Livelihood related to training and apprenticeship opportunities	SOC22	It is recommended that AMPYR and/or its construction contractor(s) explore the opportunity to sponsor the licenses required for employment in the construction industry, which would enable youth, particularly in the regional area, to gain meaningful employment as well as increase their employability.	Pre-construction and construction
Livelihood related to training and apprenticeship opportunities	SOC23	Apprenticeship and employment opportunities can be further enhanced through the implementation of vocational education and training (VET) programs and work experience for schools in the local and regional area. This could encourage pathways to local employment, thereby encouraging youth retention.	Pre-construction and construction
Traffic safety			
Traffic safety	T01	A BAL will be installed for left turning traffic from Twelve Mile Road westbound to site access road and a CHR(S) will be required for right turning traffic from Twelve Mile Road southbound to site access road.	Pre-construction
Traffic safety	T02	A detailed construction traffic management plan (CTMP) will be developed by the construction contractor in consultation with Dubbo Regional Council prior to the commencement of works.	Pre-construction
Traffic safety	T03	Obtain a permit (from NHVR) to allow OSOM vehicles to use the road network as part of construction.	Pre-construction
Traffic safety	T04	Consider removal of tree hence allowing visibility to a greater distance. Construction stage traffic management measures such as warning signs for trucks entering (sign no. t2-25, to be confirmed in the CTMP).	Pre-construction
Visual			
Visual impacts	VIS01	Development of the project design has included and will continue to include general measures to reduce the degree of contrast between project infrastructure and the surrounding rural landscape, having regard to the form, scale, height, colour and texture of materials incorporated as part of the project.	Design

Visual impacts	VIS02	Where possible, suitable colours and finishes will be chosen for project infrastructure to minimise visual impacts (including glare/reflectivity), including the O&M buildings/facilities and the acoustic wall surrounding the BESS area. These buildings and materials will be designed to blend in with the local rural/farming landscape. If practicable, the wall may be painted in a neutral colour (eg khaki, beige, green or similar) rather than white, so as to better blend in with the local rural landscape.	Design
Visual impacts	VIS03	Landscaping to be installed along all boundaries of the BESS compound in accordance with the conceptual landscape plan, including use of suitable vegetation species identified in the VIA. The final location and extent of landscaping will be determined during detailed design and following subsequent discussions with the property owners of R23 and local suppliers as part of preparation of the environmental management plan (EMP).	Design
Surface water			
Impacts to watercourses and riparian corridors	SW01	Final project layout to be adjusted, where possible, during detailed design to avoid encroachment into the inner 50% of the vegetated riparian zone along Watercourse A. This should apply to permanent works as well as any temporary works required during construction.	Design
Impacts to watercourses and riparian corridors	SW02	Detailed design to develop a bed level or culvert waterway crossing design for Watercourse A that is consistent with guidance in DoPI (2012).	Design
Impacts to water quality	SW03	Implementation of erosion and sediment control measures and site rehabilitation and revegetation in accordance with best practice. The LSEA (EMM 2020) describes a range of proposed measures for adoption. Proposed measures will be considered further and formalised as part of detailed design and documented in the CEMP. Access tracks to incorporate appropriate water quality treatment measures such as vegetated swales to minimise the opportunity of dirty water leaving the site and entering waterways. Implementation of procedures for hazardous material storage and spill management to be	Design and pre-construction

