Department of Planning, Housing and Infrastructure

NSW Planning ref: SSI-48492458-PA-21

Andrew Sheed
Senior Project Manager
Energy Corporation Of New South Wales
GPO Box 39
Sydney New South Wales 2001
27/06/2024

Sent via the Major Projects Portal only

Subject: Waratah Super Battery - Independent Audit - June to December 2023

Dear Mr Sheed,

I refer to your Independent Environmental Audit (IEA) report and Response to Audit Recommendations (RAR) for the period 13 June 2023 – 12 December 2023, submitted as required by Schedule 2, Condition C14 of SSI-48492458 as modified (the approval) to the NSW Department of Planning, Housing and Infrastructure (NSW Planning) on 23 February 2024.

NSW Planning considers the IEA report to generally satisfy the reporting requirements of the approval and the NSW Planning *Independent Audit Post Approval Requirements* (2020). As required by Schedule 2, Condition C17 of the approval, please make publicly available a copy of the IEA Report on the company/project website.

Please note that NSW Planning's acceptance of this IEA report is not an endorsement of the compliance status of the project.

The non-compliance against Schedule 2, Condition B28 (delayed submission of Site Audit Report and Site Audit Statement) has been assessed by NSW Planning in accordance with its Compliance Policy, with NSW Planning on this occasion determining to record the breach with no further enforcement action proposed. However, please note that recording the breach does not preclude NSW Planning from taking an alternative enforcement action, should it become apparent that an alternative response is more appropriate.

In addition to the auditor's recommendations, please ensure that all non-compliances are also addressed in the RAR. Failure to include non-compliances in future RAR's will result in resubmission.

Please include a status update for all actions provided in the RAR in the next IEA until all actions are completed.

Should you wish to discuss the matter further, please contact Laura Gothard, (Position) on 0484269988 or email compliance@planning.nsw.gov.au

Yours sincerely



Heidi Watters
Team Leader
Compliance

As nominee of the Planning Secretary