

## **APPENDIX A**

### **COMPLIANCE TABLE**

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
1.	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.	Site Inspection on 28 May 2024.  Documents, checklists, plans and reports relevant to the current Stage 3 (Operations) and works completed under Stage 2b (BESS battery components and connections to the TransGrid Substation). Please refer to the list of documents listed in the Main Report.	The Applicant has not implemented all measures required of these consents and its management plans to prevent or minimise environmental harm. The non-compliances arising from this audit are associated with notifications to government authorities and commencement of this audit, which are discussed in the following sections of the table.	Non-compliance
<b>TERMS OF CONSENT</b>				
2.	The Applicant must carry out the development: (a) generally, in accordance with the EIS; and (b) in accordance with the conditions of this consent.	This Compliance Table includes assessment of compliance against mitigation measures proposed in the EIS, which are included in the consolidated conditions of consent. Refer to evidence collected throughout this Audit Table.  Interview with Tesla representatives on 28 May 2024.  Review of plans, records and relevant documents.  Post audit correspondence with Edify on 11 September 2024.	The Applicant has not complied with the following conditions: <ul style="list-style-type: none"> <li>Condition 1, Schedule 2</li> <li>Condition 9, Schedule 2</li> <li>Condition 23(d), Schedule 3</li> <li>Condition 7, Schedule 4</li> </ul>	Non-compliance
3.	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	Review of plans, records and documents relevant to the current stage and works that had occurred since completion of 1st Independent Audit undertaken on 14 September 2022.	On 31 October 2022, the Department approved Modification 2 application (SSD-8392-MOD-2) involving Battery Energy Storage System connection, laydown area and subdivision, which is the most recent document that prevails.	Compliance
4.	The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of:	Site inspection 28 May 2024 and follow-up correspondence with Edify.	Management plans applicable to individual staging of the development received formal approval of the Department.	Not triggered

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>(a) any strategies, plans or correspondence that are submitted in accordance with this consent;</p> <p>(b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and</p> <p>(c) the implementation of any actions or measures contained in these documents</p>			
<b>STAGING OF THE DEVELOPMENT</b>				
5.	<p>The Applicant may construct, operate and decommission the development in stages.</p> <p>Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).</p>	<p>Site inspection 28 May 2024 and follow up correspondence with Edify. See <b>Figs. 1 &amp; 2</b> in <b>Appendix F</b>.</p>	<p>The DPSF project has been constructed in Stages, and this audit covers Stages 2b and 3.</p> <ul style="list-style-type: none"> <li>On 14 October 2022, the Department approved a revised staging request Edify had lodged on 26 September 2022. Hence, Stage 2b of DPSF was split into the following sub-stages: 2b(i) – BESS mechanical and electrical installation.</li> <li>2b(ii) - BESS connections to the Transgrid substation.</li> <li>2b(iii) – BESS connections to battery components.</li> </ul>	Compliance
<b>FINAL LAYOUT PLANS</b>				
6.	<p>Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including details on the siting of solar panels and ancillary infrastructure.</p> <p>Note: If the construction of the development is to be staged, then the provision of these plans may be staged.</p>	<p>Detailed Final Layout Plans of the BESS facility prepared for Stage 2b(i).</p> <p>Please refer to <b>Appendix B</b> of this report.</p>	<p><u>Stage 3</u></p> <ul style="list-style-type: none"> <li>Edify notified the Department via email on 21 March 2024 of Stage 3 commencement. However, the uploading of the notification occurred on 19 June 2024. (See <b>Figs. 1 &amp; 3</b> in <b>Appendix F</b>)</li> <li>On 25 March 2024, Tesla notified the Department of commencement of the BESS under Stage 3, which had already been released into operations by AEMO on 23 January 2024. (See <b>Fig. 2</b> in <b>Appendix F</b>.)</li> </ul> <p><u>Stage 2b(iii)</u></p>	Compliance

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> <li>On 2 June 2023, Tesla notified the Department of Stage 2b(iii) construction scheduled to commence on 7 June 2023 (See Fig. 4 in Appendix F).</li> <li>On 6 June 2023, the Department approved the 'Fire Safety Study', which the Department required Edify to provide as indicated in the letter of approval (see letter dated 14 October 2022 for more details) associated with the request for Staging of Stage 2b. (See Fig. 5 in Appendix F)</li> <li>Final layout plans formed part of Stage 2a work package as per Department's letter dated 14 October 2022. However, the Department required Edify to update the Final Layout Plans following approval of the Fire Safety Study required for Stage 2b(iii).</li> <li>On 13 June 2023, the Department acknowledged the receipt of commencement of Stage 2b(iii) construction scheduled for 7 June 2023. (See Fig.6 in Appendix F).</li> </ul> <p><u>Stage 2b(ii)</u></p> <p>On 17 January 2022, Tesla notified the Department of Stage 2b(ii) construction scheduled to commence on 17 January 2023. (See Fig. 7)</p> <p><u>Stage 2b(i)</u></p> <ul style="list-style-type: none"> <li>On 26 September 2022, Edify sought approval of the Department regarding splitting Stage 2b into 2b(i), 2b(ii) and 2b(iii) and to commence Stage 2b(i).</li> <li>On 14 October 2022, the Department approved the staging requests and acknowledged Edify's proposal to commence Stage 2b(i) works.</li> </ul>	
<b>UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE</b>				
7.	Over time, the Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site.	Modification Application 2 and Assessment Report.	No upgrading works occurred following approval of Modifications 1 and 2 or since completion of the 1st Independent Audit undertaken on 14 September 2022. Earlier, the project had been	Not triggered

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	Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Secretary incorporating the proposed upgrades.		modified in October 2021 to facilitate an increased BESS storage capacity of up to 200 MW / 400 MW hours.	
<b>WORK AS EXECUTED PLANS</b>				
8.	Prior to the commencement of operations or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development to the Department.	Approved As-Built – Site Setout Plan	Site Setout Plan, Rev E, 1 September 2022 implemented for the construction of the BESS facility. The plan had been progressively revised from Rev A since 04 April 2022.  The As-Built Civil set consists of erosion and sediment control plan, bulk earthworks plan and sections, pavement plan & details, stormwater drainage plans and details.	Compliance
<b>NOTIFICATION OF DEPARTMENT</b>				
9.	Prior to the commencement of the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing 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 the commencement of the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	Notification to the Department prior to commencement of Stage 3 Operations.	The Applicant did not notify the Department in writing of the commencement of operations prior to operations commencing. Operation of the BESS commenced on 23 January 2024.  Edify notified the Department via email on 21 March 2024 after operations had commenced and uploaded its notification in the Planning Portal on 19 June 2024. (See <b>Fig. 3</b> in <b>Appendix F</b> ). On the 25 March 2024 Tesla also notified the Department of commencement of operations (See <b>Fig 2</b> in <b>Appendix F</b> ).	Non-compliance
<b>STRUCTURAL ADEQUACY</b>				
10.	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.	<ul style="list-style-type: none"> <li>Fire Safety Certificate for Riverina BESS – Operation and Maintenance / Control Building. (See <b>Fig. 8</b> in <b>Appendix F</b>).</li> <li>Occupation Certificate No. OC 8392-4 (CFT-283867) for the Control Room for</li> </ul>	Fire safety measures include Automatic Fire Detection Inc Vesda, Occupant warning system, and portable Fire Extinguishers.	Compliance

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>Notes:</p> <ul style="list-style-type: none"> <li>Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</li> <li>Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</li> </ul>	battery Energy Storage Yard located on Lot 1 DP 1249830 Occupation Construction Certificate No. SSD/CC 8395-4, issued on 19 April 2023. (See <b>Fig. 9</b> in <b>Appendix F</b> )		
<b>DEMOLITION</b>				
11.	The Applicant must ensure that all demolition work on site is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	Review of plans and site inspection on 28 May 2024	No demolition work occurred during the audit period. The audit period commenced on 13 May 2024 and the final report deadline is 28 August 2024.	Not triggered
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				
12.	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent</p>	<p>Site inspection undertaken on 28 May 2024.</p> <p>Observed the condition of the site access point off Donald Ross Drive facilitating access to the BESS, as well as the solar farm located farther east.</p>	<p>There were no incidents or issues regarding public infrastructure damages. The Auditor contacted Murrumbidgee Council during the audit period and noted that the Council had no issues associated with the existing public infrastructure.</p> <p>The 30-m on-site access road off Donald Ross Drive remains sealed. See <b>Fig. 10</b> in <b>Appendix F</b>.</p>	Compliance
<b>OPERATION OF PLANT AND EQUIPMENT</b>				