		prepared and documented within the CEMP.	
Flood impacts	SW04	Construction site planning at detailed design stage to: • consider flood risk and locate temporary site works, compounds, storage areas and plant/equipment away from flood prone areas where practicable; • ensure connectivity of temporary drainage to Watercourse A and retention of overland flow paths from the site; and • maintain riparian corridor setbacks along watercourses.	Design and pre-construction
Water security	SW05	A water supply work approval is to be obtained to convert the existing landholder bore to a water supply bore and a WAL is to be obtained for the required construction water take, should onsite groundwater sources be utilised to supplement other water sources.	Pre-construction
Impacts to watercourses and riparian corridors	SW06	Monitoring of watercourse and riparian corridor condition for Watercourse A immediately adjacent to the project will be undertaken at an appropriate frequency, with maintenance undertaken as required to minimise scouring and erosion in particular in the vicinity of the new watercourse crossing.	Construction and operation
Impacts to water quality	SW07	Continuation of erosion and sediment control and site rehabilitation and revegetation measures as appropriate, and monitoring and maintenance of ground cover vegetation and other stabilised surfaces throughout operation to limit erosion and transport of sediment to watercourses. The LSEA (EMM 2020) describes a range of proposed measures for adoption. Proposed measures will be considered further and formalised as part of detailed design and documented in the OEMP. Implementation of procedures for hazardous material storage and spill management to be prepared and documented within the OEMP.	Construction and operation
Flood impacts	SW08	Detailed design of project to minimise potential for offsite flooding impacts up to and including 1% AEP event by: • ensuring finished ground levels are constructed at-grade and not materially higher than existing	Design

		levels, in particular along potential hydraulic controls that could be formed by the proposed internal access roads; • maintaining connectivity of internal stormwater drainage to Watercourse A and retention of overland flow paths from the site; • incorporation of a detention function for the site water management basin, to maintain predeveloped storm flows to existing conditions up to the 1% AEP event; and • maintaining riparian corridor setbacks along watercourses. Flood emergency management protocols and procedures to be developed and documented in a FERP (or equivalent).	
Water security	SW09	The WAL obtained for the required construction water take, will also be required to cover nominal water use for potential irrigation of the visual screening during operation.	Pre-operation
Air Quality			
Reporting and record keeping	AQ01	Develop appropriate communications to notify the potentially impacted residences of the project (duration, types of works, etc), relevant contact details for environmental complaints reporting.	Pre-construction
Reporting and record keeping	AQ02	A complaints logbook will be maintained throughout the construction phase which should include any complaints related to dust; where a dust complaint is received, the response actions should be detailed in the logbook.	Construction
Reporting and record keeping	AQ03	Record any exceptional incidents that cause dust and/or air emissions, either on or off site, and the action taken to resolve the situation in the logbook.	Construction
Reporting and record keeping	AQ04	Carry out regular site inspections, record inspection results, and make the logbook available for review as requested.	Construction
Dust	AQ05	Erect shade cloth barriers to site fences around potentially dusty activities such as trench excavations and material stockpiles where practicable.	Construction
Dust	AQ06	Keep site fencing and barriers clean using wet methods.	Construction
Dust	AQ07	Deploy water carts to ensure that exposed areas and topsoils/subsoil are kept moist.	Construction

Dust	AQ08	Provide an adequate water supply on the construction site for effective dust/particulate matter suppression/mitigation.	Construction
Dust	AQ09	Modify working practices by limiting activity during periods of adverse weather (hot, dry and windy conditions) and when dust is seen leaving the site.	Construction
Dust	AQ10	Minimise drop heights from loading or handling equipment.	Construction
Site inspections – dust monitoring	AQ11	Undertaking daily on-site and off-site inspections, where receptors are nearby, to monitor dust. The inspection results should be recorded in a specific log. Inspection should include regular dust soiling checks of surfaces such as street furniture and cars.	Construction
Site inspections – dust monitoring	AQ12	At the commencement of each day's activities, the local meteorological forecast should be reviewed, including the timing of notable increases in wind speed and/or temperature. Appropriate increased intensity or additional mitigation measures should be planned for the day based on this forecast review. The likely meteorological conditions and implications for dust emissions and impacts should be discussed at the morning toolbox meeting.	Construction
Site inspections – dust monitoring	AQ13	Increasing the frequency of site inspections when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions. Should notable visual dust emissions be observed leaving the site boundary, increased intensity or additional mitigation measures should be deployed.	Construction
Site inspections – dust monitoring	AQ14	Undertaking daily on-site and off-site inspections, where receptors are nearby, to monitor dust. The inspection results should be recorded in a specific log. Inspection should include regular dust soiling checks of surfaces such as street furniture and cars.	Construction
Site inspections – dust monitoring	AQ15	At the commencement of each day's activities, the local meteorological forecast should be reviewed, including the timing of notable increases in wind speed and/or temperature. Appropriate increased intensity or additional mitigation measures should be planned for the day based on this forecast review. The likely meteorological conditions and	Construction

