INDEPENDENT AUDIT NO. 1 – AUDIT REPORT

ORANA BATTERY ENERGY STORAGE SYSTEM | SSD 45242780

FEBRUARY 2025

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ABBREVIATIONS / GLOSSARY

Abbreviation/Term	Description
AES	Accommodation and Employment Strategy
Akaysha	Akaysha Energy Pty Ltd
BCA	Building Code of Australia
BC Act	Biodiversity Conservation Act 2016 (NSW)
BCF	Biodiversity Conservation Fund
BCS	Biodiversity Conservation and Science Group within NSW DCCEEW
BCT	Biodiversity Conservation Trust
BESS	Battery Energy Storage System
BMP	Biodiversity Management Plan
CC	Construction certificate
CCTV	Closed circuit television
CEMP	Construction Environment Management Plan
Conditions	Minister's conditions of consent
CONVA	Construction & Operational Noise & Vibration Assessment
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
DPHI or Department	Department of Planning, Housing and Infrastructure (former Department of Planning and Environment)
DRC	Dubbo Regional Council
DoE	Department of Education NSW
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979 (NSW)
EPA	NSW Environment Protection Authority
FRNSW	Fire and Rescue NSW
HBT	Hollow bearing tree
IA	Independent Audit
IAPAR	Independent Audit Post Approval Requirements 2020
MOD 1	26 September 2024 modification to the Minister's approval
NHVR	National Heavy Vehicle Regulator
OOHW	Out of hours work
OSOM	Oversize and/or over mass
the Project	The Development as described in the EIS and approved under SSD 45242780
RFS	Rural Fire Service
RMU	Ring main unit
RtS	Response to Submissions

Abbreviation/Term	Description
SSD	State Significant Development
TfNSW	Transport for NSW
TMP	Traffic Management Plan

EXECUTIVE SUMMARY

Akaysha Energy Pty Ltd (Akaysha) is developing a large-scale Battery Energy Storage System (BESS) in central-west NSW within the Central-West Orana Renewable Energy Zone (REZ). Known as the Orana BESS (the Project), the Project is located approximately two kilometres north-east of Wellington in the Dubbo Regional local government area, will have a capacity of 415MW, and provide 4 hours or 1660MWh of energy storage.

Development Consent for the Project was granted under section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) (State Significant Development (SSD) 45242780) by the Executive Director of Energy, Resource and Industry Assessments of the Department of Planning, Housing and Infrastructure (the Department), as delegate of the Minister for Planning and Public Spaces on 22 December 2023, subject to Conditions of Consent (conditions). The Project was modified on the 26 September 2024 (MOD 1) by the Director Energy Assessments of the Department to provide for additional construction laydown area and additional permanent fill batter around the southern extent of the BESS.

CPP has been engaged as the principal construction contractor. CPP have subcontracted the Goolma Road intersection works to FKG. Construction of the Goolma Road upgrade works started on the 29 August 2024 and other Project works commenced on the 11 September 2024. Construction of the Project is forecasted for completion in late 2025 or early 2026.

This Audit was undertaken in accordance with the SSD 45242780 Condition C14, and the Department's 2020 document titled *Independent Audit Post Approval Requirements* (IAPAR). The Audit seeks to verify compliance with the relevant conditions and assess the effectiveness of environmental management on the Project. It is consistent with the scope, methodology and reporting requirements of the IAPAR.

This Audit Report presents the outcomes of the first independent audit (IA1) for the construction of the Project covering the period from 29 August 2024 to 17 December 2024 (the 'audit period'). Works undertaken during this period included commencement of construction of the Goolma Road intersection works, vegetation clearing and civil works at the site. The site inspection was conducted on 17 December 2024. Conditions applicable prior to the commencement of construction were also covered by the Audit.

The overall outcome of the audit was positive. Compliance records were organised and available at the time of the site inspection, during interviews with Akaysha and upon request to the auditee. Relevant compliance documentation and records were being collected and reported as required to provide verification of compliance with statutory requirements. No reportable incidents and complaints were recorded during the audit period. Some findings and recommendations were made during the audit and are reported in Appendix A, Section 3.2 and summarised below.

Summary of Findings

In summary:

- There were sixty-five (65) Conditions assessed.
- Forty-seven (47) Conditions were considered by the Auditor to be compliant.
- Four (4) non-compliances were identified during this Audit, primarily of an administrative nature and related to:
    - timing of vegetation clearing (B14);

- timing of notifying commencement of works (C7);
- timing of conducting the first independent audit (C14); and
- project website content (C20).

The non-compliances associated with B14 and C7 were closed.

- Two (2) observations were made related to:
  - the retirement of biodiversity offset credits (B12); and
  - the management of dust during the Christmas shutdown period (B20).
- Fourteen (14) Conditions were considered by the Auditor to be not triggered.

Detailed findings are presented in Section 3 and Appendix A, along with the adequacy of management plans and the actions taken by the project team to address the audit findings.

The Auditor would like to thank the auditees for their high level of organisation, cooperation, and assistance during the Audit.

1. INTRODUCTION

1.1 Project overview

Akaysha Energy Pty Ltd (Akaysha) is developing a large-scale Battery Energy Storage System (BESS) in central-west NSW within the Central-West Orana Renewable Energy Zone (REZ). Known as the Orana BESS (the Project), the Project is located approximately two kilometres north-east of Wellington in the Dubbo Regional local government area, and will have a capacity of 415MW and provide 4 hours or 1660MWh of energy storage.

The site is located in 6945 Goolma Road, Montefiores, NSW 2080, in land described as Lots 1 and 2 DP 1226751, Lot 2 DP 1136578 and part of the Goolma Road corridor. The regional context of the site is shown in Figure 1.

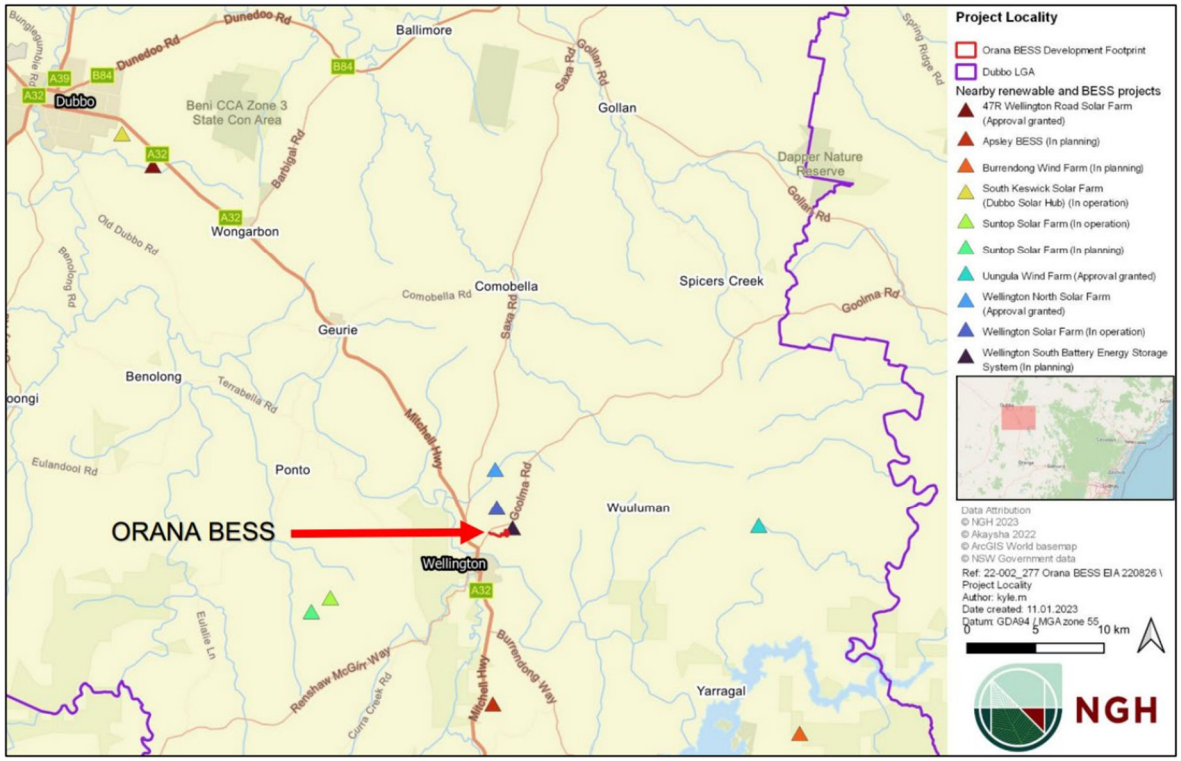


Figure 1: Regional Context Map (Source: Assessment Report, DPHI November 2023)

Development Consent for the Project was granted under section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) (State Significant Development (SSD) 45242780) by the Executive Director of Energy, Resource and Industry Assessments of the Department of Planning, Housing and Infrastructure (the Department), as delegate of the Minister for Planning and Public Spaces on 22 December 2023, subject to Conditions of Consent (conditions).

The Project, as approved, includes:

- A BESS, with a nominal capacity of 415 MW / 1660 MWh

- Lithium-ion storage technology
- Approximately 448 BESS units, 112 step-up (MV) transformers, and up to 20 ring main units (RMUs)
- A substation and switchyard, up to two 330 kilovolt (kV) / 33 kV power transformers connecting the BESS to the existing TransGrid substation
- Underground transmission line, rated at 330 kV and approximately 400 metres (m) in length, from the Orana substation to the existing Wellington substation
- Associated operations and maintenance building, site office, switch room and control room
- Site access via Goolma Road
- Internal access tracks
- Security lighting, CCTV and fencing
- Water tanks

The Project was amended on the 26 September 2024 (MOD 1) by the Director Energy Assessments of the Department to provide for additional construction laydown area and additional permanent fill batter around the southern extent of the BESS. The General Development Layout (as amended in MOD 1) is shown in Figure 2.

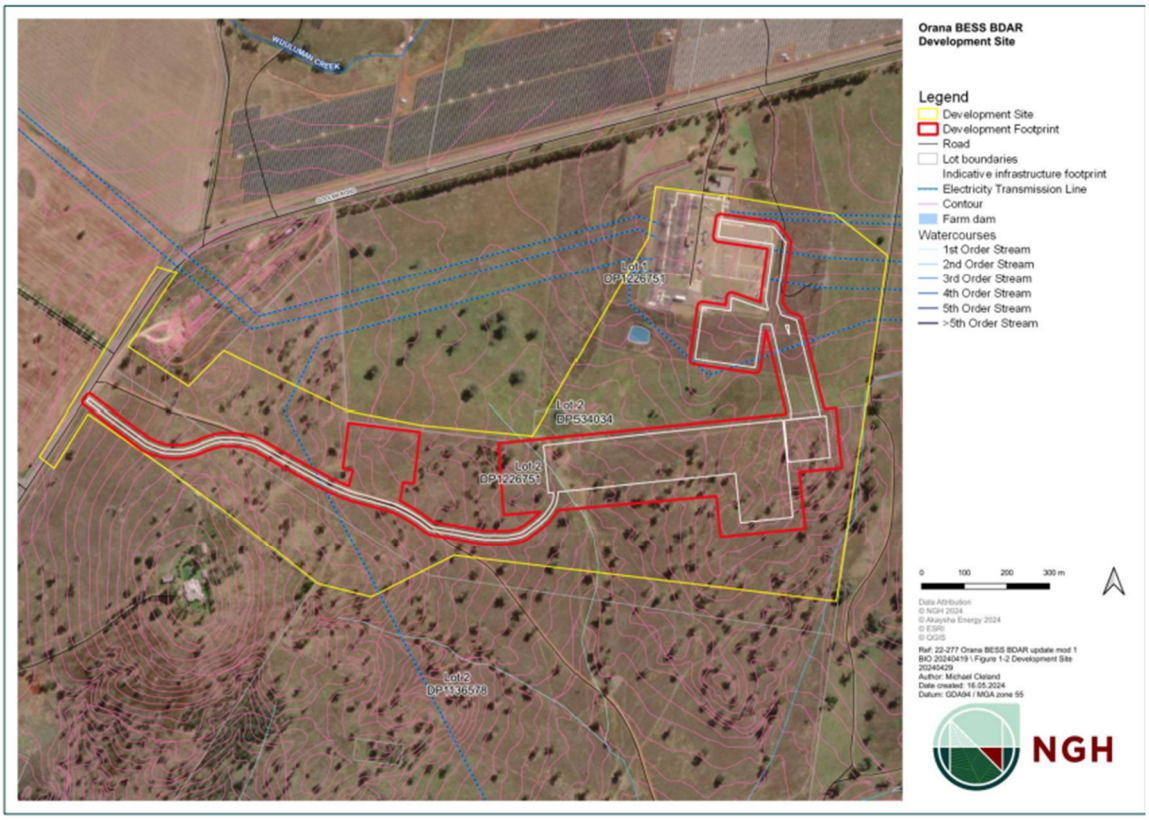


Figure 2: General Development Footprint (Source: NGH's Biodiversity Development Assessment Report, May 2024)

The BESS layout is shown in Figure 3.



Figure 3: BESS Site Layout (Source: Orana BESS MOD1 Report, June 2024)

CPP has been engaged as the principal construction contractor. CPP have subcontracted the Goolma Road intersection works to FKG.

Akaysha informed the Department that Goolma Road upgrade works started on the 29 August 2024 and that the development plans to commence construction in line with other parallel works approval on the 11 September 2024. Construction of the Project is forecasted for completion in late 2025 or early 2026.

This Audit Report presents the outcomes of the first independent audit (IA1) for the construction of the Project covering the period from 29 August to 17 December 2024 (the 'audit period'). Works undertaken during this period included commencement of construction of the Goolma Road intersection works, vegetation clearing and civil works at the site. The site inspection was conducted on 17 December 2024. Conditions applicable prior to the commencement of construction were also covered by the Audit.

1.2 Approval requirements for Independent Audit

SSD 45242780 Conditions set out the requirements for undertaking Independent Audits. The Conditions give effect to the Department's 2020 version of the document titled *Independent Audit Post Approval Requirements* (IAPAR).

1.3 Audit Team

In accordance with Section 3.1 of the IAPAR, Independent Auditors must be suitably qualified, experienced and independent of the Project, and appointed by the Planning Secretary.