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
13.	<p>The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	Vehicle Safety Check Logbook sighted during site inspection on 28 May 2024.	<p>Preventive maintenance is covered within the OEMP under 'Section 3 - O&amp;M SCOPE OF SERVICES FOR THE FACILITY'</p> <p>See <b>Fig. 11</b> in <b>Appendix F</b>.</p>	Compliance
<b>BATTERIES &gt; BATTERY STORAGE RESTRICTION</b>				
14.	<p>The capacity of the battery storage facility must not exceed a total:</p> <p>(a) delivery capacity of 200 MW; or</p> <p>(b) storage capacity of 400 MWh.</p> <p><i>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 facility in the future.</i></p>	<p>Site inspection on 28 May 2024</p> <p>Review of site layout plans</p> <p>Drawing Name: Riverina Energy Storage System, Drawing No : 11291-EL-DR-10102, Rev C, 5 May 2022</p>	<p>Observed on site:</p> <ul style="list-style-type: none"> <li>RESS 1 includes 48 Megapack 2 9 (60MW / 122.7MWh)</li> <li>RESS 2 includes 52 Megapack 2 (65W / 130MWh)</li> <li>DPSS includes 16 Megapack 2XL (25MW / 50 MWh)</li> </ul> <p>The total delivery capacity of the BESS is 150 MW, which is equivalent to 302.7 MWh.</p> <p>See <b>Fig. 12</b> &amp; <b>Fig. 13</b> in <b>Appendix F</b>.</p>	Compliance
<b>SUBDIVISION</b>				
15.	<p>The Applicant may subdivide land comprising the site for the purposes of carrying out the development as identified in Appendix 4 and in accordance with the requirements of the EP&amp;A Act and the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision</li> </ul>	Layout of the subdivided lots available on Six Maps.	<p>Noted that the proposed Subdivision Plan illustrated in Appendix 4 of the Consolidated Consent Conditions resulted in creation of two separate lots. The BESS facility is located on Lot 12 DP 1291462, while the substation adjoining the BESS site is on Lot 11 DP 1291462.</p> <p>See <b>Fig. 14</b> in <b>Appendix F</b>.</p>	Compliance

SCHEDULE 2 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>Division 6.4 of Part 6 of the EP&amp;A Act set out the application requirements for subdivision certificates</li> </ul>			

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
<b>TRANSPORT &gt; Over-Dimensional and Heavy Vehicle Restrictions</b>				
1.	<p>The Applicant must ensure that the:</p> <p>(a) development does not generate more than:</p> <ul style="list-style-type: none"> <li>80 heavy vehicle movements a day during construction, upgrading or decommissioning;</li> <li>15 over-dimensional vehicle movements during construction, upgrading or decommissioning; and</li> <li>10 heavy vehicle movements a day during operations; on the public road network; and</li> </ul> <p>(b) length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 26 metres, unless the <a href="#">Planning Secretary</a> agrees otherwise</p>	<p>No heavy vehicle movement sighted during site inspection on 28 May 2024.</p>	<p>Prior to Stage 3 Operations, the Principal Contractor CPP maintained a truck register recording the number of truck movements during construction of Stage 2a &amp; 2b works. No exceedances observed from the period 15 September 2022 to 4 January 2023.</p> <p>The SSD has transitioned to Stage 3 Operations, hence, the presence of heavy movement during a day is less than ten (10). The maximum number of heavy vehicle movements is 18 recorded on 15 November 2022 during Stage 2a/2b works. This event occurred after the first independent audit site inspection completed on 14 September 2022. Due to some system error, some data for 19th and 20th October 2022 was lost.</p> <p>In terms of oversize vehicles, 6 movements occurred on 20 December 2022. On 8 December 2022, only 1 oversize vehicle movement was recorded.</p>	Compliance
2.	<p>The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering and leaving the site each day.</p>	<p>Truck Register</p>	<p>Edify provided a copy of the truck register that Principal Contractor CPP had developed and maintained during the previous stages of the development. The register contains details like the number of heavy vehicle movements for each day, names delivery companies, load types, site entry and exit times.</p> <p>Appendix E Traffic Management Plan under the OEMP includes that Tesla will monitor and record the movement</p>	Compliance



## SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
			of over-dimensional vehicles. To date no over-dimensional trucks have been recorded as traveling to the site.	
<b>TRANSPORT &gt; Designated Over-Dimensional and Heavy Vehicle Access Route</b>				
3.	<p>All over-dimensional and heavy vehicles associated with the development must travel to and from the site via the Sturt Highway, Donald Ross Drive and the approved site access point (shown in Appendix 1).</p> <p>Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.</p>	Traffic Management Plan relevant to each stages / sub-stages of the SSD.	<p>Prior to Stage 3 Operations, the Principal Contractor CPP had been responsible for route planning. A dedicated Traffic Management Plan for each of the substages associated with the site preparation for and construction of the BESS included the route planning map.</p> <p>The Traffic Management Plan implemented during the past stages and sub-stages contained the approved Access routes to be used by heavy vehicles.</p> <p>The OEMP for Stage 3 contains Appendix E : Traffic Management Plan states that "Should there be a requirement to bring an over-mass or over-dimensional vehicle to the site, the same protocols that were developed and utilised for construction (and approved by DPIE) will be implemented."</p> <p>Movement of over-sized vehicles is not anticipated during Stage 3 operations. However, if required, the same protocols that were developed and utilised for construction (and approved by DPIE) will be implemented. (Appendix E Traffic Management Plan under s22 of OEMP)</p>	Compliance
<b>TRANSPORT &gt; Site Access</b>				
4.	Prior to the commencement of construction, the Applicant must upgrade the site access point off Donald Ross Drive (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, including sealing the on-site access road a minimum of 30 m from its intersection with Donald Ross Drive, in accordance with the Austroads Guide to Road Design (as amended by TfNSW supplements), to the satisfaction of Council.	<p>Site inspection during 1st Audit on 14 September 2022.</p> <p>Second audit and associated site inspection on 28 May 2024.</p>	<p>Prior to commencement of construction of the solar farm during Stage 1, the site access point off Donald Ross Drive had been upgraded to enable movement of heavy vehicle.</p> <p>The condition of the site access point was found to be sealed. However, there was some degree of wear and tear during the which is attributable to heavy vehicle movements in the past stages of the development. See <b>Fig. 10</b> in <b>Appendix F</b>.</p>	Compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
<b>TRANSPORT &gt; Operating Conditions</b>				
5.	<p>The Applicant must ensure:</p> <ul style="list-style-type: none"> <li>(a) the internal roads are constructed as all-weather roads;</li> <li>(b) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;</li> <li>(c) the capacity of the existing roadside drainage network is not reduced;</li> <li>(d) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and</li> <li>(e) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.</li> </ul>	Site inspection on 28 May 2024	<ul style="list-style-type: none"> <li>(a) All internal roads are gravelled tracks made according to specifications.</li> <li>(b) There are parking spaces available for staff and employees responsible for operation &amp; maintenance of the BESS. A limited space available for visitor parking.</li> <li>(c) Existing road drainage remains unaffected as a result of the gravel laid compound.</li> <li>(d) Vehicles can enter and leave the site in a forward direction.</li> <li>(e) Dirt tracking not evident, and no incidents recorded.</li> </ul> <p>See <b>Figs. 15-19</b> in <b>Appendix F</b>.</p>	Compliance
<b>TRANSPORT &gt; Unformed Crown Roads</b>				
6.	The Applicant must ensure any unformed Crown Road reserves affected by the development are maintained for future use, unless otherwise agreed with <b>DPE Crown Lands</b> .		No unformed Crown Roads known to have been affected by the development and the ongoing operation of the BESS.	Compliance
<b>TRANSPORT &gt;Traffic Management Plan</b>				
7.	<p>Prior to the commencement of any road upgrades required under this consent, the Applicant must prepare a Traffic Management Plan for the development in consultation with <b>TFNSW</b> and Council, and to the satisfaction of the <b>Planning Secretary</b>.</p> <p>This plan must include:</p> <ul style="list-style-type: none"> <li>(a) details of the transport route/s to be used for all development-related traffic, including the location of access points;</li> <li>(b) a protocol for undertaking independent dilapidation surveys to assess the:</li> </ul>	<p>Traffic Management Plan for relevant stages of the development.</p> <p>Stage 2b(i): The Traffic Management Plan, Rev 1.8 was updated to include comments from DPIE 19 October 2022.</p> <p>Stage 2b(ii): Updated to Rev 2, dated 17 November 2022 from 1.8 to reflect amended</p>	<ul style="list-style-type: none"> <li>(a) Information relating to site access point available on respective Traffic Management Plans.</li> <li>(b) The Dilapidation Survey of Donald Ross Drive dated 9 June 2022 was prepared by LG Civil on behalf of CPP.</li> </ul> <p>The delivery driver induction package for Stage 2a and 2b works contained instructions on communication &amp; safety. Drivers were required to abide by site safety rules such as staying in the vehicle to facilitate safe unloading and maintain communication by switching to the right UHF channel.</p>	Compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>• existing condition of local roads on the transport route/s prior to construction, upgrading or decommissioning activities; and</li> <li>• condition of local roads on the transport route/s following construction, upgrading or decommissioning activities;</li> </ul> <p>(c) a protocol for the repair of any local roads identified in the dilapidation surveys to have been damaged during construction, upgrading or decommissioning works;</p> <p>(d) details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction, upgrading or decommissioning works, including:</p> <ul style="list-style-type: none"> <li>• performance criteria, measures and indicators for shuttle bus utilisation and car-pooling in accordance with the commitments in the EIS;</li> <li>• temporary traffic controls, including detours and signage;</li> <li>• notifying the local community about project-related traffic impacts;</li> <li>• procedures for receiving and addressing complaints from the community about development-related traffic;</li> <li>• minimising potential for conflict with school buses and other motorists as far as practicable;</li> <li>• scheduling of haulage vehicle movements to minimise convoy length or platoons;</li> <li>• responding to local climate conditions that may affect road safety such as fog, dust and wet weather;</li> <li>• responding to any emergency repair or maintenance requirements; and</li> <li>• a traffic management system for managing over-dimensional vehicles;</li> </ul>	<p>Consent Conditions, with scope limited to Stage 2b(ii) only.</p> <p>Stage 2b(iii): Updated to Rev 2.1 to include Stage 2b(iii); further updated to Rev 2.2, dated 9 March 2023 addressing comments from DPIE on Rev 2.1.</p>	<p>For Stage 3 Operations, the aspect of driver fatigue management is covered within the Operational &amp; Maintenance EHS Plan.</p> <p>(c) &amp; (d) covered in the Traffic Management plan.</p> <p>(e) There is no physical signage on site to warn drivers of the maximum speed limit 10 km/h. Nevertheless, the onboarding induction covers the aspects safety in driving and informs on the speed limit management. Furthermore, all employees at Tesla are required to adhere to the Tesla Safe Driving policy and no staff member is permitted to operate a company vehicle until training has been completed. Tesla staff also participate in defensive driver training annually.</p> <p>(f) Flood response plan is covered in the Site Emergency Management Plan. Site personnel receive advice from the Site Authority of the flooding situations when required to leave site due to flooding.</p>	

## SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>(e) a driver's code of conduct that addresses:</p> <ul style="list-style-type: none"> <li>travelling speeds;</li> <li>driver fatigue;</li> <li>procedures to ensure that drivers adhere to the designated transport route/s; and</li> <li>procedures to ensure that drivers implement safe driving practices; and</li> </ul> <p>(f) a flood response plan detailing procedures and options for safe access to the site in the event of flooding.</p> <p>Following the <a href="#">Planning Secretary's</a> approval, the Applicant must implement the Traffic Management Plan.</p>			
<b>TRANSPORT &gt; Land Management</b>				
8.	<p>Following any construction or upgrading on the site, the Applicant must:</p> <p>(a) restore the ground cover of the site as soon as practicable;</p> <p>(b) maintain the ground cover with appropriate perennial species; and</p> <p>(c) manage weeds within this ground cover.</p>	<p>Inspection details, May 2024, Tesla.</p>	<p>Observed during site inspection that groundcover along the perimeter fence of the BESS and the substation site appeared to be restored. The swale along the perimeter fence flowing from the evaporation pond and then along the northern and eastern boundary of the BESS site has attained more than 80% groundcover.</p> <p>Tesla undertakes monthly inspection of the BESS site. Findings recorded in May 2024 include no growth of any weeds on the blue metal base laid all across the BESS compound. The Weeping Myall (single mature tree and regrowth area) have not been impacted during the past month by vehicles, plant and/or equipment. The inspection also recorded that the site boundary and vehicle access road did not result in any impact on surrounding <i>Slender Darling Pea</i>.</p>	Compliance
<b>BIODIVERSITY &gt; Biodiversity Offsets</b>				
9.	<p>Within two years of commencing construction under this consent, unless the Planning Secretary agrees otherwise, the Applicant must</p>	<p>Undertaken by Octopus Investments.</p>	<p>The scope of this independent audit does not cover the Solar farm development carried out under Stage 1.</p>	Not triggered

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status																								
	<p>retire biodiversity credits of a number and class specified in Column (a) in Table 1 below, to the satisfaction of BCS.</p> <p><i>Table 1: Biodiversity Credit Requirements</i></p> <table border="1"> <thead> <tr> <th>Vegetation Community</th> <th>PCT ID</th> <th>Column (a): Minimum Credits Required</th> <th>Column (b): Maximum Credits Required</th> </tr> </thead> <tbody> <tr> <td>Black Box grassy open woodland wetland of rarely flooded depressions in south western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion)</td> <td>PCT 16</td> <td>294</td> <td>294</td> </tr> <tr> <td>Plains Grass grassland on alluvial mainly clay soils in the Riverina Bioregion and NSW South Western Slopes Bioregion</td> <td>PCT 45</td> <td>3,435</td> <td>6,973</td> </tr> <tr> <td>Yellow Box - White Cypress Pine grassy woodland on deep sandy-loam alluvial soils of the eastern Riverina Bioregion and western NSW South Western Slopes Bioregion</td> <td>PCT 75</td> <td>7</td> <td>7</td> </tr> <tr> <th>Species</th> <th>Species ID</th> <th>Credits Required</th> <th>Credits Required</th> </tr> <tr> <td>Superb Parrot (<i>Polytelis swainsonii</i>)</td> <td>10645</td> <td>60</td> <td>60</td> </tr> </tbody> </table> <p><i>Note: Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, credits created under that Act are taken to be "biodiversity credits" under the Biodiversity Conservation Act 2016 by virtue of clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.</i></p>	Vegetation Community	PCT ID	Column (a): Minimum Credits Required	Column (b): Maximum Credits Required	Black Box grassy open woodland wetland of rarely flooded depressions in south western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	PCT 16	294	294	Plains Grass grassland on alluvial mainly clay soils in the Riverina Bioregion and NSW South Western Slopes Bioregion	PCT 45	3,435	6,973	Yellow Box - White Cypress Pine grassy woodland on deep sandy-loam alluvial soils of the eastern Riverina Bioregion and western NSW South Western Slopes Bioregion	PCT 75	7	7	Species	Species ID	Credits Required	Credits Required	Superb Parrot ( <i>Polytelis swainsonii</i> )	10645	60	60		<p>The solar farm (DPSF) construction commenced on 22 March 2019, and the Department subsequently approved extensions to retire the minimum number of biodiversity credits on three separate occasions:</p> <ul style="list-style-type: none"> <li>On 23 March 2021, the Planning Secretary granted first extension since the development consent was granted in December 2018, to retire the minimum biodiversity offset credits to 30 Sep 2021.</li> <li>On 29 Sep 2021, the Planning Secretary approved a further extension to 29 April 2022.</li> <li>On 28 April 2022, considering the extenuating circumstances associated with the request for extension, the Planning Secretary approved a third extension to 28 April 2023, to the satisfaction of Biodiversity Conservation &amp; Science (BCS)</li> </ul>	
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10A.	<p>Prior to carrying out works associated with Modification 2 that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must retire biodiversity credits of a number and class specified in Table 2 and Table 3 below, unless the Planning Secretary agrees otherwise.</p>	<p>Department of Planning and Environment letter dated 10 January 2023</p>	<p>On January 10, 2023, the Department agreed to separate the biodiversity credits needed into two categories:</p> <ol style="list-style-type: none"> <li>Credits for clearing vegetation along the cable route.</li> </ol>	Compliance																								