		implications for dust emissions and impacts should be discussed at the morning toolbox meeting.	
Site inspections – dust monitoring	AQ16	Increasing the frequency of site inspections when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions. Should notable visual dust emissions be observed leaving the site boundary, increased intensity or additional mitigation measures should be deployed.	Construction
Speed limit	AQ17	Impose a maximum-speed-limit of 20 km/h on all internal roads and work areas during construction.	Construction
Vehicle fuel combustion emissions	AQ18	Ensure proper maintenance and tuning of all equipment engines.	Construction
Clearing	AQ19	Limit the extent of clearing of vegetation and topsoil to the designated footprint required for construction and appropriate staging of any clearing.	Construction
Exposed soils	AQ20	Re-vegetate earthworks and exposed areas/soil stockpiles to stabilise surfaces as soon as practicable.	Construction
Materials handling	AQ21	Minimise drop heights from loading or handling equipment.	Construction
Track out from vehicles	AQ22	Access gates to be located at least 10 m from receptors where possible.	Construction
Track out from vehicles	AQ23	Use water-assisted dust sweeper(s), to remove, as necessary, any material tracked out of the site onto public roads.	Construction
Track out from vehicles	AQ24	Avoid dry sweeping of large areas.	Construction
Track out from vehicles	AQ25	Ensure vehicle loads entering and leaving sites are covered to prevent escape of materials during transport.	Construction
Track out from vehicles	AQ26	Trips and trip distances should be controlled and reduced where possible, for example by coordinating delivery and removal of materials to avoid unnecessary trips.	Construction
Contamination			
Contamination	CON01	An unexpected finds protocol will be developed and contained within the CEMP to include procedures to identify potentially contaminated land, such as: • the observation of discolouration or staining of soils; • visible signs of plant stress, presence of drums or other waste material; • stockpiles or fill material, or odours.	

		Where signs of contamination are identified, whether from known or unexpected sources, construction work within the affected areas would cease until a contamination assessment was undertaken to advise the need for further investigation or remediation.	
Handling and storing waste	CON02	Procedures for handling and storing waste be developed and implemented and contained within the CEMP, including detail on the handling of potentially or known contaminated material and protocols for waste classification and disposal.	Duration of project
Waste			
Waste classification	W01	All waste will be assessed, classified, managed, and disposed of in accordance with the Waste Classification Guidelines (NSW EPA 2014).	Construction
Reporting and recordkeeping	W02	a construction waste and resource management plan will be developed and contained within the CEMP to outline appropriate management procedures and include, but not be limited to: • identify waste types and volumes that are likely to be generated by the project; • adherence to the waste minimisation hierarchy principles of avoid / reduce / reuse / recycle / dispose; • waste management procedures to manage the handling and disposal of waste, including unsuitable material or unexpected waste volumes; and • identification of reporting requirements and procedures for tracking of waste types and quantities.	

Appendix C: Legislation and planning documents

Table E1 Key legislation, regulations and planning instruments

Statutory reference	Description (from EMM 2022)
State legislation and regulations	
Environmental Planning and Assessment Act 1979	The NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) and EP&A Regulation provide the framework for environmental planning and assessment in NSW. Environmental planning instruments (EPIs) are established under the EP&A Act to regulate land use and development. EPIs determine the relevant part of the EP&A Act under which a development project must be assessed and therefore determine the need or otherwise for development consent. EPIs consist of SEPPs, regional environmental plans (REPs), and local environmental plans (LEPs).
Roads Act 1993	The NSW *Roads Act 1993* (Roads Act) is administered by Transport for NSW (previously Roads and Maritime Services (RMS)), local government or the Minister as delegated under the NSW Crown Land Management Act 2016 (CL Act). Transport for NSW has jurisdiction over major roads, local government over minor roads and the Minister over Crown roads. The Roads Act sets out the rights of the public in regard to access to public roads.
Biodiversity Conservation Act 2016	The NSW *Biodiversity Conservation Act 2016* (BC Act) establishes the regulatory framework for assessing and offsetting biodiversity impacts for proposed developments. The BC Act is also supported by the *Biodiversity Conservation Regulation 2017* (BC Regulation) and the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, which outline the methods to be used in applying the Biodiversity Assessment Methodology (BAM).
Fisheries Management Act 1994	The NSW *Fisheries Management Act 1994* (FM Act) governs the management of fish and their habitat within NSW and is administered by the Department of Primary Industries (DPI). The FM Act aims to conserve 'key fish habitats' (KFH) which includes aquatic habitats that are important to the maintenance of fish populations, the survival and recovery of threatened aquatic species and the sustainability of the recreational and commercial fishing industries.
Biosecurity Act 2015	The objective of the NSW *Biosecurity Act 2015* (BSA Act) is to provide a framework for the prevention, elimination and minimisation of biosecurity risks within NSW. The BSA Act outlines priority weeds that pose a risk to reducing the diversity of native plant and animal species. Under Schedule 1 of the Act all private landowners, occupiers, public