The Lead Auditor was approved by the Department of Planning, Housing and Infrastructure (DPHI or the Department) on the 10 December 2024. The letter of approval is presented in Appendix B and auditor's independence declaration is attached in Appendix F.

The approved Lead Auditor:

- Ricardo Prieto-Curiel (Lead Auditor): Exemplar Global Certified Lead Environmental Auditor (Certificate No 15160). Registered Environmental Assessment Practitioner, Masters in Environmental Toxicology.

1.4 Audit Objectives

The objective of this Audit was to undertake the first construction phase independent Audit in accordance with the requirements of the IAPAR and the SSD 45242780 Schedule 2, Condition C14 which states:

> *Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) or as updated from time to time and published on the Department's website.*

This Audit seeks to fulfill the requirements of Condition C14 verify compliance with the relevant Conditions and assess the effectiveness of environmental management on the Project.

1.5 Audit Scope

This Audit Report presents the outcomes of the first independent audit (IA1) for the construction of the Project covering the period from 29 August to 17 December 2024 (the 'audit period'). Conditions applicable prior to the commencement of construction were also covered by the Audit.

This Audit adopts the scope defined within the IAPAR 2020, being:

- "An assessment of compliance with:
  - all conditions of consent applicable to the phase of the development that is being audited; and
  - all post approval and compliance documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans.
- A review of the environmental performance of the development, including but not necessarily limited to, an assessment of:
  - actual impacts compared to predicted impacts documented in the environmental impact assessment
  - the physical extent of the development in comparison with the approved boundary

- incidents, non-compliances and complaints that occurred or were made during the audit period
- the performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit, and
- feedback received from the Department, and other agencies and stakeholders, on the environmental performance of the project during the audit period.

- A review of the status of implementation of previous Independent Audit findings recommendations and actions (if any)
- A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate, and
- Any other matters considered relevant by the auditor or the Department, considering relevant regulatory requirements and legislation, knowledge of the development's past performance."

2. AUDIT METHODOLOGY

2.1 Audit Process Overview

The Audit was conducted in a manner consistent with *AS/NZS ISO 19011.2019 – Guidelines for Auditing Management Systems* and the methodology set out in the Department's IAPAR.

2.2 Audit Process Detail

2.2.1 Audit initiation

Prior to the commencement of the Audit the following tasks were completed:

- Establish initial contact with the auditee
- Confirm the audit team
- Confirm the audit purpose, scope and criteria.

2.2.2 Preparing audit activities

The Auditor performed a document review, prepared an audit plan, and prepared work documents (audit checklists) and distributed to the Project team in preparation for the Audit.

2.2.3 Consultation

WolfPeak consulted with the Department on 6 December 2024 to obtain their input into the scope of the Independent Audit and confirmation on whether other stakeholders should be consulted, in accordance with the guidance provided under Section 3.2 of the IAPAR. The Department responded on the 13 December 2024. A summary of feedback provided from the Department is shown in Table 1 and the correspondence with the Department in Appendix C.

In addition, the Department suggested that consultation should be undertaken with the Local Aboriginal Land Council, the Biodiversity Conservation and Science (BCS) group of NSW DCCEEW, Dubbo Regional Council, EPA, Fire and Rescue NSW (FRNSW), Heritage NSW, NSW DCCEEW, Rural Fire Service (RFS) and TfNSW. The Auditor sought clarification from the Department about what group within the DCCEEW that, in addition to BSC, would like the audit to consult, but no response was obtained. WolfPeak consulted with the above stakeholders on the 13 December 2024. A summary of the feedback provided from these stakeholders is shown in Table 1 and the corresponding correspondence is provided in Appendix C.

Table 1: Areas of focus raised during consultation

Stakeholder	Areas of Focus	How was addressed
Department of Planning, Housing and Infrastructure	Suggest the following issues be considered as it is the beginning of project: • Evidence of compliance with works within the approved footprint • Evidence of compliance with road upgrades and approvals • Evidence of compliance with truck movement criteria • Evidence of compliance with all monitoring, reporting commitments and management plans • Clearing undertaken in accordance with consent. • Appropriate measures in place to protect heritage items • Noise assessment and compliance with criteria • Erosion sediment controls management monitoring and maintenance • Appropriate fencing and demarcation • Complaint register management, monitoring reporting and responding to complaints	Section 3.5 and Appendix A
Wellington Local Aboriginal Land Council	No response provided	-
Dubbo Regional Council	• That the Audit ensures that all required statutory approvals, particularly Construction Certificates and any Section 68 approvals under the Local Government Act have been obtained prior to those works being undertaken. • A Planning Agreement was entered into on 19 August 2024, as per Condition A15 https://www.dubbo.nsw.gov.au/Builders-Developers/Planning-Controls-Tools-and-Resources/planning-agreements • Council provided comments on the Accommodation and Employment Strategy on 10 April 2024, in accordance with the consultation requirement in Condition B34. The applicant has wanted to meet lately to provide ongoing	Section 3.5 and Appendix A

Stakeholder	Areas of Focus	How was addressed
	updates about its implementation, but Council does not have the resources to accommodate their request. • That the Audit confirms that all required biodiversity credits were retired prior to the commencement of work, as per Conditions B12 & B13, and that the required Biodiversity Management Plan as per Condition B14 has been prepared.	
BCS	• the main item we suggest be included as part of the audit is confirmation that condition B12 (retirement of biodiversity credits in Table 1) has been complied with. • We also request confirmation that the actions within the Biodiversity Management Plan are being implemented, particularly in relation to Condition B14(b)(iv) of the development consent (avoidance of clearing in spring).	Section 3.5 and Appendix A
EPA	No comments or feedback. The scope of the independent environmental audit is pre-determined in Section 3.3 of the Independent Audit Post Approval Requirements (IAPAR)	-
FRNSW	No response provided	
Heritage NSW	Heritage NSW has no comment on the audit scope. We note that the Chance Finds Protocol was provided to Heritage NSW for endorsement as per Condition B24 of the Project approval.	Noted
RFS	No response provided	
TfNSW	TfNSW has no concerns or issues with this development which need to be addressed in the audit process at this time.	Noted

Note: Consultation records are presented in Appendix C.

2.2.4 Meetings

The opening meeting was held on 17 December 2024 at the construction site project offices with project personnel and the WolfPeak auditor. During the opening meeting, the objectives and scope of the Audit, the resources required, overview of the project and status of the works and methodology to be applied were discussed.

A closing meeting was carried out on the 17 December 2024. The preliminary audit findings were presented, recommendations (as appropriate) were made, and any post-audit actions were confirmed. The opening and closing meetings attendance sheet is provided in Appendix D.

2.2.5 Interviews

The Auditor conducted interviews on 17 December 2024 with key Project personnel during and following the site inspection. During the inspection key personnel involved in on-site Project delivery, including those with responsibilities for environmental management, who could assist on verifying the compliance status of the development were interviewed.

All other communication was conducted remotely, which included a detailed request for information and auditee responses to the request. The names of personnel interviewed during the audit are provided in Table 2.

Table 1: Audit meeting personnel interviewed

Name	Role	Organisation
Lachlan Dowling	Project Manager	Akaysha
Jacob Darby	Site Manager	Akaysha

CPP's Environmental Manager attended the site inspection.

2.2.6 Site inspection

The on-site audit activities included an inspection of the work activities including Goolma Road intersection works, cut and fill excavation works, cleared areas, tree protection and heritage protection zones and the like to verify implementation of mitigation measures from the CEMP and subplans relevant to the works taking place at the time of the inspection.

The site inspection was conducted on 17 December 2024 and detailed observations are discussed in Section 3 and Appendix A. Photos taken during the inspections are presented in Appendix E.

2.2.7 Document review

The Audit included investigation and review of Project files, records and documentation that acts as evidence of compliance (or otherwise) with a compliance requirement. The primary documents reviewed are presented in Section 3.1. Evidence gathered during the Audit is referenced in the compliance tables presented in Appendix A.

2.2.8 Generating audit findings

Audit findings were based on verifiable evidence. The evidence included:

- relevant records, documents and reports
- interviews of relevant site personnel
- photographs
- figures and plans
- site inspections of relevant locations, activities and processes.

Section 3 and Appendix A present the general audit findings and recommendations.

2.2.9 Compliance evaluation

The Auditor determined the compliance status of each compliance requirement in the Audit Table in Appendix A, using the descriptors below:

Table 2: Compliance status descriptors

Status	Description
Compliant	The Auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Compliant	WolfPeak considers that it is the role of the Certifier or other authority / expert to verify compliance with this condition and has marked this requirement as compliant on the basis of their assessment or advice.
Non-compliant	The Auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not Triggered	A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

Observations and notes may also be made to provide context, identify opportunities for improvement or highlight positive initiatives.

2.2.10 Evaluation of post approval documentation

The Auditor assessed whether post approval documents:

- have been developed in accordance with the Conditions and their content is adequate
- have been implemented in accordance with the Conditions.

The adequacy of post approval documents was determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the document
- whether there are any opportunities for improvement.

2.2.11 Completing the audit

The Audit Report was distributed to the Applicant to check factual matters and for input into actions in response to findings (where relevant). The Auditor retained the right to make findings or recommendations based on the facts presented.

The Auditor's findings have been determined independent of the auditees, the Department and any other parties, based on the evidence assessed during the audit.

3. AUDIT FINDINGS

3.1 Approvals and documents audited, and evidence sighted

The documents audited comprised those prepared under the conditions from Schedule 2 of SSD 45242780 applicable to the works being undertaken at the time of the Audit. The primary documents reviewed during the audit are as follows:

- *Development Consent SSD 45242780, dated 22 December 2023 and amended on 26 September 2024 MOD 1 (the Consent).*
- *Environmental Impact Statement (EIS) Orana BESS, dated April 2023 by NGH.*
- Environmental Management Strategy Orana BESS – (rev D dated 30 July 2024) prepared by WSP.
- Biodiversity Management Plan Orana BESS (rev G, dated 8 November 2024) prepared by WSP (the BMP).
- Orana Battery Energy Storage System Traffic Management Plan Stage 1 (Rev L, 19/09/2024) prepared by Amber Traffic & Transportation Direction (the TMP).
- Orana Battery Energy Storage System Accommodation and Employment Strategy (Rev C, dated 15 July 2024) prepared by Consolidated Power Projects (the AES).
- Akaysha Chance Finds Protocol, Version 3 dated 12 July 2024, prepared by Virtus Heritage.
- Project Website https://community.akayshaenergy.com/orana-bess
- Complaints Management System in Project Website.

All records and evidence sighted against each condition are detailed within Appendix A.

3.2 Summary of Compliance

This section, including Table 5, presents the summary of compliance and recommended actions in response to each of the findings from this Audit. Detailed findings against each requirement are presented in Appendix A.

In summary:

- There were sixty-five (65) Conditions assessed.
- Forty-seven (47) Conditions were considered by the Auditor to be compliant.
- Four (4) non-compliances were identified during this Audit, primarily of an administrative nature and related to:
    - timing of vegetation clearing (B14);
    - timing of notifying commencement of works (C7);

- timing of conducting the first independent audit (C14); and
- project website content (C20).

The non-compliances associated with B14 and C7 were closed.

- Two (2) observations were made related to:
  - the retirement of biodiversity offset credits (B12); and
  - the management of dust during the Christmas shutdown period (B20).
- Fourteen (14) Conditions were considered by the Auditor to be not triggered.

Table 3: Status of findings from the First Independent Audit (IA1)

Item ID	Ref.	Category	Condition / Requirement	Finding	Recommendation[1] / Applicant Action	Status[2]
IA1-01	B14	Non-compliance	*Biodiversity Management Plan* *Prior to commencing construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS, and to the satisfaction of the Planning Secretary. This plan must:* *a) be prepared in accordance with the revised Biodiversity Development Assessment Report (dated 6 September 2024);* *b) include a description of the measures and timeframes that would be implemented for:* *i. protecting vegetation and fauna habitat outside the approved disturbance areas;* *ii. managing the remnant vegetation and fauna habitat on site;* *iii. minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;* *iv. avoiding the removal of hollow-bearing trees during spring to avoid the main breeding period for hollow-dependant fauna;* *v. minimising the impacts to fauna on site and implementing fauna management protocols, including design of temporary fencing;* *vi. rehabilitating and revegetating temporary disturbance areas with species that are native to the area; 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* *vii. controlling weeds, feral pests and pathogens.* *c) include a program to monitor and report on the effectiveness of mitigation measures;* *d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/or offset options to be implemented if additional threatened species are discovered on site; and* *e) include details of who would be responsible for monitoring, reviewing and implementing the plan.* *Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.*	**Non-compliance**: There is no evidence that the removal of hollow-bearing trees during spring was avoided in accordance with B14(iv) to avoid the main breeding period for hollow-dependent fauna. It is however noted that despite B14(iv) the approved BMP anticipated vegetation clearing during the local breeding season being June to November and included measures to mitigate impacts associated with it, including a Hollow-Bearing Tree (HBT) Clearing Protocol. Section 5.3.2 of the BMP explicitly states: "*As vegetation clearing will occur during local breeding and torpor seasons, being June to November inclusive, a written assessment by the Project Ecologist justifying clearing activities (i.e., no impact to breeding or torpor habitat) must be recorded and made available to DPE prior to works*." The BMP was prepared in consultation with BCS and approved by the Department. In accordance with the BMP, an ecologist written statement dated 12/09/2024 was prepared and was submitted to DPHI on 13/09/2024, including notification of commencement of HBT removal on the 13/09/2024. Project records suggest that mitigation measures were implemented in accordance with the BMP. The auditor considered that the Applicant has complied with the approved BMP, but a technical non-compliance against Condition B14(iv) has been included in the audit report with no further action required. The auditor assumes that the Department was aware of the proposed timing of clearing and was satisfied with the mitigation proposed. For other details refer to Appendix A.		**CLOSED**
IA1-02	C7	Non-Compliance	***Notification of Department*** *Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.* *If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.*	**Non-compliance**: The notification of commencement of construction to the Department was not undertaken prior to the commencement of construction. The notification was undertaken on the 10 September 2024 and Goolma Road upgrade started on the 29 August 2024.	This item is closed. The notification of commencement of construction was undertaken on the 10 September 2024	**CLOSED**
IA1-03	C14	Non-Compliance	***Independent Environmental Audit*** *Independent Environmental Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) or as updated from time to time and published on the Department's website.*	**Non-compliance**: IAPAR 2020 stipulates that the initial independent audit must be carried out within 12 weeks of the commencement of construction. While construction for the project began on 29 August 2024, the first audit took place on 17 December 2024, which was beyond the required timeframe. .	**Recommendation**: Conduct future independent environmental audits in accordance with the timeframes specified in IAPAR 2020	**OPEN**