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status																																	
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11.	<p>In the period between 2 years and 3 years from the commencement of operations, unless the <a href="#">Planning Secretary</a> agrees otherwise, the Applicant must commission an independent review of the impacts of the development on PCT45 and submit a subsequent report to the <a href="#">Planning Secretary</a>. This review and report must be undertaken by a suitably qualified, experienced and independent grasslands expert endorsed by the <a href="#">Planning Secretary</a>.</p> <p>The expert must:</p>	<p>Site inspection on 28 May 2024.</p> <p>Follow-up correspondence with Edify Energy.</p>	<p>Not executed. The independent audit is scheduled to occur between 23 January 2026 and 23 January 2027.</p>	Not triggered																																	

## SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>(a) consult with <b>BCS</b> and the Applicant;</p> <p>(b) compare the actual impacts on PCT45 against that predicted in the EIS;</p> <p>(c) if the review concludes that the impacts on PCT45 are greater than that predicted in the EIS, calculate any additional biodiversity offset credit liabilities for the development over and above that specified in Column (a) of Table 1 above, in accordance with the NSW Biodiversity Offsets Policy for Major Projects,</p> <p>(d) document the findings in its report.</p> <p>If the <b>Planning Secretary</b> determines, after reviewing the expert's report, that the Applicant must retire additional biodiversity credits for PCT45, the Applicant must retire the additional credits within 12 months of the <b>Planning Secretary's</b> determination, up to an aggregate maximum of that specified in Column (b) of Table 1 above.</p>			
<b>Biodiversity Management Plan</b>				
12.	<p>Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with <b>BCS</b>, and to the satisfaction of the <b>Planning Secretary</b>. This plan must:</p> <p>(a) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>• minimising the amount of native vegetation clearing within the approved development footprint;</li> <li>• minimising the loss of key fauna habitat;</li> <li>• managing potential indirect impacts on threatened and migratory species, including: <ul style="list-style-type: none"> <li>- flora species, including Weeping Myall Woodland and Sandhill Pine Woodland; and</li> </ul> </li> </ul>	<p>Biodiversity Management Plan, Rev 7, December 2023.</p> <p>Site Rehabilitation Inspection Checklist managed by Transgrid.</p>	<p>The Biodiversity Management Plan – Stage 3, Rev 7, December 2022 (BESS BMP) forms part of the Environmental Management Strategy (EMS) for the operational phase of the Riverina and Darlington Point Energy Storage Systems, being Stage 3 of the Development.</p> <p>Section 5 (Table 5-1) and Section 7.2.22 of the BMP Stage 3, Rev 7, December 2023 requires a baseline survey and ongoing weed treatment to occur monthly for the first 12 months. On 4 September 2024, the auditors reviewed several checklists that Edify provided through communication with Transgrid. The auditors sighted the recent checklists April and May 2024, noting the aspects of site rehabilitation.</p> <p>The survey on 11 April 2024 forms the baseline survey for BESS related works on Transgrid's Darlington Point</p>	Compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>- fauna species, including Grey-crowned Babbler and Superb Parrot;</li> <li>• rehabilitating and revegetating temporary disturbance areas;</li> <li>• protecting native vegetation and key fauna habitat outside the approved disturbance areas;</li> <li>• 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</li> <li>• controlling weeds and feral pests;</li> <li>• protecting and promoting the growth of native plant species (including PCT45) and controlling the growth of exotic ground cover;</li> </ul> <p>(b) include a seasonally based program to monitor and report on the effectiveness of these measures against the detailed performance and completion criteria; and</p> <p>(c) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.</p> <p>Following the <a href="#">Planning Secretary's</a> approval, the Applicant must implement the Biodiversity Management Plan.</p> <p><i>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.</i></p>		<p>Substation site. However, the Biodiversity Management Plan does not define whether the baseline weed survey includes the BESS site as well. It is recommended that the Biodiversity Management Plan and Operation and Maintenance Environment, Health and safety Management Plan clearly define the area of the required baseline survey.</p> <p>Lumea, a subcontractor to TransGrid has been undertaking post-completion works involving control of weeds and feral pests. Transgrid supervises and monitors the overall progress of rehabilitation targeting areas previously disturbed for constructing the cable route to connect the substation to the BESS facility (Stage 2b(ii)). According to the May 2024 inspection, no high-priority weeds were found, and groundcover was estimated to be between 60-85%. Please see <b>Figs. 27A-1 to 27A-9</b> in <b>Appendix F</b>.</p> <p>During past stages of the development, the Principal Contractor CPP maintained a dedicated Biodiversity Management Plan that the Department had approved for that stage.</p> <p>The Biodiversity Management Plan (BMP) for the operation phase that includes:</p> <ul style="list-style-type: none"> <li>a) measures to implement to manage indirect impacts on flora species and fauna species (Section 7.1 of the BMP)</li> <li>b) protection measures for native vegetation and key fauna habitat outside the approved disturbance areas (Section 6.3 and Section 7.1 of BMP)</li> <li>c) control of weeds and feral pests, protection and promotion of the growth of native plant species (including PCT45) and control of the growth of exotic ground cover (Section 5 of BMP);</li> </ul>	



## SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
			<p>d) a seasonally-based program to monitor and report on the effectiveness of these measures against the detailed performance and completion criteria (Section 6.3 of BMP);</p> <p>e) details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions (Section 6.2 and 6.6 of BMP);</p> <p>The operation BMP does not include measures for minimising the amount of native vegetation clearing and loss fauna habitat (specifically Grey crowned Babbler and Superb Parrot) as no clearing is allowed during operation. There are no measures in the BMP for rehabilitation works and salvage of vegetation and soil because these works occurred during the construction phase.</p>	
12A.	Prior to carrying out works associated with Modification 2 that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must update the Biodiversity Management Plan referred to in condition 12 for works associated with Modification 2, in accordance with the <i>Biodiversity Development Assessment Report</i> (Revision 3.1, dated 20 September 2022).	Approval letter from the Department dated 17 January 2023.	The Department approved Stage 2b(ii) of the Biodiversity Management Plan, Rev 3, dated 13 January 2023) noting that Edify had submitted the plan following the approval of Modification 2 (SSD-83925-Mod-2) on 31 October 2022 and the approval of Revised Biodiversity Credit Obligations on 10 January 2023. See <b>Fig. 28</b> in <b>Appendix F</b> .	Compliance
<b>AMENITY &gt; Construction, Upgrading and Decommissioning Hours</b>				
13.	<p>Unless the <a href="#">Planning Secretary</a> agrees otherwise, the Applicant may only undertake construction, upgrading or decommissioning activities on site between:</p> <p>(a) 7 am to 6 pm Monday to Friday;</p> <p>(b) 8 am to 1 pm Saturdays; and</p> <p>(c) at no time on Sundays and NSW public holidays.</p> <p>The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the <a href="#">Planning Secretary</a>:</p>	Noted	All construction works are now complete, and the SSD has transitioned to Stage 3 operations. No upgrading works occurred during the audit period.	Not triggered