Statutory reference	Description (from EMM 2022)
	authorities and Councils are required to control weeds on their land. Mid-Western Regional Council is the Local Control Authority responsible for administering the BSA Act in the region that applies to the study area.
National Parks and Wildlife Act 1974	The NSW *National Parks and Wildlife Act 1974* (NP&W Act) governs the management of national parks, historic sites, nature reserves, reserves, Aboriginal areas and state game reserves in NSW. The NP&W Act also provides for the protection of native flora and fauna. The study area is not located within 10 kilometres of any nature reserve or forest protected under the NP&W Act.
Heritage Act 1977	The NSW *Heritage Act 1977* (Heritage Act) aims to protect and conserve the natural and cultural history of NSW, including scheduled heritage items, sites and relics. The Act defines 'environmental heritage' as those places, buildings, works, relics, moveable objects and precincts listed in the Local or State Heritage Significance register. A property is a heritage item if it is listed in the heritage schedule of the local Council's LEP or listed on the State Heritage Register (SHR), a register of places and items of particular importance to the people of NSW.
Water Management Act 2000	The NSW *Water Management Act 2000* (WM Act) regulates the use and interference of surface and groundwater in NSW where a water sharing plan has been implemented. The WM Act is progressively being implemented throughout NSW to manage water resources, superseding the Water Act 1912.
Crown Lands Management Act 2016	The NSW *Crown Lands Management Act 2016* sets out how Crown land is to be managed. In particular, specific use of Crown land generally needs to be authorised by a lease, licence or permit. Under Part 3 of the Act, the Minister for Lands must be satisfied that the land has been assessed in accordance with the principles of Crown land management by (amongst other matters) including an assessment of the capabilities of Crown land and the identification of suitable land uses.
Protection of the Environment Operations Act 1997	The NSW *Protection of the Environment Operations Act 1997* (POEO Act) is the principal NSW environmental protection legislation and is administered by the NSW Environment Protection Authority (EPA). Section 48 of the POEO Act requires an environment protection licence (EPL) to undertake scheduled activities at a premise.
Rural Fires Act 1997	The NSW *Rural Fires Act 1997* (RF Act) aims to prevent, mitigate, and suppress bush and other fires. Section 63(2) of the RF Act requires the owners of land to prevent the ignition and spread of bushfires on their land. Under Section 4.41 of the EP&A Act, a bush fire safety authority under Section 100B of the RF Act is not required for SSD that is authorised by a development consent
Local Land Services Act 2013	The NSW *Local Land Services Act 2013* (LLS Act) provides framework for the management of local land services and includes the requirement to obtain approval under Part 5A of the LLS Act to remove native vegetation in a regulated rural area. Pursuant to Section 60O of the LLS Act, clearing of native vegetation in a regulated rural area is authorised under Part 4 of the EP&A Act and an authorisation for clearing of native vegetation is not required for the project under the LLS Act.