<table>
<tr><th>Item ID</th><th>Ref.</th><th>Category</th><th>Condition / Requirement</th><th>Finding</th><th>Recommendation[1] / Applicant Action</th><th>Status[2]</th></tr>
<tr><td>IA1-04</td><td>C20</td><td>Non-compliance</td><td>Access to Information
The Applicant must:
a) make the following information publicly available on its website as relevant to the stage of the development:
i. the EIS;
ii. the final layout plans for the development;
iii. current statutory approvals for the development;
iv. approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan);
v. the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;
vi. a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
vii. how complaints about the development can be made;
viii. any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
ix. any other matter required by the Planning Secretary; and
b) keep this information up to date.</td><td>Non-compliance: The SSD (45242780) approval and a comprehensive summary of monitoring results of the development to date are not available in the project website.</td><td>Recommendation: review the project website to ensure that all information require under Condition C20 is available</td><td>OPEN</td></tr>
<tr><td>IA!-05</td><td>B12</td><td>Observation</td><td>Biodiversity Offsets
Prior to carrying out any development 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 1 below. The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:
a) acquiring or retiring 'biodiversity credits' within the meaning of the Biodiversity Conservation Act 2016;
b) making payments into an offset fund that has been developed by the NSW Government; or
c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.
Table 1: Species Credit Requirements
<table><tr><th>Species Credit Species</th><th>Credits Required</th></tr><tr><td>Pink-tailed Legless Lizard (Aprasia parapulchella)</td><td>49</td></tr><tr><td>Superb parrot (Polytelis swainsonii)</td><td>46</td></tr><tr><td>Masked Owl (Tyto novaehollandiae)</td><td>33</td></tr><tr><td>Key's Matchstick Grasshopper (Keyacris scurra)</td><td>7</td></tr><tr><td>Ausfeld's Wattle (Acacia ausfeldii)</td><td>9</td></tr><tr><td>Tumut Grevillea (Grevillea wilkinsonii)</td><td>13</td></tr><tr><td>Prasophyllum sp. Wybong</td><td>13</td></tr><tr><td>Silky Swainson pea (Swainsona sericea)</td><td>9</td></tr><tr><td>Small Purple pea (Swainsona recta)</td><td>9</td></tr><tr><td>Euphrasia arguta</td><td>10</td></tr></table></td><td>Observation: The Applicant has retired all biodiversity credits for the species listed in B12, except for Prasophyllum sp. Wybong. This appeared to be an administrative mistake as BCT had advised the Applicant that it could not accept payment for Species Prasophyllum sp. Wybong as it is not listed under the BC Act. During this audit, the applicant further consulted with BCT who advised that it could instead provide a quote for Prasophyllum sp. Petilum. In response the applicant submitted in January 2025 an application to BCT for the retirement of credits of Prasophyllum Petilum which is listed under the BCT.</td><td>Application for the retirement of credits for Prasophyllum petilum submitted to BCT on 22 January 2025.
Recommendation: Notify the Department of the alternative arrangements made for the retirement of credits associated with Prasohyllum sp. in accordance with Condition B12 given that Prasophyllum sp. Wybong is not listed under the BC Act.</td><td>OPEN</td></tr>
<tr><td>IA1-06</td><td>B20</td><td>Observation</td><td>Dust
The Applicant must minimise the dust generated by the development.</td><td>Observation: At the time of the audit site inspection the site was observed mostly cleared of vegetation and with bare soils exposed. Dust generation is managed on site using water carts, speed limits and visual inspections. The site is</td><td>Recommendation: Monitor dust conditions at the site and weather conditions during the 2 week Christmas break shutdown period and implement measures as required to ensure that dust is not</td><td>CLOSED</td></tr>
</table>

Item ID	Ref.	Category	Condition / Requirement	Finding	Recommendation[1] / Applicant Action	Status[2]
				scheduled for a 2-week Christmas shutdown period and no construction personnel is proposed to be on site during the Christmas shutdown period, other than security staff.	generated during the shutdown period. After the Christmas holiday break, the Applicant provided evidence of visual monitoring conducted / recorded by 24/7 on-site security team and weather forecast monitoring. Water cart and operator were on standby over the holiday period. No complaints reported. This item is considered closed.	

1. Auditor's recommendation. The recommended action does not preclude the need for all non-compliances to be reported by the proponent in accordance with the terms of the consent.
2. At the time of finalising this Audit Report.

3.3 Adequacy of Environmental Management Plans, sub-plans and post approval documents

The adequacy of post approval documents must be determined on the basis of whether:

- there are any non-compliances resulting from the implementation of the management plans; and
- there are any opportunities for improvement.

The Environmental Management Strategy Orana BESS – (rev D dated 30 July 2024) and associated management plans listed in Section 3.1 including the Biodiversity Management Plan (BMP) (rev G, dated 8 November 2024), the Traffic Management Plan (TMP) (Rev L, 19/09/2024) prepared by Amber Traffic & Transportation Direction (the TMP) and the Accommodation and Employment Strategy (AES) (Rev C, dated 15 July 2024) were found to be generally compliant with the requirements of the SSD-45242780 Consent and generally adequate for the works undertaken. The BMP was revised in response to MOD 1. The revised BMP (rev G, dated 8 November 2024) included a Masked Owl Management Plan as MOD 1 resulted in impacts to Masked Owl habitat needing to be offset.

The Plans were submitted to and approved by the Department in accordance with the applicable Conditions of Approval and the audit information reviewed indicated that the Environmental Management Strategy, the BMP, the TMP and the AES have generally been implemented for the works undertaken to date during the audit period.

A non-compliance has been raised regarding the avoidance of clearing hollow-bearing trees during spring in accordance with B14(iv) to avoid the main breeding period for hollow-dependent fauna. However, as discussed in Table 4 and Appendix A, the approved BMP anticipated vegetation clearing during the local breeding season being June to November and included measures to mitigate impacts associated with it, including a Hollow-Bearing Tree (HBT) Clearing Protocol. The auditor noted the range of mitigation measures implemented by the auditee and specialist ecologists NGH prior to and during clearing including pre-clearance surveys, blocking unoccupied hollow entrances, thorough surveys 48 hours prior to clearing, confirm that hollows are unoccupied prior to clearing and other measures in accordance with the BMP which suggested the no impact occurred on hollow-dependent fauna. The auditor considered that the Applicant has complied with the approved BMP, but a technical non-compliance against Condition B14(iv) has been included the audit report with no further action required. The auditor assumes that the Department was aware of the proposed timing of clearing and was satisfied with the mitigation proposed in the approved BMP.

An observation has been raised regarding the retirement of biodiversity offset credits for one of the species (*Prasophyllum sp. Wybong*) listed under Table 1 of SSI-SSD-45242780. This species is not listed under in the BC Act and therefore BCT could not accept payment for this species. The Applicant has undertaken additional consultation with BCT and has applied for retirement of credits for *Prasophyllum petilum* instead which is listed under the BC Act. Additional commentary about the implementation of the management plans is provided in Section 3.5 and Appendix A.

3.4 Summary of notices from agencies

To the Auditor's knowledge no formal notices, orders or penalty notices were issued by the Department or other agencies during the audit period. Communications with the Department and other agencies as part of the implementation of the consent are discussed in Appendix A.

3.5 Other matters considered relevant by the Auditor or DPHI / Agencies / Council

There were no other matters considered relevant by the Auditor.

Feedback provided by the Department and stakeholders (in italics) during the consultation on the audit scope and the auditor's responses to the feedback are addressed below. Consultation records are included in Appendix C.

Department

"Evidence of compliance with works within the approved footprint"

From the visual inspection of the construction site undertaken on the 17 December 2024 as part of the audit it appears that the works are undertaken within the footprint approved under SSI 45242780. Fencing was observed separating the construction site from non project areas. It was advised that fencing was erected 1 metre inside the project boundary by certified surveyor in line with project design documentation.

Detailed plans of the final layout of the development were submitted to the Department in accordance with Condition C8 including:

- DRW No. 12937-EL-DR-10000 Overall Site Layout Rev A 29/05/2024 by Consolidated Power Projects
- DRW No. 12937-EL-DR-10001 Facility Plan Rev B 29/05/2024 by Consolidated Power Projects
- DRW No. 12937-EL-DR-11100 General Arrangement Rev A 29/05/2024 by Consolidated Power Projects

The final layout drawings appeared to be consistent with layouts provided in SSI-45242780. The Department on the 9 July 2024 acknowledged receipt of the Final Layout Drawings and indicated that it had no comments.

The auditee also indicated that land has been purchased by Akaysha through a land agreement and the site has been subdivided and registered in the land title office in accordance with Condition A11. DP1301494 - Plan of Subdivision of Lot 2 DP1226754 and Right of Access affecting Lot 2 DP1136578 were provided during the audit as well as evidence of registration on 24 April 2024 in the Land Registry Services.

"Evidence of compliance with road upgrades and approvals"

Project records indicate that the Project is compliant with the roads upgrades and approvals as discussed below.

Project records indicate that Akaysha engaged with TfNSW on the required road upgrade and has executed a Work Authorisation Deed (WAD) with TfNSW. Detailed Design Documents for the road upgrade were prepared and then certified by Barker Ryan Stewart Pty Ltd (TfNSW Project Verifier) as compliant with the requirements of the Deed. TfNSW then approved the strategic concept design and swept paths for the intersection treatments required to facilitate safe turning movements for the project on 30 April 2024 in accordance with Condition B8. TfNSW subsequently approved the detailed design documentation on 13 September 2024 and noted that its validity is for 2 years from the date of approval. The TfNSW, in its letter dated 13 September 2024 authorised works to commence within the Road Reserve.

During construction of the road upgrades, TfNSW Site Inspection Reports were undertaken by Barker Ryan Stewart, the independent project verifier working on behalf of TfNSW to ensure compliance. A total of 19 site inspection reports were prepared for the project, as evidenced by the documents provided.

From the visual inspection of the construction site undertaken on the 17 December 2024 as part of the audit it appears that the Goolma Road upgrade works (which were underway at the time of the audit) were consistent with those described in Appendix 5 of SSI-45242780.

During the audit interviews, the auditees noted that access to Lot 2 DP1136578 was removed prior to the commencement of construction in accordance with Condition B6. The access was observed closed during the audit site inspection on the 17 December 2024.

"Evidence of compliance with truck movement criteria"

All site vehicles were observed during the audit inspection entering and exiting the site using the site access point off Goolma Road in accordance with Condition B5.

CPP monitors vehicles movements and prepares Monthly Vehicle Movements reports. Monthly Vehicle Movement reports from September to November 2024, detailing the number of heavy and light vehicles every day, and during peak and off-peak hours were provided during the audit. A review of the Monthly Vehicle Movements reports (heavy, light and during peak hours) indicates that the Project complied with the limits in Condition B1. Escorted Vehicle Movements 2024 report, prepared by PCC, was presented, highlighting three movements to date that required escorted vehicles which is compliant with Condition B1.

Section 3.7 of the TMP details the traffic movement on site provide the heavy vehicle access routes. The TMP was approved by the Department on 8 October 2024. The Project Directions and Requirements document, prepared by Akaysha, includes the route to the site and specifies that delivery drivers must report to the site office upon arrival, complete an induction, and that the document is provided to all service providers and suppliers for guidance and compliance.

"Evidence of compliance with all monitoring, reporting commitments and management plans"

Traffic monitoring is undertaken as discussed above. Weekly site inspections are undertaken for the project in accordance with the Environmental Management Strategy, covering areas such as housekeeping, tools and equipment, permits/SWMS, quality, mobile plant, and environmental aspects, including sediment controls, water drainage, air quality, solid/liquid waste, stockpiles, and chemical storage. TfNSW Site Inspection Reports were undertaken by the independent project verifier working on behalf of TfNSW to ensure compliance of the road upgrade works as discussed above. No complaints or incidents have been recorded to date. Project records indicate that the

reporting requirements have been complied with. Management plans are generally implemented as discussed in Section 3.3, except as otherwise reported in Section 3.2.

"Clearing undertaken in accordance with consent"

Project records indicate that clearing has been undertaken generally in accordance with the consent (refer to Condition B11 in Appendix A for details) except as otherwise discussed in Section 3.3 and Table 4.

"Appropriate measures in place to protect heritage items"

A Chance Finds Protocol, Version 3 dated 12 July 2024, was prepared by Virtus Heritage for Akaysha, in consultation with Aboriginal Stakeholders and Heritage NSW. No unexpected heritage finds occurred during the audit period.

An exclusion zone (including fencing) has been installed around the culturally modified tree located outside the construction site (refer to Photos in Appendix E).

"Noise assessment and compliance with criteria"

Noise monitoring is not required under the Environmental Management Strategy nor was recommended under the Construction & Operational Noise & Vibration Assessment (CONVA)) (Rev 6, 31/03/2023, prepared by Renzo Tonin & Associates). Noise monitoring has not been undertaken at the site during the audit period and therefore it is not possible to determine compliance with the noise criteria. Despite that the auditee has implemented measures such as induction of employees, no works outside hours approved under the Consent and consultation with nearest residents. No complaints have been received during the audit period.

"Erosion sediment controls management monitoring and maintenance"

Erosion & Sediment Control Plans have been prepared by consulting engineers Hatch for the site and for the Goolma Road works, showing the locations of controls and the types of controls required (refer to condition B27 in Appendix A). During the audit site inspection sediment controls were observed in place, including sediment fences and a large sediment basin located at the south-western side of the site (refer to photos in Appendix E).

"Appropriate fencing and demarcation"

Fencing and demarcation was observed around the construction site during the audit site inspection (refer to photos in Appendix E).

Complaint register management, monitoring reporting and responding to complaints

Refer to the discussion in Section 3.6.