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or</li> <li>emergency work to avoid the loss of life, property and/or material harm to the environment.</li> </ul>			
<b>AMENITY &gt; Noise</b>				
14.	The Applicant must 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.	Site inspection on 28 May 2024; record of past incidents during staged developments.	No incident has occurred to date involving noise emission during construction and operation.	Compliance
14A.	The Applicant must ensure that the noise generated by the operation of the development during the evening and night does not exceed 35 dB(A) L Aeq15 min to be determined in accordance with the procedures in the <i>NSW Noise Policy for Industry (EPA, 2017)</i> at any non-associated residence.	Noise Impact Assessment – Darlington Point Solar Farm and BESS, 2022. Please refer to Appendix E: Specialists Reports	The auditor did not identify any noise or vibration related issues during the audit site inspection. No noise complaint received from the neighbours. Predicted cumulative noise emissions from DPSF and the RESS facility are below the noise thresholds, even under worst case atmospheric and operating conditions. See <b>Figs. 29 &amp; 30</b> in <b>Appendix F</b> .	Compliance
<b>AMENITY &gt; Dust</b>				
15.	The Applicant must minimise the dust generated by the development.	Site inspection on 28 May 2024	Operational dust generation is minimal as access roads are constructed as all-weather access road and have a low-speed limit to further reduce dust generation. See <b>Fig. 31</b> in <b>Appendix F</b> .	Compliance
<b>AMENITY &gt; Visual</b>				
16.	The Applicant must: <ul style="list-style-type: none"> <li>(a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels;</li> <li>(b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and</li> </ul>	Site inspection on 28 May 2024	Visual appearance of the BESS site comprising the battery megapacks, control room and maintenance building have minimal impact when observed from the main road. The colour of the megapack compartments is in accordance with approved plans and has not resulted in any complaint or an incident during pre and post operational phases. See <b>Fig. 32</b> in <b>Appendix F</b> .	Compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
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	(c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.			
17.	<p>The Applicant must:</p> <p>(a) minimise the off-site lighting impacts of the development; and</p> <p>(b) ensure that any external lighting associated with the development:</p> <ul style="list-style-type: none"> <li>is installed as low intensity lighting (except where required for safety or emergency purposes);</li> <li>does not shine above the horizontal; and</li> <li>complies with <i>Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version.</li> </ul>	Switchyard Lighting Report – Primary Electrical, CPP, Rev B, dated 3 May 2022. Appendix E: Specialists Reports	<p>External lighting complies with the latest version of AS 4282. EPC Contract specifies lighting shall be compliant with all relevant national standards. Lighting at night limited to that required for site security.</p> <p>For Operational lighting a luminance of 15 lux is required on equipment labels, and access ways. These requirements have been met. The rest of the switchyard had a luminance greater than 2.5 lux which meets the minimum requirements.</p> <p>The operational lights are switched manually from within the control building. Building entrances are illuminated at 40 lux and egress gates are illuminated greater than 2.5 lux</p> <p>LED Batten lights mounted along the building sides are automatically controlled by means of photovoltaic switching.</p> <p>NB: The scope of the Lighting report excludes the building interior lighting of the Control Building. The TransGrid 132/32kV Substation and all areas within its fence is also excluded from the report.</p> <p>See <b>Figs. 33 &amp; 34</b> in <b>Appendix F</b>.</p>	Compliance
<b>HERITAGE &gt; Protection of Heritage Items</b>				
18.	<p>Prior to the commencement of construction, the Applicant must salvage Aboriginal heritage item number AFT01 and transfer to the Griffith Local Aboriginal Land Council, in accordance with the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010), or its latest version.</p> <p><i>Note: The location of the Aboriginal heritage item referred to in this condition is shown in the figure in Appendix 1.</i></p>	Noted.	Griffith Land Aboriginal Council was contacted during the Audit period. No response or comments received.	Not triggered
<b>HERITAGE &gt; Discovery of Human Remains</b>				

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
19.	If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and <b>Heritage NSW</b> as soon as possible following the discovery, and work must not recommence in the area until this is authorised by <b>Heritage NSW</b> .	Noted.	All construction works are now complete. No human remains were found.	Not triggered
<b>HERITAGE &gt; Chance Finds Protocol</b>				
20.	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 <b>Heritage NSW</b> .  Following <b>Heritage NSW</b> 's approval, the Applicant must implement the Chance Finds Protocol.	Chance Finds Protocol	Prior to Stage 3 Operations, the Principal Contractor had implemented Chance Finds Protocol appended to the CEMP when undertaking BESS construction works under Stages 2a and 2b, respectively.	Compliance
<b>SOIL AND WATER &gt; Water Pollution</b>				
21.	The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.	Site inspection on 28 May 2024.	No pollution incident or event of contamination has occurred to date. One of the major risk factors is the evaporation pond located outside the BESS facility which has not experienced overtopping through stages 2b and 3. A visual boundary inspection identifies no discharge, or other products contaminating adjacent water courses. No loss of containment to the detention basin observed or reported from site inspection in May 2024 conducted by Tesla. <b>See Fig. 35 in Appendix F.</b>	Compliance
<b>SOIL AND WATER &gt; Operating Conditions</b>				
22.	The Applicant must:  (a) minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom, 2004) manual, or its latest version;	Site Inspection on 28 May 2028	No sign of sediment runoff and erosion of soil and materials overflowing from the BESS site. The entire compound has been laid with gravel.  <b>See Figs. 36 &amp; 37 in Appendix F.</b>	Compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	(b) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and  (c) implement appropriate flood management practices to ensure post-development flows from the site are limited to pre-development flows for all storms up to and including the 90-year Average Recurrence Interval event.			
<b>HAZARDS &gt; Operating Conditions</b>				
23.	The Applicant must: (a) minimise the fire risks of the development; (b) ensure that the development: <ul style="list-style-type: none"> <li>includes defensible space <b>as outlined in the EIS</b>, that permits unobstructed vehicle access <b>to the site</b>;</li> <li>manages the defensible space as an Asset Protection Zone;</li> <li>complies with the relevant asset protection requirements in the RFS's <i>Planning for Bushfire Protection 2019 (or equivalent) and Standards for Asset Protection Zones</i>;</li> <li>is suitably equipped to respond to any fires on site including provision of a 20,000-litre water supply tank fitted with a 65mm Storz fitting located adjacent to the internal access road;</li> </ul> (c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and (d) notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations.	Emergency Management Plan	Non-compliance is recorded because the local emergency committee was not notified prior to the commencement of operation. Operation of the BESS commenced on 23 January 2024. Edify notified the committee through Murrumbidgee Council after commencement of operation on 7 June 2024. See <b>Figs. 38-39</b> in <b>Appendix F</b> .  The applicant has complied with the remaining requirements as follows:  (a) Section 2.1 of Emergency Management Plan identifies risks and procedures. Each risk is given a R number.  (b) R16 requires vegetation clearance maintained in accordance with NSWRFSS  R40 requires establishment of a APZ to physically separate DPBESS and surrounding vegetation to minimise fuel loads. During the site audit observed a 10m separation between the boundary fence and the outermost battery modules distributed in grid pattern.  R18 a 20kl dedicated fire water tank installed as NSWRFSS requested and at 9 on p28. Observed a 20,000-litre water supply tank installed at the south-east corner of the BESS site. (See <b>Fig. 40</b> in <b>Appendix F</b> ).  Appendix E of the Emergency Management Plan includes Fire Management Plan which set out APZ	Non-compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
			<p>requirements, management process during Fire Danger Period, condition monitoring procedure and consultation process with RFS.</p> <p>Standard Emergency Response set out in Section 5 at pp13-26. Section 7 (p27) requires that all workers and visitors undertake Induction and training prior to commencing works.</p>	
<b>HAZARDS &gt; Fire Safety Study</b>				
24.	<p>At least one month prior to the construction of the battery storage facility (excluding pre-construction minor works), unless otherwise agreed by the <a href="#">Planning Secretary</a>, the Applicant must prepare a Fire Safety Study of the development, <b>in consultation with RFS</b>, and to the satisfaction of <b>FRNSW and the Planning Secretary</b>. The study must:</p> <p>(a) <b>be consistent with the:</b></p> <ul style="list-style-type: none"> <li>Department's <i>Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study' guideline</i>; and</li> <li>New South Wales Government's <i>Best Practice Guidelines for Contaminated Water Retention and Treatment Systems</i>; and</li> <li><b>describe the final design of the battery storage facility.</b></li> </ul> <p>Construction of the battery storage facility, other than pre-construction minor works, must not commence until the <a href="#">Planning Secretary</a> has approved the Fire Safety Study.</p> <p><b>Following the Planning Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.</b></p>	Covered during Stage 2a of the SSD.	Sighted Fire Safety Study completed in consultation with RFS. Verification of its implementation requires a suitably qualified fire engineer.	Compliance
<b>HAZARDS &gt; Storage and Handling of Dangerous Materials</b>				
25.	The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:	Sight inspection on 28 May 2024	Substances including chemicals, fuels and oils remain under lock and key near the maintenance building. See <b>Fig. 41 in Appendix F.</b>	Compliance

## SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>(a) the requirements of all relevant Australian Standards; and</p> <p>(b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> if the chemicals are liquids.</p> <p>In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.</p>		<p>Routine inspections by Site Management. Safety Data Sheet stored electronically in Tesla's management system. See <b>Fig. 42</b> in <b>Appendix F</b>.</p> <p>Also observed drum drip spill trays in use within the BESS compound. See <b>Fig. 43</b> in <b>Appendix F</b>.</p>	
<b>HAZARDS &gt; Emergency Plan</b>				
26.	<p>Prior to the commissioning of development, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, <b>in consultation with FRNSW and the RFS</b>. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:</p> <p>(a) be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's <i>Planning for Bushfire Protection 2019</i> (or equivalent);</p> <p>(b) identify the risks and hazards and detailed measures for the development to prevent or mitigate fires igniting;</p> <p>(c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site;</p> <p>(d) list works that should not be carried out during a total fire ban;</p> <p>(e) include availability of fire suppression equipment, access and water;</p> <p>(f) include procedures for the storage and maintenance of any flammable materials;</p> <p>(g) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency;</p>	<p>Site inspection on 28 May 2024</p> <p>Stage 3 - Emergency Management Plan prepared by Tesla.</p>	<p>The Emergency Management Plan for Stage 3 Operations is an approved document prepared by consulting with NSW Rural Fire Service, and NSW Fire and Rescue.</p> <p>Also noted that the Department of Planning had issued a letter on 20 December 2023 approving the Operational Environmental Management Plan currently owned and controlled by Tesla. The OEMP covers the aspects of emergency preparedness and response.</p> <p>(a) EMP has been written in accordance with NSW HIPAP and NSW RFS Planning for Bushfire Protection. 3 at p11 and p40.</p> <p>(b) Risk and hazards and detailed measures at Chapter 5 of EMP.</p> <p>(c) Procedures at Chapter 5 EMP</p> <p>(d) List of works for TOBANs at p42 EMP</p> <p>(e) Suppression equipment and access referred to at p43 EMP and set out at Emergency Response Guide. Tesla does not recommend active fire fighting measures of a lithium-ion BESS fire. Access and Water are provided</p> <p>(f) Procedures for storage of flammable and maintenance of flammable material at Pp 9, 10 and 44, Appendix F</p> <p>(g) NOT FOUND – Role only – Appendix C</p>	Compliance

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>(h) include a figure showing site infrastructure, Asset Protection Zone and the fire fighting water supply;</p> <p>(i) include location of hazards (physical, chemical and electrical) that may impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations;</p> <p>(j) include details of the location, management and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone;</p> <p>(k) include bushfire emergency management planning;</p> <p>(l) include details of how RFS would be notified, and procedures that would be implemented in the event that:</p> <ul style="list-style-type: none"> <li>there is a fire on-site or in the vicinity of the site;</li> <li>there are any activities on site that would have the potential to ignite surrounding vegetation; or</li> <li>there are proposed activities to be carried out during a bushfire danger period; and</li> </ul> <p>(m) include details on how the battery storage facility and sub-systems can be safely isolated in an emergency.</p> <p>The Applicant must implement the Emergency Plan for the duration of the development.</p>		<p>(h) Figure showing <b>infrastructure, Asset Protection Zone and the fire fighting water supply</b> at pp31-36</p> <p>(i) Location of hazards at p31</p> <p>(j) Detail of APZ at Appendix E p40-41</p> <p>(k) Planning for Bushfire management at Appendix E p40-43 and Appendix F and Appendix L.</p> <p>(l) Procedures for RFS notification and bushfire management in Chapter 4 p12 and Chapter 5 p13-18 and Appendix F.</p> <p>(m) Details of isolation of BESS and sub systems at Chapter 1 p6</p> <p>Two copies of the Emergency Plan were sighted on site during the site audit.</p> <p>See <b>Figs. 44-47</b> in <b>Appendix F</b>.</p>	
<b>WASTE</b>				
27.	<p>The Applicant must:</p> <p>(a) minimise the waste generated by the development;</p> <p>(b) classify all waste generated on site in accordance with the EPA’s <i>Waste Classification Guidelines 2014</i> (or its latest version);</p> <p>(c) store and handle all waste on site in accordance with its classification;</p> <p>(d) not receive or dispose of any waste on site; and</p>	<p>Construction Environmental Management Plan under previous stages of the SSD.</p> <p>Operational and Maintenance Environmental Health and Safety Management Plan under Stage 3.</p> <p>CPP Waste Register.</p>	<p>Activities carried out within the BESS facility are operational in nature and do result in generation of construction and demolition waste as experienced during the preceding stages of the SSD. A general skip bin available near the site entry gate. (See <b>Fig. 48</b> in <b>Appendix F</b>).</p> <p>Principal Contractor CPP maintained a waste register during Stage 2b works and maintained records of disposal</p>	Compliance



SCHEDULE 3 – ADMINISTRATIVE CONDITIONS				
CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	(e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.		<p>point, vehicle rego, disposal certificates, etc. See <b>Fig. 49</b> in <b>Appendix F</b>.</p> <p>Cleanfill and general construction disposed of at Tharbogang Landfill of Griffith City Council, while concrete transported to Leeton Recycle Depot. Yenda Sewerage Treatment Plan was used for disposal of septic waste.</p> <p>During operation phase Discarded Tesla batteries or power electronics are sent to a facility in Adelaide to be refurbished (rather than being disposed of).</p> <p>E-waste generated from the BESS facility are transported to a nominated e-waste facility located in Victoria.</p>	
ACCOMMODATION AND EMPLOYMENT STRATEGY				
28.	<p>Prior to the commencement of 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.</p> <p>This strategy must:</p> <p>(a) propose a strategy to facilitate the accommodation of the workforce associated with the development;</p> <p>(b) investigate options for prioritising the employment of local workers for the construction and operation of the development where feasible; and</p> <p>(c) include a program to monitor and review the effectiveness of the strategy over the life of the development.</p> <p>Following the <a href="#">Planning Secretary</a>'s approval, the Applicant must implement the strategy.</p>	<p>Each of the substages of Stage 2b works included an updated Accommodation and Employment Strategy approved by the Department.</p> <p>- AES Stage 2b(i), Rev 1.7, dated 19 October 2022. The Department approved the plan on 21 October 2022.</p>	<p>The Accommodation and Employment Strategy applied predominantly to the previous stages of the SSD during construction of the BESS facility and associated cabling works undertaken by Transgrid. The current Stage 3 Operations of the SSD does not require Edify or Site Operator Tesla to implement Accommodation and Employment Strategy.</p>	Compliance
DECOMMISSIONING AND REHABILITATION				
29.	<p>Within 18 months of the cessation of operations, unless the <a href="#">Planning Secretary</a> agrees otherwise, the Applicant must</p>	No applicable.	Not applicable.	Not triggered