Statutory reference	Description (from EMM 2022)
Conveyancing Act 1919	The development footprint extends over many adjoining properties, each of which require a separate lease from the owners of the affected land. Lease of BESS site is treated as a lease of premises, regardless of whether the lease will be for more or less than 25 years. The plan defining 'premises' (being the development footprint) will not constitute a 'current plan' within the meaning of Section 7A *Conveyancing Act 1919* (Conveyancing Act) and therefore will not require subdivision consent under Section 23G Conveyancing Act.
Mining Act 1992	The main objective of the NSW *Mining Act 1992* (Mining Act) is to encourage and facilitate the discovery and development of mineral resources in NSW, having regard to the need to encourage ecologically sustainable development.
Waste Avoidance and Resource Recovery Act 2001	The NSW *Waste Avoidance and Resource Recovery Act 2001* (WARR Act) includes resource management hierarchy principles to encourage the most efficient use of resources and to reduce environmental harm.
Commonwealth legislation	
Environment Protection and Biodiversity Conservation Act 1999	The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the core piece of legislation protecting Matters of National Environmental Significance (MNES) and Commonwealth land.
Native Title Act 1993	The *Native Title Act 1993* (Native Title Act) was enacted to formally recognise and protect native title rights in Australia. The Native Title Act establishes processes to determine where native title exists, how future activity affecting upon native title may be undertaken, and to provide compensation where native title is impaired or extinguished. Where a native title claimant application is made with the National Native Title Tribunal (NNTT), the Federal Court or High Court of Australia make a determination of whether native title does or does not exist in relation to the claim.
Environmental planning instruments	
State Environmental Planning Policy (State and Regional Development) 2011	The State Environmental Planning Policy (SEPP) (State and Regional Development) 2011 determines that the project is classified as an SSD.
State Environmental Planning Policy (Infrastructure) 2007	The SEPP (Infrastructure) 2007 allows for the development of energy projects with consent even on land prescribed for primary production.
State Environment Planning Policy No. 33 (Hazardous and Offensive Development)	State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33) requires that a preliminary hazard assessment (PHA) be prepared in accordance with the current circulars or guidelines for potentially hazardous or offensive development.
State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)	State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) provides a State-wide planning approach to the remediation of contaminated land and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human and environmental health. Clause 7 of SEPP 55 requires that a

Statutory reference	Description (from EMM 2022)
	consent authority take into consideration whether the land is contaminated prior to issuing development consent.
State Environmental Planning Policy (Primary Production and Rural Development) 2019	The State Environmental Planning Policy (Primary Production and Rural Development) 2019 (SEPP PP&RD) aims to facilitate the orderly and economic use and development of rural lands for primary production related purposes and reduce land use conflict and sterilisation of rural lands.
State Environmental Planning Policy – Koala Habitat Protection 2019 (now – Koala Habitat Protection 2020 and 2021)	The State Environmental Planning Policy (Koala Habitat Protection) 2019 (SEPP Koala Habitat) aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas. It applies to land to which an approved koala plan of management applies or land identified on the Koala Development Application Map and with an area of greater than 1 ha (including adjoining land within the same ownership), and in LGAs listed in Schedule 1 of SEPP Koala Habitat.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	The State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (SEPP Mining) is designed to provide for the proper management and development of mineral, petroleum and extractive material resources and establish appropriate planning controls to encourage ecologically sustainable development through environmental assessment and management.
Mid-Western Regional Local Environmental Plan 2012	The project is located entirely within the Mid-Western Regional Council LGA and is subject to the Mid-Western Regional Local Environmental Plan 2012 (LEP). The study area is zoned as 'Primary Production (RU1)' under the LEP.
Development control plans	
Mid-Western Regional Development Control Plan 2013	The Mid-Western Regional Development Control Plan 2013 (the DCP) compliments the Mid-Western Regional Local Environmental Plan 2012 (the LEP) and provides detailed requirements to guide development in the Mid-Western Regional Council LGA. The DCP was adopted by Mid-Western Regional Council on 6 February 2013 and commenced operation on 11 February 2013. Amendment 4 to the plan was adopted on the 19 June 2019 and commenced operation on 21June 2019.