Dubbo Regional Council

"That the Audit ensures that all required statutory approvals, particularly Construction Certificates and any Section 68 approvals under the Local Government Act have been obtained prior to those works being undertake"

CPP made a query on 14 June 2024 to Dubbo Regional Council regarding the Construction Certificate for the project. In that email it identified the following items requiring construction certificates as per discussions with Council:

1. 2x Transformer bunds including pre-cast fire walls.
2. 448x Tesla Megapack battery blocks including foundations.
3. 1x Control building including foundation and stormwater drainage.
4. 2x Switchgear buildings including foundation and stormwater drainage.
5. 1x Operation & Maintenance building including foundation and stormwater drainage.

On 19 June 2024, Dubbo Regional Council responded to the query and noted that in addition, the only building work that would need to be the subject of a Construction Certificate is the perimeter fencing and the water storage tanks.

No Construction Certificates (CC) have been issued to date as the above works have not been commenced. The auditee advised that CCs are in progress (not triggered to date, until the design is completed) and that Section 68 approvals under the *Local Government Act 1993* are not required for the current work stages.

"A Planning Agreement was entered into on 19 August 2024, as per Condition A15 https://www.dubbo.nsw.gov.au/Builders-Developers/Planning-Controls-Tools-and-Resources/planning-agreements"

Noted

"Council provided comments on the Accommodation and Employment Strategy on 10 April 2024, in accordance with the consultation requirement in Condition B34. The applicant has wanted to meet lately to provide ongoing updates about its implementation, but Council does not have the resources to accommodate their request."

Noted

"That the Audit confirms that all required biodiversity credits were retired prior to the commencement of work, as per Conditions B12 & B13, and that the required Biodiversity Management Plan as per Condition B14 has been prepared."

Refer to Section 3.3 and Appendix A.

BCS

"Confirmation that condition B12 (retirement of biodiversity credits in Table 1) has been complied with."

Refer to Section 3.3, Table 4 and Appendix A.

"Confirmation that the actions within the Biodiversity Management Plan are being implemented, particularly in relation to Condition B14(b)(iv) of the development consent (avoidance of clearing in spring)."

Refer to Section 3.3, Table 4 and Appendix A.

3.6 Complaints

No complaints have been received during the audit period. The Project's website https://community.akayshaenergy.com/Complaints-Register provides complaint management system with the steps to be undertaken in the event of a complaint, including timeframes for resolving the complaint, investigation, escalation and recording and registering the complaint.

3.7 Incidents

During this audit period, no incidents, as defined in SSD-45242780, were recorded.

3.8 Actual versus predicted impacts

The Audit considered the actual impacts based on the site inspection and review of records, on whether they are consistent with the relevant impacts predicted in the development consent's environmental assessment documentation.

The EIS and RtS included a range of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project. Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than considering the construction requirements specified in the conditions and mitigation measures, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Audit. Any such comparison is qualitative only.

The works observed and the impacts therein appear to be consistent with those identified in the EIS documents. A summary of the assessment is presented in Table 5.

Table 4: Summary of Predicted Versus Actual Impacts for key construction assessment issues

Aspect	Summary of Impacts	Actual impacts observed during the audit period	Consistent (Y/N)
Biodiversity	The Project (as amended with MOD1) would result in the loss of 14.22 ha of native vegetation being Plant Community Type (PCT) 266 White Box grassy woodland. The Project would result in the removal of 53 hollow bearing trees with 162 hollow bearing trees to be retained on the site. The updated BDR (updated as part of MOD1) included the Masked Owl as a candidate species requiring offset. The Department recommended the preparation of a Biodiversity Management Plan (BMP) in consultation with BSC to ensure remaining biodiversity values on site are appropriately managed and maintained.	A BMP was prepared and then revised following approval of MOD1. The revised BMP (Rev G, 8/11/24) included the increased Project footprint from MOD1 and the inclusion of a Masked Owl Management Plan, as the threatened species were observed during a preclearing survey. Two stage clearing and pre-clearing inspections undertaken as part of the implementation of the BMP. Clearing has been supervised by specialist ecologists NGH through pre-clearance inspections and checks as detailed in Appendix A..	Y
Aboriginal Cultural Heritage	Site surveys undertaken in consultation with Registered Aboriginal Parties (RAPs) identified no Aboriginal cultural heritage items on site. One culturally modified tree was identified approximately 150 m to the south of the development footprint. This site would be avoided and an exclusion zone would be established to avoid any incidental harm.	An exclusion zone (including fencing) has been installed around the culturally modified tree (refer to site photos in Appendix E). A Chance Finds Protocol, Version 3 dated 12 July 2024, was prepared by Virtus Heritage for Akaysha, in consultation with	Y

Aspect	Summary of Impacts	Actual impacts observed during the audit period	Consistent (Y/N)
	The Department has recommended a condition requiring Akaysha prepare a Chance Finds Protocol for the project.	Aboriginal Stakeholders and Heritage NSW.	
Historic Heritage	The site and surrounds are not subject to any Commonwealth or State historic heritage listings. While no locally listed heritage items occur within the site, the curtilage of two local heritage listed homesteads (Nanima Homestead and Keston Homestead) adjoin the site boundary. The Nanima Homestead (R1) and its associated buildings would be located around 640 m from the BESS and 200m from the proposed access track, and the Keston Homestead buildings would be 500 m and 1.3 km away. Neither homestead would be physically impacted by the project.	No impacts on the Nanima Homestead and Keston Homestead were observed during the site inspection or noted in project records. No complaints have been received during the audit period on the Project.	Y
Traffic, Transport and Accessibility	The main increase in traffic would occur over the 18-month construction period, generating, at its peak, up to 35 heavy vehicle movements per day. Up to six heavy vehicles requiring escort would be required for the delivery of larger plant and equipment during construction. The Department recommended restricting vehicle movements during peak times (6-7 am and 5-6 pm), to prevent queuing on the public road network and manage the flow of vehicles entering and exiting the site. Heavy vehicles delivering plant during construction would travel from the Port of Newcastle, via the State road network, using Goolma Road to access the site from the north. Heavy vehicles delivering other construction equipment and materials would access the site via Goolma Road from the Mitchell Highway to the south. All roads along these routes are approved B-double routes. Traffic modelling indicated that the proposed transport route has sufficient capacity to accommodate the construction traffic associated with the project. No road upgrades (other than for the site access) are required	CPP monitors vehicles movements and prepares Monthly Vehicle Movements reports. Monthly Vehicle Movement reports from September to November 2024, detailing the number of heavy and light vehicles every day and during peak and off-peak hours were provided during the audit. A review of the Monthly Vehicle Movements reports (heavy, light and during peak hours) indicates that the actual project vehicle numbers are generally consistent with those reported in the EIS and complied with the limits in Condition B1.	Y
Noise and Vibration	Nine non-associated residential receivers are located within 1.5 km of the site, with the closest (R1) being located approximately 200m south of the proposed access road and approximately 640 m from the BESS. Noise generated by construction activities was predicted to be below the 'highly noise affected' criterion of 75 dB(A) for all	No noise complaints have been received to date. No noise monitoring has been required or undertaken and therefore it is not possible to determine compliance with noise criteria.	Y

Aspect	Summary of Impacts	Actual impacts observed during the audit period	Consistent (Y/N)
	residential receivers under EPA's Interim Construction Noise Guideline (ICNG). Construction noise levels were predicted to comply with the 'noise affected' criterion under the ICNG at all non-associated residential receivers, except for receiver R1, where an exceedance of up to 3 dB(A) is predicted when simultaneous operation of the three noisiest items of equipment occurs within 700 m of the dwelling. This exceedance represents a worst-case scenario which is unlikely to occur for an extended period, and Akaysha has committed to continuing to offer a neighbour agreement to R1 to mitigate impacts. No vibration impacts are predicted at any vibration sensitive receivers based on separation distances exceeding 200 m.		
Water quality	The project is not located on flood prone land and would be designed to transfer catchment flows around the site in a stable manner. The project would involve minimal excavations, and with the implementation of appropriate contamination controls, groundwater impacts were considered unlikely. Water quality impacts during construction would be managed by contamination controls and erosion and sediment control measures.	During the audit site inspection sediment controls were observed in place, including sediment fences and a large sediment basin located at the south-western side of the site (refer to photos in Appendix E).	Y

There were no reportable environmental incidents during the audit period.

The works were within the approved boundary (as best as could be confirmed by visual inspection only).

Based on the site inspection, document review and high degree of compliance, works appear to be consistent with the approved layout plans and the environmental impacts are mostly qualitatively well within that predicted by the EIS and RtS.

4. CONCLUSIONS

This Audit Report presents the outcomes of the first independent audit (IA1) for the construction of the Orana BESS Project (State Significant Development SSD-45242780) covering the period from 29 August to 17 December 2024 (the 'audit period'). Conditions applicable to prior to the commencement of construction were also covered by the Audit.

The Audit was undertaken in accordance with the SSD-45242780 Condition of Consent C14 and the NSW Government's Independent Audit Guideline Post Approval Requirements (IAPAR),2020.

Works undertaken during this period included commencement of construction of the Goolma Road intersection works, vegetation clearing and civil works at the site. The site inspection was conducted on 17 December 2024.

The overall outcome of the audit was positive. Compliance records were organized and available at the time of the site inspection, during interviews with Akaysha and upon request to the auditee. Relevant compliance documentation and records were being collected and reported as required to provide verification of compliance with statutory requirements. No reportable incidents and complaints were recorded during the audit period. Some findings and recommendations were made during the audit and are reported in Appendix A, Section 3.2 and summarised below.

In summary:

- There were sixty-five (65) Conditions assessed.
- Forty-seven (47) Conditions were considered by the Auditor to be compliant.
- Four (4) non-compliances were identified during this Audit, primarily of an administrative nature and related to:
    - timing of vegetation clearing (B14);
    - timing of notifying commencement of works (C7);
    - timing of conducting the first independent audit (C14); and
    - project website content (C20).

  The non-compliances associated with B14 and C7 were closed.
- Two (2) observations were made related to:
    - the retirement of biodiversity offset credits (B12); and
    - the management of dust during the Christmas shutdown period (B20).
- Fourteen (14) Conditions were considered by the Auditor to be not triggered.

The Auditor would like to thank the auditees for their high level of organisation, cooperation, and assistance during the Audit.

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The assessment of actual impacts and those predicted in the Environmental Impact Assessment(s) was a high-level assessment qualitative assessment only. The Environmental Impact Assessment(s) include a voluminous number of studies and predictions that relied on observation, measurement and modelling of the existing environments and potential outcomes arising from the Project (including mitigation measures). Full assessment of the accuracy of these predictions would also require a significant number of studies involving measurement and modelling using actual data points as inputs. Other than the requirements specified in the report, to the Auditor's knowledge there are no requirements to undertake such studies and doing so does not form part of this Independent Audit.

Audits of all post approval documents prepared to satisfy the conditions, including an assessment of the implementation of Environmental Management Plans and Sub-plans, adopts a Judgement Based Sampling approach. Judgement Based Sampling is the process of selecting a sample of commitments and evidence from within the total available data set (population) to obtain and evaluate evidence about some characteristic of that population, in order to form a conclusion concerning the population.

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APPENDIX A – SSD 45242780 CONDITIONS OF CONSENT

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
PART A ADMINISTRATIVE CONDITIONS				
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
A1	In meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction, commissioning, upgrading, operation, decommissioning or rehabilitation of the development.	Evidence referred to elsewhere in this table. Site inspection and interview with auditees 17/12/2024 Site photos – Appendix E	The review of project records and the visual inspection of the site indicated that the applicant have implemented reasonable and feasible measures to prevent environmental impacts.	Compliant
TERMS OF CONSENT				
A2	The development may only be carried out: a) in compliance with the conditions of this consent; b) in accordance with all written directions of the Planning Secretary; c) generally in accordance with the EIS; and d) generally in accordance with the Development Layout in Appendix 1.	Development Consent - Orana Battery Energy Storage System SSD 45242780 approved by Executive Director Energy, Resource and Industry Assessments on 22/12/2023 Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI Environmental Impact Assessment Orana Battery Energy Storage System Final v2.1 18/04/2023 prepared by NGH Weekly Site Inspection 13/12/2024 Akaysha/FKG Weekly Site Inspection 28/11/2024 Akaysha/FKG Weekly Site Inspection 31/10/2024 Akaysha/FKG TfNSW Site Inspection Report for 6945 Goolma Road, prepared by Barker Ryan Stewart (BRS) in the following dates: – Site Inspection No.1: 4/09/2024 – Site Inspection No.2: 20/09/2024 – Site Inspection No.3: 23/09/2024 – Site Inspection No.4: 24/09/2024 – Site Inspection No.5: 25/09/2024 – Site Inspection No.6: 01/10/2024 – Site Inspection No.7: 02/10/2024 – Site Inspection No.8: 02/10/2024 – Site Inspection No.9: 21/10/2024 – Site Inspection No.10: 02/11/2024	The auditees noted that there were no written directions from the Planning Secretary other than responses to documentation submitted for approval as reported elsewhere in this table. Development was observed to be generally carried out in accordance with the EIS, and the approved plans prepared for the project. The Construction Certificate (CC) has not yet been issued for the project, as none of the works requiring a CC have commenced. Weekly site inspections are being regularly undertaken for the project, covering areas such as housekeeping, tools and equipment, permits/SWMS, quality, mobile plant, and environmental aspects, including sediment controls, water drainage, air quality, solid/liquid waste, stockpiles, and chemical storage. TfNSW Site Inspection Reports were undertaken by Barker Ryan Stewart (BRS), an independent project verifier working on behalf of TfNSW to ensure compliance. A total of 19 site inspection reports were prepared for the project, as evidenced by the documents provided. During the site inspection, it was observed that construction works were confined within the site footprint, secured by the installed fence (refer to site photos).	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
		– Site Inspection No.11: 04/11/2024 – Site Inspection No.12: 06/11/2024 – Site Inspection No.13: 07/11/2024 – Site Inspection No.14: 14/11/2024 – Site Inspection No.15: 19/11/2024 – Site Inspection No.16: 25/11/2024 – Site Inspection No.17: 29/11/2024 – Site Inspection No.18: 06/12/2024 – Site Inspection No.19: 09/12/2024		
A3	The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of: a) any strategies, plans or correspondence that are submitted in accordance with this consent; b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and c) the implementation of any actions or measures contained in these documents.	Letter 04/03/2024 DPHI-Akaysha re: Approval to increase the approved capacity of the battery energy storage system Letter 20/11/2024 DPHI-Akaysha re: Stage 1 Road Upgrade - OOHW	On 04/03/2024, the Department approved a 15 MW increase to the total delivery capacity prescribed in Condition A5, bringing the total to 415 MW, with instructions to make this information publicly available on the project website at the earliest convenience. On 20/11/2024, the Department approved the out-of-hours request to extend working hours from 1 PM to 5 PM each Saturday until the completion of Stage 1, which involves the construction of road upgrades at Goolma Road. The Department also instructed that this information be made publicly available on the project website at the earliest convenience.	Compliant
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	Interview with auditees 17/12/2024	No directions from the Department to date, other than approvals of documents under the SSD. No inconsistencies reported or identified during the audit.	Not triggered
BATTERY STORAGE RESTRICTION				
A5	Unless the Planning Secretary agrees otherwise in writing, the battery storage associated with the development must not exceed a total delivery capacity of 400 MW. *Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage in the future.*	Akaysha letter to DPHI dated 1/02/2024: Request to marginally exceed 400MW capacity due to technology and performance enhancements DPHI letter to Development ANZ dated 4/03/2024, re: Request to increase the approved capacity of the BESS https://akayshaenergy.com/projects/orana-bess	DPHI, in correspondence to Development ANZ dated 4/03/2024, approved a 15 MW increase to the total delivery capacity prescribed in Condition A5, to a total of 415 MW. DPHI required that the approval of increase capacity be made publicly available on the project website. The approval to increase capacity is uploaded in the project website	Compliant
UPGRADING OF BATTERY STORAGE AND ANCILLARY INFRASTRUCTURE				
A6	The Applicant may upgrade the battery storage and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.	Interview with auditees 17/12/2024	No upgrades reported to date. Design has reportedly remained within the approved development footprint	Not triggered

