23rd February 2024

Wayne Jones
Team Leader, Post Approvals
Energy Resources and Industry
Department of Planning and Environment
GPO Box 3145
Singleton NSW 2330

Subject	Response to Additional Information about IEA
Project	Waratah Super Battery
Development Application Number	SSI-48492458
Proponent	Energy Corporation of NSW
Developer	Munmorah Battery ProjectCo Pty Ltd (‘Akaysha Energy’)

Dear Wayne,

Following the submission of Independent Environmental Audit (IEA) Report for Waratah Super Battery (WSB) Project, the department requested additional information for acceptance of the IEA.

As per Section 4.3.2 of the Independent Audit PAR (2020), the proponent is also required to submit their response to the audit findings to the department in a separate document to the final Independent Audit report.

Akaysha Energy has reviewed the IEA section 3.14, wherein the Independent Auditor (IA) noted a series of recommendations to further improve the adequacy of the management plans and strategies, and improve the environmental performance on site.

Please refer to the table of responses included in Attachment A, which describes the planned action and the target completion date against each of the IA recommendations included in Section 3.14 of IEA.

Akaysha Energy requests that the Attachment A is considered as our formal responses to Auditor recommendations and looks forward to your consideration of this request.

Yours sincerely,

Prabha Subramanian
Project Manager
Akaysha Energy

Attachment A

Responses to Auditor Recommendations in IEA Section 3.14

akaysha	**Document:**	DPE Environmental Audit Improvement Opportunities
	Project:	Waratah Super Battery Project
	Date:	23/02/2024
	Reference	Independent Audit Report Waratah Super Bess Jan 2024
	Section	3.14 Improvement Opportunities

NGH Listed Improvement 3.14	Actioned to	Response	Date To Be Actioned By	Notes
The BMP is recommended to be reviewed and updated to reflect more accurately, the construction phase of works and work practices	AE	AE will review the BMP with our engineering consultants and get the BMP updated based on construction phase of works	15/04/2024	
A suitably qualified person be commissioned to update the ESCP to more adequately mitigate any potential erosion and sedimentation risks associated with constructing the project, and that the ESCP is reviewed regularly and before a change in work stage (Progressive ESCPs).	BOP Contractor	BOP Contractors consultant Hatch is currently updating this and will form part of the overall Water quality solution due 15/03/24 to allow us to back fill the Sed Ponds on site	15/03/2024	
The EMS be comprehensively reviewed and updated to align with current site information and work practices.	BOP Contractor	BOP Contractor / Engeny (Sally) To review CEMP and remove items that are not pertianing to scope of work or no longer relevant	30/03/2024	
A compliance matrix/ similar be developed to support the SME environmental inspection checklist, that captures all conditions of consent and monitoring requirements of the EMS, CEMP and associated management plans entirely	AE & BOP Contractor	AE will develop the initial martix; whereby BOP Contractor will then add to matrix where their inspection addresses each specific line item	30/03/2024	
A Wet-weather Protocol/ similar is developed as an Appendix to the ESCP, to ensure everything possible is being undertaken to prevent a turbid water discharge from significant rainfall events (forecast of 80% chance or higher of more than 20mm in a 24hour period), should existing controls fail. This may include such measures as having adequate volume of flocculant on site at all times, process for deploying flocculant to drainage areas for mechanical mixing as dirty water enters the sediment pond, and other such measures.	BOP Contractor	BOP will have this added to the new ESCP due on 15/03/24	15/03/2024	
The project website contains generally the required information as per the conditions of consent (C20), however it was noted that although there are no specific, formal requirements under the conditions of consent for environmental parameters to be monitored during construction phase, the project has been required to monitor and report on such elements as: o The BMP details in Sections 6.2.3, and 6.2.5 require respectively “Tree clearing Reports” and “Microbat Monitoring Reports”; and o The TMP Section 6.1 “Pre-construction” identifies the requirement to complete a preconstruction dilapidation report. o It is therefore recommended that a summary of the ecological results are made available on the project website, and that the dilapidation survey is also uploaded to the projects website (noting approval of the dilapidation report is available on the NSW Major Projects portal, but that the dilapidation survey itself is not present).	AE	o As per the DA requirements, A pre-clearing survey Report was conducted by engineering consultant WSP. No post-clearing report is required to my knowledge, and has not been requested in the IA Report. Copy of the pre-clearing report will be uploaded to Akaysha's website by the due date nominated o The Pre-clearing survey under section 4, Page 4 identified that there were no man-made structures for roosting of microbats that needed demolition. Due to this BMP did not call for additional Microbat/ecological Monitoring reports and none is available. o AE will upload the Dilapidation Survey report to Akaysha website as per action by date proposed	15/03/2024	