Appendix D:
CPHR Consultation

1.1. Initial Correspondence

From:	Calvin Houlison on behalf of OEH ROGHD ROG North West Mailbox
To:	Jane Book
Cc:	Sam Wynn
Subject:	RE: Maryvale Solar Farm and Wellington BESS - BMP request for comment
Date:	Tuesday, 2 July 2024 10:59:25 AM
Attachments:	image001.png image002.png image003.png image004.png

Hi Jane

Yes please refer the BMP directly to BCS in the portal engagement before sending onto DPHI. We recommend that you refer to us for at least 21 days, and then take on board any feedback prior to finalising the BMP for final submission to DPHI. Following our review, you can then submit the finalised BMP to DPHI and indicate how you have addressed our comments.

This should be adequate to demonstrate that you have consulted with BCS in preparing the BMP as required by the condition/s, though ultimately that is a matter for the consent authority (DPHI) to be satisfied with.

regards

Calvin Houlison
Senior Team Leader, Planning
North West Branch

Biodiversity, Conservation & Science | Department of Climate Change, Energy, the Environment and Water

T 02 4224 4179 | **E** calvin.houlison@environment.nsw.gov.au
dcceew.nsw.gov.au

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

My office is on Dharawal country •••

From: Jane Book <Jane@ozarkehm.com.au>
Sent: Tuesday, 2 July 2024 10:27 AM
To: OEH ROGHD ROG North West Mailbox <rog.nw@environment.nsw.gov.au>
Cc: Sam Wynn <Samantha.Wynn@environment.nsw.gov.au>
Subject: RE: Maryvale Solar Farm and Wellington BESS - BMP request for comment

Hi Sam

Thanks for your response.
Can I just clarify a process issue.
Does BCS review the BMP before it gets submitted to DPHI, or is it done at the same time?

Just want to make sure we have the timings right for everyone to undertake their review.

Many thanks
Jane

Jane Book
Senior Environmental Scientist
OzArk

0427661436

From: Sam Wynn <Samantha.Wynn@environment.nsw.gov.au> **On Behalf Of** OEH ROGHD ROG North West Mailbox

Sent: Friday, June 28, 2024 2:05 PM
To: Jane Book <Jane@ozarkehm.com.au>
Cc: OEH ROGHD ROG North West Mailbox <rog.nw@environment.nsw.gov.au>
Subject: RE: Maryvale Solar Farm and Wellington BESS - BMP request for comment

Hi Jane

Thank you for your email. Please allow us a minimum 3 week review period when you submit the draft BMPs for our review in the Major Projects portal. We try to review post consent management plans in a 3 week period, but sometime we will required longer depending on the volume of priority statutory matters that we have on the books at the corresponding time.

In relation to the specific content in the BMPs. Please ensure that the BMPs address each component of the relevant consent condition. Successful management plans include tailored, quantitative performance measures and targets, completion criteria, monitoring and trigger points for corrective action which adhere to the SMART principles (specific,

measurable, achievable, realistic, timely). Management targets must be measurable and expressed in a manner that assists in the evaluation of progress toward the strategic goals that define the completion criteria.

Regards
Sam

Samantha Wynn
Senior Team Leader Planning – North West

Regional Delivery
Biodiversity, Conservation and Science Group
NSW Department of Climate Change, Energy, the Environment and Water
T 02 6883 5365 **M** 0459 888 603 **E** Samantha.wynn@environment.nsw.gov.au
W dcceew.nsw.gov.au

From: Jane Book <Jane@ozarkehm.com.au>
Sent: Friday, 28 June 2024 11:27 AM
To: OEH ROGHD ROG North West Mailbox <rog.nw@environment.nsw.gov.au>
Subject: Maryvale Solar Farm and Wellington BESS - BMP request for comment

Good morning

I am in the process of developing the Biodiversity Management Plan (BMP) for both the Maryvale Solar Farm and BESS, as well as the Wellington BESS.

The conditions of consent require consultation with BCD.

Please let me know if you have any timing requirements you may have to review the documentation.

And if you require any specific information to be included in the BMP.

Many thanks

Jane

Jane Book
Senior Environmental Scientist
& Director

OzArk Environment & Heritage
PO Box 2069 DUBBO 2830
02 6882 0118
jane@ozarkehm.com.au
www.ozarkehm.com.au

OzArk and staff respectfully acknowledge the traditional custodians and Elders of the Country on which we work.