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
STRUCTURAL ADEQUACY				
A7	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia. *Notes:* • *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.* • *The EP&A Regulation sets out the requirements* for the certification of the development.	Email 14/06/2024 CPP-Dubbo Council re: Orana BESS Construction Certificate Email 19/06/2024 Dubbo Council-PCC re: response to query – Construction Certificate for the Project Email osader@conpower.com.au to Council dated 14 June 14 2024, re: Orana BESS construction certificates	Consolidated Power Projects made a query on 14/06/2024 to Dubbo Council regarding the Construction Certificate for the project. In that email it identified the following items requiring construction certificates in accordance with discussions with Council: 1. 2x Transformer bunds including pre-cast fire walls. 2. 448x Tesla Megapack battery blocks including foundations. 3. 1x Control building including foundation and stormwater drainage. 4. 2x Switchgear buildings including foundation and stormwater drainage. 5. 1x Operation & Maintenance building including foundation and stormwater drainage. On 19/06/2024, Dubbo Council responded to the query and noted that in addition, the only building work that would need to be the subject of a Construction Certificate is the perimeter fencing and the water storage tanks. No Construction Certificates (CC) have been issued to date as the above works have not been commenced. The auditee advised that CCs are in progress (not triggered to date, until the design is completed) and that Section 68 approvals under the *Local Government Act 1993* are not require for the current work stages. The project is still in Stage 1.	Compliant
DEMOLITION				
A8	The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Interview with auditees 17/12/2024	No demolition of buildings or infrastructure required.	Not triggered
PROTECTION OF PUBLIC INFRASTRUCTURE				
A9	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. *Note: 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.*	Pre-Construction Geotagged Condition Survey OPT-33290, Lot 2 6945 Goolma Road, Montefiores NSW (inspection date: 23/04/2024) prepared by Aus Dilaps	Pre-Construction Geotagged Condition Survey OPT-33290, at Lot 2 6945 Goolma Road, Montefiores NSW of Council assets was undertaken by AusDilaps and include kerbs, gutters, footpaths and roadways. No repair works or relocation of public infrastructure since the project commenced. Note: Relocated infrastructure includes an electrical pole. The Jemena gas line (across Goolma Road) will need to be relocated.	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
OPERATION OF PLANT AND EQUIPMENT				
A10	All plant and equipment used on site, or in connection with the development, must be: a) maintained in a proper and efficient condition; and b) operated in a proper and efficient manner.	Orana BESS Plant List Asset Repair & Maintenance History Report – Spreader Truck, FH Asset Repair & Maintenance History Report – Soil Compactor, FH	The Orana BESS Plant List was provided, including the plant ID, plant register name, make, status, organization name, last service date, and next service date. Asset Repair & Maintenance History Report for spreader truck and soil compactor was provided showing all the repair and maintenance undertaken to the equipment.	Compliant
SUBDIVISION				
A11	The Applicant may subdivide land comprising the site for the purposes of carrying out the development as identified in Appendix 3 and in accordance with the requirements of the EP&A Act, EP&A Regulation and the Conveyancing Act 1919 (NSW). *Notes:* • *Under Part 6 of the EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision.* • *Division 6.4 of Part 6 of the Act sets out the application requirements for subdivision certificates.*	DP1301494 - Plan of Subdivision of Lot 2 DP1226754 and Right of Access affecting Lot 2 DP1136578, 24/04/2024, Pat Clarkstone Plan Information Notice 24/04/2024 issued by Land Registry Services	Land has been purchased by Akaysha via a land agreement. and the site has been subdivided and registered in the land title office. DP1301494 - Plan of Subdivision of Lot 2 DP1226754 and Right of Access affecting Lot 2 DP1136578 was provided prepared by Pat Clarkstone and was registered on 24/04/2024 under Dubbo Regional Council. Plan Information Notice for DP1301494 was issued by Land Registry Services indicating that land was officially registered.	Compliant
APPLICABILITY OF GUIDELINES				
A12	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	CEMP and subplans	The management plans appear to reference the current guidelines, standards and protocols relevant to the topics that each document addresses during construction phase.	Compliant
COMPLIANCE				
A13	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Orana BESS Specific Induction V3 April 2024 Orana BESS – Completed Induction Report current to 10/12/2024 Email 26/11/2024 Akaysha-Stemar re: Deliver - MU Incomer BCT200 External Current Transformers Project Directions and Requirement prepared by Akaysha issued to service providers and suppliers Traffic Management Plan – Orana BESS version 1.6 Jan 2024 by Akaysha	Orana BESS Specific Induction V3 April 2024 was prepared that cover critical information to ensure that workers and visitors understand the site's safety, operational, and compliance requirements. The Orana BESS Completed Induction Report, current as of 10/12/2024, was sighted. It showed site workers inducted from 21/09/2024 to the present, with a total of 197 workers inducted. Email dated 26/11/2024 from Akaysha was provided, sharing the Traffic Management Plan with the supplier of MU Incomer BCT200 External Current Transformers. The plan is to be distributed to drivers traveling to the site. The Project Directions and Requirements document, prepared by Akaysha, specifies that delivery drivers must report to the site office upon arrival and complete an induction.	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
EVIDENCE OF CONSULTATION				
A14	Where conditions of this consent require consultation with an identified party, the Applicant must: a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and b) provide details of the consultation undertaken including: i. the outcome of that consultation, matters resolved and unresolved; and ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	Orana Battery Energy Storage System Traffic Management Plan Stage 1 (Rev L, 19/09/2024) prepared by Amber Traffic & Transportation Direction. Email 17/04/2024 Akaysha-resident re: Consultation for traffic management Email 5/04/2024 Akaysha-Foreland re: Consultation for traffic management Email 15/02/2024 Akaysha- residents re: Consultation for traffic management Letter 20/09/2024 TfNSW-Akaysha re: TfNSW response/review of the draft TMP Consultations undertaken for amending work hours (on Saturdays): Email 30/09/2024 Akaysha-TfNSW re: Request to amend construction hours Email 22/11/2024 TfNSW-Akaysha re: Response to request to amend construction hours Email 26/06/2024 Akaysha-DRC (Dubbo Regional Council) re: Orana BESS queries Email 26/09/2024 Akaysha-DRC re: Orana BESS queries / increasing works hours on Saturdays Email 09/10/2024 DRC-Akaysha re: response / increasing works hours on Saturdays Email 9/09/2024 Akaysha-PalmersFarm re: Road works – Goolma Road on Saturday hours (consultation) Email 10/09/2024 PalmersFarm- Akaysha re: response to consultation Consultation Log and Correspondence on Heritage (Stage 1.1) by Akaysha Email 18/07/2024 Akaysha-FireNSW re: Consultation Orana BESS Fire Safety Study	Consultation records required for the TMP were included in Appendix B of the plan. Consultations were undertaken for amending work hours on Saturdays. Consultation Log and Correspondence prepared by Akaysha provide details of consultations undertaken with Heritage NSW and other relevant stakeholders. Consultation for Orana BESS Fire Safety Study undertaken with FRNSW.	Compliant
COMMUNITY ENHANCEMENT				
A15	Prior to commencing construction, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a VPA with Council in accordance with: a) Division 7.1 of Part 7 of the EP&A Act; and b) the terms of the correspondence dated 27 November 2023, which are summarised in Appendix 6.	Planning Agreement for Orama BESS and Dubbo regional Council 2/08/2024 Letter 10/09/2024 Akaysha to DPHI re: Commencement of Goolma Road and Enabling Site Works – 29/08/2024	The Planning Agreement between Orana BESS and Dubbo Regional Council was sighted. The Execution Agreement was signed by the Mayor and John Mullins, a representative from Wellington Battery Project Co P/L, on 2/08/2024, prior to the commencement of construction on 29/08/2024.	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
PART B ENVIRONMENTAL CONDITIONS - GENERAL				
TRANSPORT				
Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions				
B1	The Applicant must ensure that: a) the development does not generate more than: i. 35 heavy vehicle movements a day during construction, upgrading or decommissioning; ii. 30 light vehicle movements, 5 shuttle bus vehicle movements and 5 heavy vehicle movements during the AM (6-7 am) or PM (5-6 pm) project peak hours during construction, upgrading or decommissioning; and iii. 6 movements of heavy vehicles requiring escort during construction, upgrading or decommissioning; and b) the length of any vehicles (excluding heavy vehicles requires escort) used for the development does not exceed 26 metres, unless the Planning Secretary agrees otherwise.	Orana BESS Stage 1 Traffic Management Plan Rev L, 19/09/2024 prepared by Amber Monthly Vehicle Movements Sept to Nov 2024 by PCC Escorted Vehicle Movements 2024 by PCC Email 24/10/2024 Akaysha-TfNSW re: OSOM movement notification Oversize and/or Overmass (OSOM) Mass or Dimension Exemption Permit No. 1123996V1 issued by National Heavy Vehicle Regulator (NHVR) - permit period 1/11/2024-31/01/2025	Section 3.7 of the TMP details the traffic movement on site. Section 3.7.3 provide the heavy vehicle access route. CPP monitors vehicles movements and prepares Monthly Vehicle Movements reports. Monthly Vehicle Movement reports from September to November 2024, detailing the number of heavy and light vehicles every day and during peak and off-peak hours were provided during the audit. A review of the Monthly Vehicle Movements reports (heavy, light and during peak hours) indicates that the Project complied with the limits in Condition B1. It is noted on the 19, 20 and 21 November, 34, 33 and 31 light vehicle movements were recorded during peak hour. These numbers have been interpreted as light vehicle plus shuttle buses. Escorted Vehicle Movements 2024 report, prepared by PCC, was presented, highlighting three movements of escorted vehicles during the audit period. Email dated 24/10/2024 from Akaysha to TfNSW notifying the upcoming OSOM movements for Orana BESS. OSOM or Dimension Exemption Permit No. 1123996V1 was issued by NHVR for the transport of the prime mover, low loader dolly, and gooseneck platform.	Compliant
B2	The Applicant must keep accurate records of the number of heavy vehicles requiring escort and heavy vehicles entering or leaving the site each day for the duration of the project.	Monthly Vehicle Movements Sept to Nov 2024 by PCC Escorted Vehicle Movements 2024 by PCC Email 24/10/2024 Akaysha-TfNSW re: OSOM movement notification OSOM or Dimension Exemption Permit No. 1123996V1 issued by NHVR - permit period 1/11/2024-31/01/2025	Monthly Vehicle Movements report from September to November 2024 was prepared by PCC, detailing the number of heavy and light vehicles during peak and off-peak hours. Escorted Vehicle Movements 2024 report, prepared by PCC, was presented, highlighting three specific dates that required escorted vehicles. Email dated 24/10/2024 from Akaysha to TfNSW notifying the upcoming OSOM movements for Orana BESS. OSOM or Dimension Exemption Permit No. 1123996V1 was issued by NHVR for the transport of the prime mover, low loader dolly, and gooseneck platform.	Compliant
Access Route				