SCHEDULE 3 – ADMINISTRATIVE CONDITIONS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status										
	rehabilitate the site to the satisfaction of the <a href="#">Planning Secretary</a> . This rehabilitation must comply with the objectives in <a href="#">Table 4</a> .  <table border="1"> <caption>Table 4: Rehabilitation Objectives</caption> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Project site</td> <td> <ul style="list-style-type: none"> <li>Safe, stable and non-polluting</li> <li>Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul> </td> </tr> <tr> <td>Solar farm infrastructure</td> <td> <ul style="list-style-type: none"> <li>To be decommissioned and removed, unless the <a href="#">Planning Secretary</a> agrees otherwise</li> </ul> </td> </tr> <tr> <td>Land use</td> <td> <ul style="list-style-type: none"> <li>Restore land capability to pre-existing use</li> </ul> </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> <li>Ensure public safety</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	Project site	<ul style="list-style-type: none"> <li>Safe, stable and non-polluting</li> <li>Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul>	Solar farm infrastructure	<ul style="list-style-type: none"> <li>To be decommissioned and removed, unless the <a href="#">Planning Secretary</a> agrees otherwise</li> </ul>	Land use	<ul style="list-style-type: none"> <li>Restore land capability to pre-existing use</li> </ul>	Community	<ul style="list-style-type: none"> <li>Ensure public safety</li> </ul>			
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SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
<b>ENVIRONMENTAL MANAGEMENT STRATEGY</b>				
1.	Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the <a href="#">Planning Secretary</a> . This strategy must: <ol style="list-style-type: none"> <li>provide the strategic framework for environmental management of the development;</li> <li>identify the statutory approvals that apply to the development;</li> <li>describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</li> <li>describe the procedures that would be implemented to:                             <ul style="list-style-type: none"> <li>keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>receive, handle, respond to, and record complaints;</li> <li>resolve any disputes that may arise;</li> </ul> </li> </ol>	Construction Environmental Management Plan for Stage 2b(i) Rev 1.6 approved on 21/10/2022  Construction Environmental Management Plan for Stage 2b(ii) Rev 2 approved on 11/12/2023  Construction Environmental Management Plan for Stage 2b(iii) Rev 2.5 approved on 17/4/2023  Management plans and corresponding notifications of approval granted by the Department available on the Major Project Portal as Post Approval documents:  <a href="https://www.planningportal.nsw.gov.au/major-projects/projects/darlington-point-solar-farm">https://www.planningportal.nsw.gov.au/major-projects/projects/darlington-point-solar-farm</a>	Environmental Management Strategy (known as Construction Environmental Management Plan - CEMP) was submitted for each stage of construction. Approved CEMPs are available on Department's website.  The CEMPs: <ul style="list-style-type: none"> <li>Include Strategic framework for environmental management of the development in Section 2;</li> <li>identify the statutory approvals that apply to the relevant stage Section 7;</li> <li>describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development in section 10;</li> <li>Section 11 and 16 describe the procedures that would be implemented to: receive, handle, respond to, and record complaints; resolve any disputes that may arise; and keep the community and relevant agencies informed;</li> </ul>	Compliance

SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> <li>respond to any non-compliance;</li> <li>respond to emergencies; and</li> </ul> <p>(e) include:</p> <ul style="list-style-type: none"> <li>references to any plans approved under the conditions of this consent; and</li> <li>a clear plan depicting all the monitoring to be carried out in relation to the development.</li> </ul> <p>Following the <a href="#">Planning Secretary's</a> approval, the Applicant must implement the Environmental Management Strategy.</p>		<ul style="list-style-type: none"> <li>Sections 13 and 16 includes responses to emergencies and non-compliances</li> <li>Section 6.1.1 references to any plans approved under the conditions of this consent; and Section 15 includes a plan for monitoring                             <ul style="list-style-type: none"> <li>Section 8.1 refers to environmental performance of the development and KPIs</li> </ul> </li> </ul> <p>Edify's Project website contains approved documents sorted by relevant stages of the development.</p>	
<b>REVISION OF STRATEGIES, PLANS AND PROGRAMS</b>				
2.	<p>The Applicant must:</p> <p>(a) update the strategies, plans or programs required under this consent to the satisfaction of the <a href="#">Planning Secretary</a> prior to carrying out any upgrading or decommissioning activities on site; and</p> <p>(b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the <a href="#">Planning Secretary</a> within 1 month of the:</p> <ul style="list-style-type: none"> <li>submission of an incident report under condition 4 of Schedule 4;</li> <li>submission of an audit report under condition 6 or 7 of Schedule 4; or</li> <li>any modification to the conditions of this consent.</li> </ul>	<p>Review of CEMPs, Traffic Management Plans, Biodiversity Management Plans and Emergency Response Plans.</p>	<p>Updated / revised plans and corresponding approvals relating to Stage 2b(i) include:</p> <ul style="list-style-type: none"> <li>CEMP Stage 2b(i), Rev 1.6, 19 October 2022. The Department approved the plan on 21 October 2022.</li> <li>TMP Stage 2b(i), Rev 1.8, dated 19 October 2022. The Department approved the plan on dated 21 October 2022.</li> <li>AES Stage 2b(i), Rev 1.7, dated 19 October 2022. The Department approved the plan on 21 October 2022.</li> </ul> <p>Updated / revised plans and corresponding approvals relating to Stage 2b(ii) include:</p> <ul style="list-style-type: none"> <li>CEMP Stage 2b(ii), Rev 2, 17 November 2022. The Department approved the plan on 11 December 2022.</li> <li>TMP Stage 2b(ii), Rev 2, dated 17 November 2022. The Department approved the plan on 6 December 2022.</li> </ul>	Compliance

SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
			<ul style="list-style-type: none"> <li>AES Stage 2b(ii), Rev 2, dated 17 November 2022. The Department approved the plan on 11 December 2022.</li> <li>Biodiversity Management Plan, Rev 3, dated 11 January 2023. The Department approved the plan on 17 January 2023.</li> </ul> <p>In addition, sighted the Emergency Management Plan, Rev 0, dated 13 February 2022.</p> <p>Updated / revised plans and corresponding approvals relating to Stage 2b(iii) include:</p> <ul style="list-style-type: none"> <li>CEMP Stage 2b(iii), Rev 2.5, 06 April 2023. The Department approved the updated plan on 17 April 2023.</li> <li>TMP Stage 2b(iii), Rev 2.2, dated 9 March 2023. The Department approved the updated plan on 10 March 2023.</li> <li>AES Stage 2b(iii), Rev 2.2, dated 8 March 2023. The Department approved the updated plan on 10 March 2023.</li> </ul> <p>No upgrading or decommissioning works occurred other than construction of the BESS facility and the laying of electrical conduits for connecting the BESS to the Transgrid substation.</p>	
<b>UPDATING AND STAGING OF STRATEGIES, PLANS OR PROGRAMS</b>				
3.	<p>With the approval of the <a href="#">Planning Secretary</a>, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the <a href="#">Planning Secretary</a> for approval.</p>		<p>Management Plans were submitted with each stage of works.</p> <p>Management plans associated with Stage 3 - Operation phase includes the following:</p> <ul style="list-style-type: none"> <li>Operation and Maintenance Health and Safety Environmental Management Plan, Tesla, Rev 12, 11 December 2023. The Department</li> </ul>	Compliance

## SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	<p>With the agreement of the <a href="#">Planning Secretary</a>, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all parties referred to under the relevant condition of this consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.</li> <li>If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>		<p>approved the plan on 20 December 2023. (See approval notification in <b>Fig. 50</b> in <b>Appendix F</b>.</p> <ul style="list-style-type: none"> <li>Biodiversity Management Plan, Stage 3, Edify, Rev 7, 11 December 2023. The Department approved the plan on 13 December 2023. (See approval notification in <b>Fig. 51</b> of <b>Appendix F</b>.</li> </ul>	
<b>COMPLIANCE &gt; Incident Notification</b>				
4.	The <a href="#">Planning Secretary</a> must be notified in writing via the <a href="#">Major Projects</a> 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 <a href="#">Appendix 3</a> .	Site inspection on 28 May 2024	No reportable incident during Stage 2b and 3 of the SSD.	Not triggered
<b>Non-Compliance Notification</b>				
5.	The <a href="#">Planning Secretary</a> must be notified in writing via the <a href="#">Major Projects</a> website within seven days after the Applicant becomes aware of any non-compliance.	Site inspection on 28 May 2024	No non-compliances were identified before this audit. This audit has found numerous non-compliances that require notification to the <a href="#">Planning Secretary</a> .	Not triggered
5A.	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	Site inspection on 28 May 2024	As above	Not triggered

## SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	what actions have been, or will be, undertaken to address the non-compliance.			
5B.	A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.	Site inspection on 28 May 2024	As above	Not triggered
<b>Compliance Reporting</b>				
6.	The Applicant must provide regular compliance reporting to the Department on the development, <b>excluding the battery storage facility</b> , in accordance with the relevant <i>Compliance Reporting requirements</i> (DPE 2018).	<p>Earlier reports relevant to the development of the solar farm.</p> <ul style="list-style-type: none"> <li>Pre-Operation Compliance Report, DPSF, 31 March 2022.</li> <li>Construction Compliance Report Five, DPSF, 5 November 2021.</li> <li>Construction Compliance Report Four, DPSF, 17 March 2021.</li> <li>Construction Compliance Report Three, DPSF, 21 Sep 2020.</li> <li>Construction Compliance Report Two, DPSF, 20 March 2020.</li> <li>Construction Compliance Report One, DPSF, 19 September 2019.</li> <li>Independent Audit, Signal Energy, 18-19 September 2019.</li> </ul>	<p>Noted regular compliance reporting on the solar farm development provided to the Department every 6 months. Construction of the DPSF commenced on 22 March 2019.</p> <p>Observed compliance reports prepared on behalf of Signal Energy for the Applicant (Darlington Point Solar Farm Pty Ltd) to meet compliance criteria established under this Schedule 4, Condition of the SSD 8392 Conditions of Approval (COA).</p> <p>The 2018 DPE <i>Compliance Reporting: Post Approval Requirements</i> was superseded in May 2020 by DPIE (PAR 2020), however, as stated under Schedule 4, Condition 6 of SSD-8392-MOD-1, the DPSF remains obligated to provide compliance reporting in accordance with PAR 2018.</p> <p>The Fifth Construction Compliance report for the DPSF includes provisions under SSD-8392-MOD1.</p>	Compliance
<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>				
7.	<p>Independent Audits of the development of the battery storage facility must be conducted and carried out in accordance with the <i>Independent Audit Post Approval Requirements (2020)</i> to the following frequency:</p> <p>(a) within 3 months of commencing construction; and</p> <p>(b) within 3 months of commencement of operations.</p>		<p>This independent audit was not undertaken within 3 months of commencement of operations of the battery storage facility.</p> <p>AEMO released the project into operations on 23 January 2024. Urban Perspectives was engaged on the 24 April 2024. The site audit occurred on 28 May 2024.</p>	Non-compliance

## SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
			The first independent audit was conducted within 3 months of commencing construction of the battery storage facility satisfying condition 7(a).	
7A.	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Email received from Adam Smith from Edify on 29 April 2024.	Edify advised the Department agreed to appointment of Urban Perspectives as independent auditors on 29 April 2024	Compliance
7B.	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition 7 of Schedule 4 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.	Not applicable	Not applicable	Not triggered
7C.	In accordance with the specific requirements in the <i>Independent Audit Post Approval Requirements (2020)</i> , the Applicant must: <ul style="list-style-type: none"> <li>(a) review and respond to each Independent Audit Report prepared under condition 7 of Schedule 4 of this consent, or condition 7B of Schedule 4 where notice is given by the Planning Secretary</li> <li>(b) submit the response to the Planning Secretary; and</li> <li>(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.</li> </ul>	<a href="https://edifyenergy.com/project/riverina-darlington-point/">https://edifyenergy.com/project/riverina-darlington-point/</a>	Consolidated Power Projects (CCP) has submitted a response to the Planning Secretary to the independent audit report prepared in January 2023. The response is publicly available on Edify's website.	Compliance
7D.	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 <i>Independent Audit Post Approvals Requirements (2020)</i> unless otherwise agreed by the Planning Secretary.	<ul style="list-style-type: none"> <li>• Letter dated 12 July 2024 requesting the Department to extend the deadline for submitting the final audit report.</li> <li>• Approval letter dated 16 July 2024 from the Department allowing an extension of time until 28 August 2024.</li> </ul>	See Appendix C.	Compliance
7E.	Notwithstanding the requirements of the <i>Independent Audit Post Approvals Requirements (2020)</i> , the Planning Secretary may			Not triggered

SCHEDULE 4 – ENVIRONMENTAL MANAGEMENT AND REPORTING

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
	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.			
<b>ACCESS TO INFORMATION</b>				
8.	<p>The Applicant must:</p> <p>(a) make the following information publicly available on its website as relevant to the stage of the development:</p> <ul style="list-style-type: none"> <li>the EIS;</li> <li>the final layout plans for the development;</li> <li>current statutory approvals for the development;</li> <li>approved strategies, plans or programs required under the conditions of this consent;</li> <li>the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</li> <li>how complaints about the development can be made;</li> <li>a complaints register;</li> <li>compliance reports;</li> <li>any independent environmental audit, and the Applicant's response to the recommendations in any audit; and</li> <li>any other matter required by the <a href="#">Planning Secretary</a>; and</li> </ul> <p>(b) keep this information up to date.</p>	<p><a href="https://edifyenergy.com/project/riverina-darlington-point/">https://edifyenergy.com/project/riverina-darlington-point/</a></p> <p>Please see <b>Fig. 52</b> in <b>Appendix F</b>.</p>	<p>Edify maintains a dedicated project webpage on their company website. The Riverina and Darlington Point BESS webpage contains links to the following:</p> <ul style="list-style-type: none"> <li>the EIS;</li> <li>the final layout plans for each stage of the development;</li> <li>A link to DPE website for current statutory approvals for the development;</li> <li>approved plans and strategies required under the conditions of this consent including the OEMP and Biodiversity Plan for the operation phase.</li> </ul> <p>The site also includes plans and strategies relevant to previous Stage 2b works.</p> <ul style="list-style-type: none"> <li>How complaints about the development can be made and contact number and email;</li> <li>Complaints register is available on the website. One complaint was recorded 26 March 2020 regarding employees not maintaining social distancing on the bus to work;</li> </ul> <p>Independent audit report and response for January 2023;</p>	Compliance



## APPENDIX 3 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
1.	A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 4 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.	The project team reported no notifiable incidents since Stage 2b and 3 construction and operational works, respectively. Hence, the requirements of this condition have not yet been triggered.	Not Applicable.	Not triggered
2.	Written notification of an incident must: <ul style="list-style-type: none"> <li>(a) identify the development and application number;</li> <li>(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</li> <li>(c) identify how the incident was detected;</li> <li>(d) identify when the applicant became aware of the incident;</li> <li>(e) identify any actual or potential non-compliance with conditions of consent;</li> <li>(f) describe what immediate steps were taken in relation to the incident;</li> <li>(g) identify further action(s) that will be taken in relation to the incident; and</li> <li>(h) identify a project contact for further communication regarding the incident.</li> </ul>	Not Applicable.	Not Applicable.	Not triggered
3.	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.	Not Applicable.	Not Applicable.	Not triggered

APPENDIX 3 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

CoA.	Compliance Requirement	Evidence Sighted	Audit Findings and Recommendations	Compliance Status
4.	The Incident Report must include: <ul style="list-style-type: none"> <li>(a) summary of the incident;</li> <li>(b) outcomes of an incident investigation, including identification of the cause of the incident;</li> <li>(c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and</li> <li>(d) details of any communication with other stakeholders regarding the incident.</li> </ul>	Not Applicable.	Not Applicable.	Not triggered