1.2. CPHR Feedback – May 2025

Department of Climate Change, Energy, the Environment and Water

Our ref: DOC25/359872
Your ref: SSD-27014706

Anthony Yeates
AMPYR Australia
Level 17, 167 Macquarie Street
Sydney NSW 2000

Dear Anthony

Wellington South BESS – Biodiversity Management Plan

Thank you for your request via the NSW Planning Portal dated 11 April 2025 to the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments on the Biodiversity Management Plan (BMP) for Wellington South Battery and Energy Storage System (BESS).

CPHR understands that Condition B14 of the Wellington South BESS consent requires preparation of a BMP in consultation with CPHR. Our advice aims to assist the proponent to adequately address the requirements of Condition B14 prior to formal submission.

Our recommendations relating to the draft BMP are summarised in **Attachment A**, with supporting advice provided in **Attachment B**.

If you have any questions about this advice, please do not hesitate to contact Rebecca Hobbs, Conservation Planning Officer, via Rebecca.hobbs@environment.nsw.gov.au or (02) 4224 4135.

Yours sincerely

Liz Mazzer
A/Senior Team Leader Planning North West
Conservation Programs, Heritage and Regulation Group

6 May 2025

Attachment A

CPHR Summary of Recommendations

Wellington South Battery Energy Storage System – Biodiversity Management Plan

BESS	Battery Energy Storage System
BMP	Biodiversity Management Plan
CPHR	Conservation Programs, Heritage & Regulation Group of the NSW Department of Climate Change, Energy, the Environment and Water
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
SMART principles	Specific, measurable, achievable, realistic and time-bound principles
TARP	Trigger Action Response Plan

Recommendations

1.1 Revise the BMP to include targets and triggers for weed and pest management that are quantitative, unambiguous, and relate to performance or completion criteria.

2.1 Do not remove eggs from active nests. Removal of habitat trees must be postponed until birds have hatched, fledged, and left the hollow. Update *Protocol 14 – Superb Parrot Inspection* to be consistent with Section 8.4 of the BMP.

3.1 Conduct a final proofread of the document to correct typographical and other errors.

3.2 Update references to "BCD" to "Conservation Programs, Heritage and Regulation" (CPHR)

Attachment B

CPHR Detailed Recommendations

1. Include quantitative performance measures and targets, completion criteria, monitoring, and trigger points for corrective action related to weed and pest management.

   The approval conditions (B14) state that the BMP must include "*a description of the measures and timeframes that would be implemented for controlling weeds, feral pests and pathogens.*" The BMP does not currently contain specific quantitative completion criteria, performance criteria, or a Trigger Action Response Plan (TARP) for weed or pest management.

   We encourage proponents to ensure that all performance/completion criteria, and indicators conform to the '**SMART' principles (specific, measurable, achievable, realistic, time-bound)**. Monitoring methods should be suitably targeted to the performance indicators and able to measure progress towards the performance criteria, completion criteria, and triggers for corrective action.

   Recommendation

   1.1. Revise the BMP to include targets and triggers for weed and pest management that are quantitative, unambiguous, and relate to performance or completion criteria.

2. Do not remove eggs from active nest sites.

   The inspection protocol for Superb Parrot nesting hollows (protocol 14) states that '*If eggs are present in the hollow, these eggs will be collected and provided to a wildlife carer for raising, prior to release.*'

   CPHR also note that the procedure of egg removal described in "Protocol 14 – Superb Parrot inspection protocol" is inconsistent with section 8.4 "BMP Performance" that states: "*If the Superb Parrot is found to be utilising a hollow, removal of the hollow bearing tree must be postponed until the breeding pair has left the hollow for the breeding season and no eggs or hatchlings remain in the hollow (September to December).*"

   Eggs must not be removed from active nests. Eggs within a nest should be treated as hatchlings and the removal of the habitat tree must be postponed until birds have fledged and left the hollow.

   Recommendation

   2.1. Do not remove eggs from active nests. Removal of habitat trees must be postponed until birds have hatched, fledged, and left the hollow. Update *Protocol 14 – Superb Parrot Inspection* to be consistent with Section 8.4 of the BMP.