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B3	All heavy vehicles associated with the development must travel to and from the site via: a) Castlereagh Highway and Goolma Road; or b) Mitchell Highway and Goolma Road, as shown in Appendix 4.	Orana BESS - Heavy Vehicle Route Map Orana BESS Stage 1 Traffic Management Plan Rev L, 19/09/2024 prepared by Amber Letter 8/10/2024 DPHI- Akaysha re: approval of Traffic Management Plan Project Directions and Requirement prepared by Akaysha issued to service providers and suppliers OSOM or Dimension Exemption Permit No. 1123996V1 issued by NHVR - permit period 1/11/2024-31/01/2025	Orana BESS - Heavy Vehicle Route Map that provides directions from Selwyn Street, Mayfield North NSW to 6945 Goolma Road, Montefiores NSW 2820, Australia Section 3.7 of the TMP details the traffic movement on site. Section 3.7.3 provide the heavy vehicle access route. The plan was approved by the Department on 8/10/2024. Refer to Condition A13 The Project Directions and Requirements document, prepared by Akaysha, includes the route to the site and specifies that delivery drivers must report to the site office upon arrival, complete an induction, and that the document is provided to all service providers and suppliers for guidance and compliance. OSOM or Dimension Exemption Permit No. 1123996V1 was issued by NHVR for the transport of the prime mover, low loader dolly, and gooseneck platform.	Compliant
B4	All heavy vehicles requiring escort associated with the development must travel to and from the site via the Mitchell Highway and Goolma Road, as described in the EIS.	Project Directions and Requirement prepared by Akaysha issued to service providers and suppliers Oversize and/or Overmass (OSOM) Mass or Dimension Exemption Permit No. 1123996V1 issued by NHVR - permit period 1/11/2024-31/01/2025	The Project Directions and Requirements document, prepared by Akaysha, includes the route to the site and specifies that delivery drivers must report to the site office upon arrival, complete an induction, and that the document is provided to all service providers and suppliers for guidance and compliance. Oversize and/or Overmass (OSOM) Mass or Dimension Exemption Permit No. 1123996V1 was issued by NHVR for the transport of the prime mover, low loader dolly, and gooseneck platform.	Compliant
Site Access				
B5	All vehicles associated with the development must enter and exit the site via the site access point off Goolma Road as identified in Appendix 1.	Site inspection 17/12/2024 Site photos – Appendix E	During the site inspection, it was observed that only one access point to the site was provided off Goolma Road.	Compliant
B6	Prior to commencing construction, the Applicant must close and remove the existing site access servicing Lot 2 DP1136578.	Site inspection 17/12/2024 Site photos – Appendix E	During the site interview, the auditees noted that access to Lot 2 was removed prior to the commencement of construction. Refer to the site photos for reference. The previous access was observed closed during the site inspection.	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Road Upgrades				
B7	Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must complete the road upgrades detailed in Appendix 5. Unless the relevant road authority agrees otherwise, these upgrades must comply with the current Austroads Guidelines, Australian Standards and TfNSW supplements, and be carried out to the satisfaction of the relevant roads authority.	Site inspection 17/12/2024 DPHI letter to Akaysha dated 19/07/2024, re: Orana BESS – Road Upgrade and Enabling site works request TfNSW Site Inspection Report for 6945 Goolma Road, prepared by Barker Ryan Stewart (BRS) in the following dates: – Site Inspection No.1: 4/09/2024 – Site Inspection No.2: 20/09/2024 – Site Inspection No.3: 23/09/2024 – Site Inspection No.4: 24/09/2024 – Site Inspection No.5: 25/09/2024 – Site Inspection No.6: 01/10/2024 – Site Inspection No.7: 02/10/2024 – Site Inspection No.8: 02/10/2024 – Site Inspection No.9: 21/10/2024 – Site Inspection No.10: 02/11/2024 – Site Inspection No.11: 04/11/2024 – Site Inspection No.12: 06/11/2024 – Site Inspection No.13: 07/11/2024 – Site Inspection No.14: 14/11/2024 – Site Inspection No.15: 19/11/2024 – Site Inspection No.16: 25/11/2024 – Site Inspection No.17: 29/11/2024 – Site Inspection No.18: 06/12/2024 Site Inspection No.19: 09/12/2024 Refer also to B8	From the visual inspection of the construction site undertaken on the 17 December 2024 as part of the audit it appears that the Goolma Road upgrade works (which were underway at the time of the audit) were consistent with those described in Appendix 5 of SSI-45242780. Refer to Condition B8. During construction, TfNSW Site Inspection Reports were undertaken by Barker Ryan Stewart (BRS), an independent project verifier working on behalf of TfNSW to ensure compliance. A total of 19 site inspection reports were prepared for the project, as evidenced by the documents provided. DPHI, in correspondence dated 19/07/2024, conditionally approved the commencement of some enabling works in parallel to the Goolman Road upgrade. Stages 2 not to commenced until the completion of the Goolman Road upgrade (refer to second letter from DPHI, Stages 2a and 2b do not apply any more).	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B8	Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must provide a Strategic Concept Design to TfNSW for approval, detailing the intersection design identified in Appendix 5. The Strategic Concept Design must satisfy the requirements set out in Appendix 6 and the applicable guidelines and standards identified in condition B7.	6945 Goolma Road, Montefiores – Detailed Design Verification (Ref No. 240367) - Schedule 8 - Detailed Design Documents Certificate by Barker Ryan Stewart Letter 30/04/2024 TfNSW-Akaysha re: Post Consent to Condition B7, B8 Letter 13/09/12024 TfNSW-Akaysha re: Approval to Commence Construction Letter 13/09/12024 TfNSW-Akaysha re: Detailed Design Acceptance	Detailed Design Documents were certified by Barker Ryan Stewart. TfNSW approved the strategic concept design and swept paths for the intersection treatments required to facilitate safe turning movements for the project on 30/04/2024. The TfNSW, in its letter dated 13/09/2024, acknowledged receipt of and accepted all pre-construction documentation, authorizing works to commence within the State Road Reserve. TfNSW approved the detailed design documentation on 13/09/2024 and noted that its validity is for 2 years from the date of approval.	Compliant
Operating Conditions				
B9	The Applicant must ensure: a) the internal roads are constructed and maintained as all-weather roads; 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; c) the capacity of the existing roadside drainage network is not reduced; d) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and e) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.	Site inspection 17/12/2024 Pavement Plans (7 sheets) 12/08/2024 prepared by Quanta Services	Pavement plans dated 12/08/2024 was prepared by Quanta Services showing internal pavement works for the project. All vehicles observed parked on site. Light vehicle carpark have capacity for about 30-40 spaces. The drainage system in Goolma Road is currently being upgraded as part of the road works package. All vehicles were observed loaded and unloaded on site, and leaving the site in a forward direction. No dirt from the project site was observed along the public roads during the site inspection.	Compliant
Traffic Management Plan				
B10	Prior to commencing road upgrades identified in condition B7, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW, Council and Mid-Western Regional Council, and to the satisfaction of the Planning Secretary. This plan must include: a) details of the transport route to be used for all development-related traffic; b) details of the road upgrade works required by condition B7; c) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including: i. temporary traffic controls, including detours and signage; ii. notifying the local community about development-related traffic impacts; iii. procedures for receiving and addressing complaints from the community about development related traffic; iv. minimising potential cumulative traffic impacts with other projects in the area. v. minimising potential for conflict with school buses and other road users as far as practicable, including preventing queuing on the public road network; vi. minimising dirt tracked onto the public road network from development-related traffic;	Orana Battery Energy Storage System Traffic Management Plan Stage 1 (Rev L, 19/09/2024) prepared by Amber Traffic & Transportation Direction. DPHI letter to Akaysha dated 8/10/2024 re: Orana BESS – Traffic Management Plan Stage 1 DPHI letter to Akaysha dated 8/10/2024 re: Orana BESS – Traffic Management Plan Staging Email 9/09/2024 Akaysha-Palmers Farm re: Consultation for traffic management Email 10/09/2024 Palmers Farm-Akaysha re: Response to Consultation for traffic management Email 17/09/2024 Akaysha-Ross/Kate (residents) re: Consultation for traffic management Email 17/09/2024 Ross/Kate-Akaysha re: Response to Consultation for traffic management	DPHI, in correspondence dated 8/10/24, approved the Traffic Management Plan Stage 1 (Rev L). Consultation records were included in Appendix B of the plan. DPHI, in correspondence dated 8/10/24, approved the staging of the Traffic Management Plan. DPHI conditioned the approval to Stage 2 works only proceeding after the completion of the Goolma Road intersection. The auditees provided evidence of consultation conducted via email regarding the Traffic Management Plan (TMP), which was sent to nearby residents, TfNSW, and Dubbo Regional Council. Stage 2 works have not commenced at the time of the audit site.	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	vii. details of the employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage employee use of this service as described in the EIS; viii. encouraging car-pooling or ride sharing by employees; ix. scheduling of heavy vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles; x. responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding; xi. responding to any emergency repair or maintenance requirements; and xii. a traffic management system for managing heavy vehicles requiring escort; d) a driver's code of conduct that addresses: i. driver fatigue; ii. procedures to ensure that drivers adhere to the designated transport routes and speed limits; and iii. procedures to ensure that drivers implement safe driving practices; and e) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan. Following the Planning Secretary's approval, the Applicant must implement the Traffic Management Plan.	Letter 20/09/2024 TfNSW-Akaysha re: TfNSW response/review of the draft TMP Email 26/06/2024 Akaysha-DRC (Dubbo Regional Council) re: Orana BESS queries		
BIODIVERSITY				
Vegetation Clearance				
B11	The Applicant must not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.	Orana BESS Habitat Tree and Pre-Clearance Report June 2024 V2.0 21/06/2024 by NGH Letter 12/09/2024 NGH-Akaysha re: Orana BESS HBT removal and Ecologist supervision Report: Pre-clearing checks for fauna and flora (48 hours prior) prepared by NGH (12,17, 18, 19, 20, 21, 23, 24, 25 September 2024) for Stage 1 Report: Pre-clearing check for fauna and flora (48 hours prior) prepared by NGH (21, 22, 23, 25, 26, 27, 28 November 2024) for Stage 2	Pre-clearance surveys were undertaken by ecologist specialists NGH on two occasions. These were documented in Orana BESS Habitat Tree and Pre-Clearance Report June 2024 V2.0 21/06/2024 by NGH and Letter 12/09/2024 NGH-Akaysha re: Orana BESS Letter of Advice HBT clearing for Sept 2024 – Stage 1 The first survey was undertaken between the 8 and10 May 2024 by NGH qualified Ecologist to: • confirm previously identified or new, significant fauna habitat features and breeding places within the disturbance footprint and or/animal activity. • clearly mark all Hollow Bearing Trees (HBTs) planned for removal to prepare for staged clearing. • clearly mark all trees to be retained, to inform the Project Arborist prior to the installation of tree protection zones (TPZ). • identify and mark items that may provide animal habitat, such as hollow logs and rock piles, to be retained and moved outside of the project boundary for use by fauna. • identify current Priority weed infestations. The second survey was undertaken between the 3 and 7 June 2024 by NGH qualified Ecologist and the Project Arborists. This survey was	Compliant

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<tr><td></td><td></td><td></td><td>specifically targeted at the HBTs planned for removal and was conducted via elevated work platform (EWP) to;
• assess if wildlife was present within the hollows and if any wildlife breeding had commenced in hollows.
• confirm if previously recorded (from the ground) tree hollows were suitable for wildlife breeding.
• block any unoccupied hollow entrances deemed suitable habitat, to prevent nesting activities in advance of the Spring breeding season (August through to October) when clearing is planned to take place.
In addition, pre-clearing checks for fauna and flora (49 hours prior) were undertaken by NGH (Veronica Philips, an ecologist from NGH P/L) for Stage 1 and Stage 2 to confirm that all relevant measures have been implemented as required.
The evidence provided indicates that the clearing works have been supervised by ecologists from NGH.</td><td></td></tr>
<tr><td colspan="5">Biodiversity Offsets</td></tr>
<tr><td>B12</td><td>Prior to carrying out any development 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 1 below. The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:
a) acquiring or retiring ‘biodiversity credits’ within the meaning of the Biodiversity Conservation Act 2016;
b) making payments into an offset fund that has been developed by the NSW Government; or
c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.
Table 1: Species Credit Requirements
<table><tr><th>Species Credit Species</th><th>Credits Required</th></tr><tr><td>Pink-tailed Legless Lizard (Aprasia parapulchella)</td><td>49</td></tr><tr><td>Superb parrot (Polytelis swainsonii)</td><td>46</td></tr><tr><td>Masked Owl (Tyto novaehollandiae)</td><td>33</td></tr><tr><td>Key’s Matchstick Grasshopper (Keyacris scurra)</td><td>7</td></tr><tr><td>Ausfeld's Wattle (Acacia ausfeldii)</td><td>9</td></tr><tr><td>Tumut Grevillea (Grevillea wilkinsonii)</td><td>13</td></tr><tr><td>Prasophyllum sp. Wybong</td><td>13</td></tr><tr><td>Silky Swainson pea (Swainsona sericea)</td><td>9</td></tr><tr><td>Small Purple pea (Swainsona recta)</td><td>9</td></tr><tr><td>Euphrasia arguta</td><td>10</td></tr></table></td><td>Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation (issued by the Biodiversity Conservation Trust, dated 27/02/2024 (date received) BCT ref: BCF678
Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation (issued by the Biodiversity Conservation Trust, dated 1/11/2024 (date received) BCT ref: BCF794
Charge Quote Q00483 was issued by the BCT to Akaysha on 10 October 2024
Emails from/to BCT to ngh dated 10/10/24, 9/01/25, 10/01/25 and 15/01/25</td><td>Two Statements issued by the Biodiversity Conservation Trust confirming payment were provided as evidence of payment for the biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund under BCT reference numbers BCF678, for $191,834.34 (excluding GST), dated 24/02/2024, and BCF794, for $445,890.72 (excluding GST).
Observation: The above payments include all the species and credits listed in the species credit requirement, except for Prasophyllum sp. Wybong. This appeared to be an administrative mistake as BCT had advised the Applicant that it could not accept payment for Species Prasophyllum sp. Wybong as it is not listed under the BC Act. During this audit, the applicant further consulted with BCT who advised that it could instead provide a quote for Prasophyllum sp. Petilum. In response the applicant submitted in January 2025 an application to BCT for the retirement of credits of Prasophyllum Petilum which is listed under the BCT.
Recommendation: No further action recommended other than notifying the Department of the alternative arrangements made for the retirement of credits associated with Prasohyllum sp. in accordance with Condition B12 given that Prasophyllum sp. Wybong is not listed under the BC Act.</td><td>Compliant</td></tr>
</table>

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B13	Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.	Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation (issued by the Biodiversity Conservation Trust, dated 27/02/2024 (date received) BCT ref: BCF678. Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation (issued by the Biodiversity Conservation Trust, dated 1/11/2024 (date received) BCT ref: BCF794. Biodiversity Management Plan (BMP) Orana BESS (rev G, dated 8 November 2024) prepared by WSP.	Appendix C of the BMP attaches the evidence of payment of the credits carried out to date. The BMP was submitted to DPHI and DPHI approved the document. Refer also above in B12 about the administrative error regarding the retirement of credits for the species *Prasophyllum sp. Wybong* which is not listed under the BC Act. The Auditor considers that the Applicant has complied with this condition.	Compliant
Biodiversity Management Plan				

B14	Prior to commencing construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS, and to the satisfaction of the Planning Secretary. This plan must: a) be prepared in accordance with the revised Biodiversity Development Assessment Report (dated 6 September 2024); b) include a description of the measures and timeframes that would be implemented for: i. protecting vegetation and fauna habitat outside the approved disturbance areas; ii. managing the remnant vegetation and fauna habitat on site; iii. minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development; iv. avoiding the removal of hollow-bearing trees during spring to avoid the main breeding period for hollow-dependant fauna; v. minimising the impacts to fauna on site and implementing fauna management protocols, including design of temporary fencing; vi. rehabilitating and revegetating temporary disturbance areas with species that are native to the area; 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 vii. controlling weeds, feral pests and pathogens. c) include a program to monitor and report on the effectiveness of mitigation measures; d) include an incidental threatened species finds protocol to identify the avoid and/or minimise and/or offset options to be implemented if additional threatened species are discovered on site; and e) include details of who would be responsible for monitoring, reviewing and implementing the plan. Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.	DPHI letter to Akaysha dated 20/11/2024, re: Orana BESS – Biodiversity Management Plan Orana BESS Habitat Tree and Pre Clearance Report June 2024 V2.0 21/06/2024 by NGH Letter 12/09/2024 NGH-Akaysha re: Orana BESS HBT removal and Ecologist supervision Report: Pre-clearing check for fauna and flora (48 hours prior) prepared by NGH (12,17, 18, 19, 20, 21, 23, 24, 25 September 2024) for Stage 1 Report: Pre-clearing check for fauna and flora (48 hours prior) prepared by NGH (21, 22, 23, 25, 26, 27, 28 November 2024) for Stage 2 Email DPHI to Akaysha dated 13/09/2024: receival of relevant documentation to support the commencement of HBT removal on 13/09/24 in line with approved BMP	A Biodiversity Management Plan (BMP) Orana BESS was prepared and then revised with MOD 1 (rev G, dated 8 November 2024) prepared by WSP. The BMP was prepared in consultation with BCS as per evidence provided in the BMP. DPHI, in correspondence to Akaysha dated 20/11/2024, approved the revised Orana BESS – Biodiversity Management Plan (rev G, dated 8 November 2024) which included the increased footprint from Modification 1 and the inclusion of a Masked Owl Management Plan Refer to Condition B11. Project records indicate that clearing has been undertaken generally in accordance with the consent (refer to Condition B11 in Appendix A for details) except as discussed below. The evidence provided indicates that the clearing works have been supervised by ecologists from NGH. Pre-clearance surveys were undertaken by NGH on two occasions, between 8 and 10 May 2024 and between 3 and 7 June 2024, and documented in pre-clearance reports. In addition, multiple pre-clearing checks for fauna and flora (48 hours prior) were undertaken by NGH ecologist to confirm that all relevant measures have been implemented as required. NGH records suggest that the BMP has been implemented noting that clearing hollow-bearing trees was undertaken during the spring breeding period. This is documented in the approved BMP (Section 5.3.2) despite B14(iv) indicating the opposite. The Department approved the BMP. Section 5.3.2 of the BMP explicitly states: "As vegetation clearing will occur during local breeding and torpor seasons, being June to November inclusive, a written assessment by the Project Ecologist justifying clearing activities (i.e., no impact to breeding or torpor habitat) must be recorded and made available to DPE prior to works." The ecologist written statement Letter 12/09/2024 *NGH-Akaysha re: Orana BESS HBT removal and Ecologist supervision* indicated that hollow-bearing tree removal is to take place during September to October 2024 during the Spring breeding season and describing pre-clearance surveys and mitigation measures to be implemented. The ecologist written statement 12/09/2024 was submitted to DPHI on 13/09/2024, including notification of commencement of HBT removal on the 13/09/2024. Further, Appendix B of the BMP – Hollow-Bearing Tree (HBT) Clearing Protocol, provides for clearing between June and January. The BMP further stipulates: "Should clearing of hollow-bearing trees be required during the breeding or hibernation periods of threatened species, consultation is to be undertaken with local wildlife carers and/or specialist carers for those faunal groups. Confirmation is to be sought from these groups that they would accept rescued fauna." In accordance with this provision, Akaysha engaged in the required consultations with local wildlife carers, and confirmation has been obtained regarding their acceptance of any rescued fauna. Consultation records were sighted. **Non-compliance**: There is no evidence that the removal of hollow-bearing trees during spring was avoided in accordance with B14(iv) to avoid the main breeding period for hollow-dependent fauna. It is however noted that the approved BMP anticipated vegetation clearing during the local breeding season being June to November and included measures to mitigate impacts associated with it, including a Hollow-Bearing Tree (HBT) Clearing Protocol. Section 5.3.2 of the BMP explicitly states: "As vegetation clearing will occur during local breeding and torpor seasons, being June to November inclusive, a written assessment by the Project Ecologist justifying clearing	Non-compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
			activities (i.e., no impact to breeding or torpor habitat) must be recorded and made available to DPE prior to works." An ecologist written statement dated 12/09/2024 was prepared and was submitted to DPHI on 13/09/2024, including notification of commencement of HBT removal on the 13/09/2024. Project records suggest that mitigation measures were implemented in accordance with the BMP. The auditor considered that the Applicant has complied with the approved BMP, but a technical non-compliance against Condition B14(iv) has been included the audit report with no further action required. The auditor assumes that the Department was aware of the proposed timing of clearing and was satisfied with the mitigation proposed. The auditor noted the range of mitigation measures implemented by the auditee and specialist ecologists NGH prior to and during clearing including pre-clearance surveys, blocking unoccupied hollow entrances, thorough surveys 48 hours prior to clearing, confirm that hollows are unoccupied prior to clearing and other measures in accordance with the Biodiversity Management Plan which suggested the no impact occurred on hollow-dependent fauna.	
AMENITY				
Construction Hours				
B15	Road upgrades, construction, commissioning, demolition, upgrading or decommissioning activities (excluding blasting) may only be undertaken between: a) 7 am to 6 pm Monday to Friday; b) 8 am to 1 pm Saturdays; and c) at no time on Sundays and NSW public holidays; unless the Planning Secretary agrees otherwise.	Site inspection and interviews on 17/12/2024 DPHI letter to Akaysha dated 20/11/2024, re: Orana BESS – Stage 1 Road Upgrade – Out of Hours Works Email 30/09/2024 Akaysha-TfNSW re: Request to amend construction hours Email 22/11/2024 TfNSW-Akaysha re: Response to request to amend construction hours Email 26/06/2024 Akaysha-DRC (Dubbo Regional Council) re: Orana BESS queries Email 26/09/2024 Akaysha-DRC re: Orana BESS queries / increasing works hours on Saturdays Email 09/10/2024 DRC-Akaysha re: response / increasing works hours on Saturdays Email 9/09/2024 Akaysha-PalmersFarm re: Road works – Goolma Road on Saturday hours (consultation) Email 10/09/2024 PalmersFarm- Akaysha re: response to consultation	No out of hours works (OOHW) reportedly required to date. In correspondence dated 20/11/2024 DPHI approved a request from Akaysha (dated 30/10/24) to extend work hours on Saturdays from 1pm to 5pm until the 28 February 2025 associated with Stage 1 the construction of the road upgrades at Goolma Road. The agreement was conditional to TfNSW also providing written agreement to the extended hours. Akaysha consulted with TfNSW on 30/09/2024 regarding amendments to construction hours for the Orana BESS project. On 22/11/2024, TfNSW responded, noting no objection to the proposed increase in working hours on Saturdays. Akaysha consulted with Dubbo Regional Council (DRC) on 26/06/2024 regarding project parking, shuttle bus locations, and roadworks. Additionally, on 26/09/2024, Akaysha consulted DRC about increasing work hours on Saturdays. On 09/10/2024, DRC responded, agreeing to the extended Saturday work hours, noting that this would enhance productivity, reduce traffic interruptions, and ultimately minimize the impact on residents and the community. Akaysha sent a consultation to Carl Palmer (Palmers Farm) on 09/09/2024 regarding Saturday work hours for the roadworks on Goolma Road. On 10/09/2024, Palmer responded with no objections.	Compliant
Exceptions to Construction Hours				

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B16	The following activities may be carried outside the hours specified in condition B15 above: a) commissioning activities that are inaudible at non-associated residences b) the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or c) emergency work to avoid the loss of life, property or prevent material harm to the environment.	Site inspection and interviews on 17/12/2024	Not reportedly required to date	Not triggered
Variation of Construction Hours				
B17	The hours of construction activities specified in condition B15 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be: a) considered on a case-by-case or activity-specific basis; b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours; c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been or will be undertaken; d) accompanied by evidence that all feasible and reasonable noise mitigation measures have been put in place; and e) accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECC, 2009), or latest version.	Site inspection and interviews on 17/12/2024 DPHI letter to Akaysha dated 20/11/2024, re: Orana BESS – Stage 1 Road Upgrade – Out of Hours Works Email 30/09/2024 Akaysha-TfNSW re: Request to amend construction hours Email 22/11/2024 TfNSW-Akaysha re: Response to request to amend construction hours Email 26/06/2024 Akaysha-DRC (Dubbo Regional Council) re: Orana BESS queries Email 26/09/2024 Akaysha-DRC re: Orana BESS queries / increasing works hours on Saturdays Email 09/10/2024 DRC-Akaysha re: response / increasing works hours on Saturdays Email 9/09/2024 Akaysha-PalmersFarm re: Road works – Goolma Road on Saturday hours (consultation) Email 10/09/2024 PalmersFarm- Akaysha re: response to consultation	In correspondence dated 20/11/2024 DPHI approved a request from Akaysha (dated 30/10/24) to extend work hours on Saturdays from 1pm to 5pm until the 28 February 2025 associated with Stage 1 the construction of the road upgrades at Goolma Road. The agreement was conditional to TfNSW also providing written agreement to the extended hours. Akaysha consulted with TfNSW on 30/09/2024 regarding amendments to construction hours for the Orana BESS project. On 22/11/2024, TfNSW responded, noting no objection to the proposed increase in working hours on Saturdays. Akaysha consulted with Dubbo Regional Council (DRC) on 26/06/2024 regarding project parking, shuttle bus locations, and roadworks. Additionally, on 26/09/2024, Akaysha consulted DRC about increasing work hours on Saturdays. On 09/10/2024, DRC responded, agreeing to the extended Saturday work hours, noting that this would enhance productivity, reduce traffic interruptions, and ultimately minimize the impact on residents and the community. Akaysha sent a consultation to Carl Palmer (Palmers Farm) on 09/09/2024 regarding Saturday work hours for the roadworks on Goolma Road. On 10/09/2024, Palmer responded with no objections.	Compliant
Noise				

<table>
<tr><th>SSD ID No.</th><th>Compliance Requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th></tr>
<tr><td>B18</td><td>The Applicant must:
a) minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with best practice requirements outlined in the Interim Construction Noise Guideline (DECC, 2009) or its latest version; and
b) take all reasonable and feasible steps to minimise operational noise and ensure that the noise generated by the operation of the development does not exceed the noise limits in Table 2 below to be determined in accordance with the procedures in the NSW Noise Policy for Industry (EPA, 2017) at any non-associated residences unless the Planning Secretary agrees otherwise.
Table 2: Noise Limit Requirements
<table><tr><th rowspan="3">Location</th><th colspan="4">Noise Limits in dB(A)</th></tr><tr><th>Day</th><th>Evening</th><th>Night</th><th>Night</th></tr><tr><th>$L_{Aeq\ (15min)}$</th><th>$L_{Aeq\ (15min)}$</th><th>$L_{Aeq\ (15min)}$</th><th>L_{AFmax}</th></tr><tr><td>Non-associated residences</td><td>40</td><td>35</td><td>35</td><td>52</td></tr></table></td><td>Construction & Operational Noise & Vibration Assessment Rev 6, 31/03/2023 prepared by Renzo Tonin & Asso.</td><td>The Construction & Operational Noise & Vibration Assessment (CONVA)) (Rev 6), dated 31/03/2023 and prepared by Renzo Tonin & Associates, noted that noise emissions from the construction phase of the project are predicted to exceed the nominated criteria at one (1) of the nearest receiver locations when the three (3) loudest items of plant and equipment operate concurrently and at the closest proximity to the receiver. In-principle recommendations are provided in Section 4.4 to limit the potential impact of construction noise to acceptable levels.
The assessment determined that the large distance between the site and the nearest affected receivers makes structural damage from construction vibration negligible, with a very low risk of complaints from residents. Additionally, road traffic noise during construction complies with relevant criteria, and operational traffic noise impacts are considered negligible due to minimal traffic movements.
Noise monitoring is not recommended under the CONVA and is required under the Environmental Management Strategy. Noise monitoring has not been undertaken at the site during the audit period and therefore it is not possible to determine compliance with the noise criteria.
Measures observed included induction of employees, no OOHWs, consultation with nearest residents. No complaints received to date.</td><td>Compliant</td></tr>
<tr><td>B19</td><td>Unless the Planning Secretary agrees otherwise, within 3 months of the commencement of operation, the Applicant must prepare and submit a Noise Monitoring Report for the development to the satisfaction of the Planning Secretary. The Noise Monitoring Report must:
a) be prepared by a suitably qualified, experienced and independent acoustic consultant;
b) demonstrate that noise monitoring:
i. has been carried out in accordance with the procedures in the Noise Policy for Industry (EPA, 2017); and
ii. includes monitoring during the day, evening and night periods during operational, temperature and meteorological conditions that would represent typical worst-case scenarios where reasonable and feasible; and
c) include:
i. 1/3 octave data and calculated sound power levels along with a discussion of any excessive annoying characteristics and directionality;
ii. an analysis of compliance with the noise limits specified in condition B18 at R1;
iii. an outline of implemented at-source and transmission pathway mitigation measures and their effectiveness at reducing operational noise; and
iv. a description of contingency measures in the event implemented mitigation measures are not effective at reducing noise levels to comply with limits specified in condition B18 at R1 at all times.
The Applicant must undertake further noise monitoring of the development if required by the Planning Secretary.</td><td>Interview with auditees 17/12/2024</td><td>The project is in the construction phase, this condition will be addressed during operation phase.</td><td>Not triggered</td></tr>
<tr><td colspan="5">Dust</td></tr>
</table>