3. Typographical and other minor errors are present throughout the document.

   The readability of the BMP would benefit from a final proofread. Typographical errors are apparent in several sections of the document, including Appendix A where the conditions of consent are incorrectly numbered. Cross-referencing between protocols should be checked.

   References to 'BCD' should be updated to 'Conservation Programs, Heritage and Regulation (CPHR).

   Recommendations

   3.1. Conduct a final proofread of the document to correct typographical and other errors.

   3.2. Update references to "BCD" to "Conservation Programs, Heritage and Regulation" (CPHR).

Additional CPHR Consultation by Ampyr

Outlook

SSD-27014706 / DOC22/1083551 - Ampy Energy Wellington South BESS - Biodiversity Management Plan

From Andy Winter <andy.winter@ampyrenergy.com>
Date Wed 4/23/2025 5:15 PM
To candice.larkin@environment.nsw.gov.au <candice.larkin@environment.nsw.gov.au>; ben.ellis@environment.nsw.gov.au <ben.ellis@environment.nsw.gov.au>

Hi Candice and Ben,

How are you?

In accordance with our DA, we have to develop a Biodiversity Management Plan (BMP) in consultation with BCS. I note you were previously the responders on BCS's submissions to our EIS back in November 2022, but I am not sure if you are also responsible for post-approval management plans? If not, I am hopeful you can assist and point me in the right direction within BCS...

We have recently lodged the BMP on the DPHI Portal and we'd welcome the opportunity to meet with BCS to discuss any comments and queries you may have so that we can finalise this BMP to your satisfaction. Please would you kindly connect me with the relevant people within BCS by return email.

Thank you in advance, regards Andy

Andy Winter | Contractor
mobile +61 (0) 459 821 430
email andy.winter@ampyrenergy.com
AMPYR Australia Pty Ltd
Level 17, 167 Macquarie Street, Sydney
NSW, 2000, Australia
www.ampyrenergy.com

Outlook

Wellington South Battery Energy Storage System Condition B14 Biodiversity Management Plan - Response from Biodiversity and Conservation Division

From no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Date Tue 5/6/2025 11:52 AM
To Andy Winter <andy.winter@ampyrenergy.com>

1 attachment (202 KB)
CPHR Response - Wellington BESS BMP.pdf;

Biodiversity and Conservation Division has responded to your request for advice in relation to the Wellington South Battery Energy Storage System Condition B14 Biodiversity Management Plan . The response is attached. Record of this consultation has been automatically saved to the portal.

When you are ready, login to your profile to submit the final document to the Department.

To sign in to your account click here or visit the Major Projects Website.
Please do not reply to this email.

Kind regards

The Department of Planning and Environment

Subscribe to our newsletter

Appendix E:
Response to CPHR feedback

CPHR Comment/Recommendation	Proponents Response	Report Reference Updates
1.1 Revise the BMP to include targets and triggers for weed and pest management that are quantitative, unambiguous, and relate to performance or completion criteria	The proponent agrees with this recommendation and has included targets and triggers for weed and pest management in the BMP - Table 8.3 (3. *Changed management practices on site*). Completion criteria also updated to include dot point in Section 8.4 - Operation and inserted last two rows in Table 8.4.	Updated Table 8.3 Updated Section 8.4 Updated Table 8.4
2.1 Do not remove eggs from active nests. Removal of habitat trees must be postponed until birds have hatched, fledged and left the hollow...	The proponent fully agrees with this recommendation and will adopt CPHR's recommendations accordingly. The BMP has been updated to reflect this position. Protocols 1, 2 and 14 updated to ensure consistency Table 2-2 has had a note inserted as EIS Commitment BIO07 recommends removing eggs and providing to a carer to raise.	Section 8.4 (no update required) Sections 10.1 (dot point 1), 10.2 (dot point 4) and 10.14 (dot point 2 – no egg removal) Table 2-2 had note inserted
3.1. Conduct a final proofread of the document to correct typographical and other errors.	The proponent acknowledges this recommendation.	The document was given a final proof read and errors fixed.
3.2 Update references to "BCD" to "CPHR".	The proponent acknowledges this recommendation.	Throughout the Plan, wherever BCD was previously referenced.