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B20	The Applicant must minimise the dust generated by the development.	Site inspection and interviews 17/12/2024 Email 13/12/2024 Akaysha-CPPA re: Site Water Carts Email 13/12/2024 CPPA-Akaysha re: response to Site Water Carts query Record of dust on-site security team and weather forecast monitoring during the Christmas break	During the site inspection, it was noted that there are four water carts permanently on site. Three of these are available on a full-time basis to suppress dust, while the other one is used to fill the water tanks on site. CPPA, in its email dated 13/12/2024, confirmed that there are five water carts operating on the BESS site, facilitating dust suppression. **Observation**: At the time of the audit site inspection the site was observed mostly cleared of vegetation and bare soils exposed. Dust generation is managed on site using water carts, speed limits and visual inspections. The site is scheduled for a 2-week Christmas shutdown period and no construction personnel is proposed to be on site during the Christmas shutdown period, other than security staff. **Recommendation**: Monitor dust conditions at the site and weather conditions during the 2 week Christmas break shutdown period and implement measures as required to ensure that dust is not generated during the shutdown period. After the Christmas holiday break, the Applicant provided evidence of visual monitoring conducted / recorded by 24/7 on-site security team and weather forecast monitoring. Water cart and operator were on standby over the holiday period. No complaints reported. This item is considered closed.	Compliant
Visual				
B21	The Applicant must: a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection; b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.	Site inspection 17/12/2024	This is primarily an operational condition. No advertising signs or logos observed during the site inspection.	Compliant
Lighting				
B22	The Applicant must: a) minimise the off-site lighting impacts of the development; and b) ensure that any external lighting associated with the development: i. is installed as low intensity lighting (except where required for safety or emergency purposes); ii. does not shine above the horizontal; and iii. complies with Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version.	Site inspection and interviews 17/12/2024	There are no lights reportedly at night at the site during construction, the only project related lights are safety lights for the road intersection works. Two temporary lighting towers currently used at Goolma Road for safety purposes. The lights only switch on with the movement of vehicles. Traffic controller permanently at the gate (during the night).	Compliant
HERITAGE				
Protection of Heritage Items				

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B23	The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items located outside the approved development footprint.	Site inspection and interviews 17/12/2024	No unexpected findings were reported; the construction footprint is fenced, and construction works were contained within the site. An exclusion zone (including fencing) has been installed around the culturally modified tree (refer to Photos in Appendix E).	Compliant
Chance Finds Protocol				
B24	Prior to the commencement of road upgrade works, the Applicant must prepare a Chance Finds Protocol for the development in consultation with Aboriginal Stakeholders, and to the satisfaction of Heritage NSW. Following approval, the Applicant must implement the Chance Finds Protocol.	Akaysha Chance Finds Protocol, Version 3 dated 12 July 2024, prepared by Virtus Heritage Letter 19/070/2024 DPHI-Akaysha re: Akaysha Chance Finds Protocol Consultation Log and Correspondence on Heritage (Stage 1.1) by Akaysha Email 18/08/2022 Heritage NSW-Akaysha re: response to consultation	A Chance Finds Protocol, Version 3 dated 12 July 2024, was prepared by Virtus Heritage for Akaysha. The Department, in correspondence dated 19/07/2024 to Akaysha, noted that no further comments on the Chage Finds Protocol (V3) at this time and instructed that the documents be made publicly available on the project website at the earliest convenience. The document is available on the project website: https://hdp-au-prod-app-akaysha-energy-files.s3.ap-southeast2.amazonaws.com/5317/2428/7327/Orana_BESS_Chance_Finds_Protocol1.pdf Consultation Log and Correspondence prepared by Akaysha provide details of consultations undertaken with Heritage NSW and other relevant stakeholders. The log includes the name or group of the stakeholder, the date the consultation was sent, the date a response was received, and details of the response. An email dated 18/08/2022 from Heritage NSW to Akaysha provided a list of possible stakeholders within the Dubbo Regional LGA to contact.	Compliant
SOIL AND WATER				
Water Supply				
B25	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply. *Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.*	Site inspection and interviews 17/12/2024 Certificate of Title Box IW (AI877499) Water Management Act 2000 Certificate of Title Water Management Act WAL35136 Date of issue 1/9/2021	Water for dust suppression is used from the sediment basin and from a registered bore on site (groundwater). The licence for the groundwater bore was provided during the audit	Compliant
Water Pollution				
B26	The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.	Site inspection and interviews 17/12/2024	Sediment controls are in place. No water from the site has reportedly been discharged from the sediment basin to date.	Compliant
Operating Conditions				

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B27	The Applicant must: a) minimise any soil erosion and control sediment generation; b) ensure the battery storage and ancillary infrastructure and any other land disturbance associated with the construction, upgrading or decommissioning of the development has appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with the relevant requirements in the Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, or its latest version; c) ensure the battery storage and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site; and d) ensure the battery storage and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site.	Site inspection and interviews 17/12/2024 Erosion & Sediment Control Plan – BESS Yard Rev 0,12/08/2024 prepared by Hatch for CPP, Drawings 12937-CI-DR-00110 and 12937-CI-DR-00111 Soil and Water Management Plan - Road Remediation & Safety Improvements Soil & Water Management Plan - Goolma Road Rev 1,12/09/2024 prepared by Harch for CPP Drawings 2937-CI-DR-00370 and 2937-CI-DR-00371	Erosion & Sediment Control Plans have been prepared by consulting engineers Hatch for the site and for the Goolma Road works, showing the locations of controls and the types of controls required. During the audit site inspection sediment controls were observed in place, including sediment fences and a large sediment basin located at the south-western side of the site (refer to photos in Appendix E). The auditee advised that no water from the site has discharged from the sediment basin to date.	Compliant
HAZARDS				
Fire Safety Study				
B28	Prior to commencing construction of the battery storage, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning Secretary in writing. The study must: a) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline; b) describe the final design of the battery storage; c) include reasonable worst-case bush fire scenario to and from the battery storage and the associated bush fire management; and d) identify measures to eliminate the expansion of any fire incident including: i. adequate fire safety systems and appropriate water supply; ii. separation and / or compartmentalisation of battery units; and iii. strategies and incident control measures specific to the battery storage design. Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study. *Note: 'to the satisfaction of FRNSW' above means confirmation in writing from FRNSW that the Study meets the requirements of FRNSW as required by the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline.*	Fire Hazard and Risk Assessment (FHRA) prepared by NJM Design dated 28 November 2024 (Rev 6) FRNSW written report application for fire safety study by Akaysha (undated) FRNSW Clarification Register Based on the Teams meeting held between Akaysha Energy, NJM and FRNSW on 31/07/2024 prepared by Akaysha Email 18/07/2024 Akaysha-FRNSW re: Orana BESS - FSS Review with FRNSW Request Email 1/08/2024 FRNSW-Akaysha re: response to FSS Review with FRNSW Request Email 29/11/2024 Akaysha-FRNSW re: Submission of documents for Orana BESS - FSS Review	A Fire Hazard and Risk Assessment (FHRA) by NJM Design dated 28 November 2024 (Rev 6) has been prepared in response to condition B28. The auditees noted that the FHRA has been submitted and is under review by FRNSW, as the related documentation was submitted on 29/11/2024. Evidence of consultation on the FHRA with FRNSW dates back to 18 July 2024. The auditor note that the Fire Safety Study, submitted it to FRNSW in accordance with B28, is yet to be approved by FRNSW and DPHI. The interpretation of the timing of this condition made by the Applicant is that approval is required prior to the installation of the Battery Storage (noting that the timing in other conditions is "prior to construction" and not referring specifically to a project item). The audit also notes that the condition refer to operational and design requirements. The Applicant has advised that Revision 6 of the Orana BESS FSS is currently under review from FRNSW & Approval required prior to first BESS arrival July 2025. The auditor agreed with the Applicant interpretation and will review compliance with this condition in the next six monthly audit	Compliant
Storage and Handling of Dangerous Goods				
B29	The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with: a) the requirements of all relevant Australian Standards; and b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids. In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.	Site inspection 17/12/24 Site photos – Appendix E	Small volumes of chemicals are stored on site in a bunded storage area (refer to photo 25 in Appendix E).	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Operating Conditions				
B30	The Applicant must: a) minimise the fire risks of the development, including managing vegetation fuel loads on-site; b) ensure that the development: i. complies with the relevant asset protection requirements in the RFS's Planning for Bushfire Protection 2019 (or equivalent) and Standards for Asset Protection Zones; and ii. is suitably equipped to respond to any fires on site, including provision of a 20,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection; c) ensure that the battery storage area: i. includes a 10 metre defendable space around the perimeter that permits unobstructed vehicle access; and ii. is managed as an asset protection zone (including the defendable space); d) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and e) notify the relevant Local Emergency Management Committee following construction of the development, and prior to commencing operations.	Interview with auditees 17/12/2024	This is considered to be an operational condition. Accordingly it has not been triggered during the audit period.	Not triggered
Emergency Plan				
B31	Prior to commencing commissioning, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, and provide a copy of the plan to the NSW RFS Orana Fire Control Centre and FRNSW. The plan must: a) be prepared in accordance with the findings of the Fire Safety Study required under condition B28 of Schedule 2; b) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's Planning for Bushfire Protection 2019 (or equivalent); c) include details on how the battery storage and sub-systems can be safely isolated in an emergency; d) include bushfire emergency management planning, including: i. details of the location, management and maintenance of the Asset Protection Zone; ii. a list of works that should not be carried out during a total fire ban; iii. details of how RFS would be notified, and procedures that would be implemented, in the event that: – there is a fire on-site or in the vicinity of the site; – there are any activities on site that would have the potential to ignite surrounding vegetation; or – there are any proposed activities to be carried out during a bushfire danger period; and e) include an Emergency Services Information Package in accordance with Emergency services information and tactical fire plan (FRNSW, 2019), to the satisfaction of FRNSW and RFS.	Emergency Management Plan 7/19/2024 by Consolidated Power Projects	This is considered to be an operational related condition. This requirement is not required during this audit period. The Emergency Management Plan, dated 19/07/2024, was prepared by Consolidated Power Projects and establishes an organizational structure and procedures for responding to emergencies while working at or visiting Orana BESS. It assigns roles and responsibilities for implementing the plan during an emergency.	Not triggered

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
B32	The Applicant must: a) implement the Emergency Plan and the Emergency Services Information Package for the duration of the development; and b) following commencement of commissioning of the battery storage, keep a copy of the Emergency Services Information Package on-site in a prominent position adjacent to the site entry points at all times	As above	As above	Not triggered
WASTE				
B33	The Applicant must: a) minimise the waste generated by the development; b) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version); c) store and handle all waste on site in accordance with its classification; d) not receive or dispose of any waste on site; and e) remove all waste from the site as soon as practicable, and ensure it is reused, recycled or sent to an appropriately licensed waste facility for disposal.	Construction Environmental Management Plan (CEMP) 03/12/2024 by Consolidated Power Projects Notice of Determination – Liquid Waste Discharge to Sewer dated 23/08/2023 issued to Wellington Plant Hire (WPH) – Septage Receival Station valid until 23/080/2028 Delivery Note No. 58, 5/09/2024 re: Septic pump out waste disposal (4kl) by WPH Delivery Note No. 60, 18/09/2024 re: Septic pump out waste disposal (4kl) by WPH Delivery Note No. 62, 2/10/2024 re: Septic pump out waste disposal (4kl) by WPH Delivery Note No. 74, 15/11/2024 re: Septic pump out waste disposal (3kl) by WPH Delivery Note No. 77, 22/11/2024 re: Septic pump out waste disposal (3kl) by WPH Orana Waste Register 30/08/2024 to 1/11/2024 by Akaysha	Section 8.3 of the CEMP provides details on waste minimisation and management Plan. No spoil reportedly removed from the site to date (all cut is used to fill site areas). Waste generated include office waste and general construction materials waste, concrete washouts. Septic tank removed by contractor Notice of Determination – Liquid Waste Discharge to Sewer, dated 23/08/2023, was issued to Wellington Plant Hire, the service provider responsible for collecting the septic pump-out from the project site for disposal. Deliver note (no. 58, 60, 62, 65, 66, 69, 71, 72, 74, & 77) were sighted issued by Wellington Plant Hire for the collection of septic pump out waste disposal. Orana Waste Register from 30/08/2024 to 1/11/2024 prepared by Akaysha was provided that include details load inspected by (prior to disposal), waste type, waste disposal location, and volume.	Compliant
ACCOMMODATION AND EMPLOYMENT STRATEGY				
B34	Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council and Mid-Western Regional Council. This strategy must: a) propose measures to ensure there is sufficient accommodation for the workforce associated with the development; b) consider the cumulative impacts associated with other State significant development projects in the area; c) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and d) include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction. The Applicant must provide a copy of the Accommodation and Employment Strategy to the Planning Secretary prior to commencement of construction, and implement the plan throughout construction.	Orana Battery Energy Storage System Accommodation and Employment Strategy (Rev C, dated 15 July 2024) prepared by Consolidated Power Projects. DPHI letter to Akaysha Energy dated 23/07/2024, re: Orana BESS – Accommodation and Employment Strategy Consultation records April to July 2024 Industry briefing article – Orana BESS ICN job fair attracts strong regional interest 30/09/2024 Social Licensing Reporting June to Oct 2024 by Akaysha	In correspondence dated 23/07/2024, DPHI approved the Accommodation and Employment Strategy (Rev C, dated 15 July 2024). Consultation records from April to July 2024 provided details on consultation undertaken with the Mid-Western Regional Council and Dubbo Regional Council. The industry briefing article dated 30/09/2024, titled "Orana BESS ICN Job Fair Attracts Strong Regional Interest," had 92 registered attendees representing 61 different businesses from the local community. The Job fair is part of efforts to connect regional business with opportunities related to the Orana BESS project. Social Licensing Reporting from June to Oct 2024 was provided indicating that 22.7% achievement before commercial operation. An email was sent to DRC on 1/10/2024 by Akaysha regarding the Orana BESS Accommodation and Employment Strategy, requesting a meeting with the Council to discuss and report the key metrics. On	Compliant

<table>
<tr><th>SSD ID No.</th><th>Compliance Requirement</th><th>Evidence collected</th><th>Independent Audit findings and recommendations</th><th>Compliance Status</th></tr>
<tr><td></td><td></td><td>Email 1/10/2024 Akaysha-DRC re: Orana BESS Accommodation and Employment Strategy

Email 8/10/2024 DRC-Akaysha re: Response to Orana BESS Accommodation and Employment Strategy

Email 9/10/2024 Akaysha-DRC re: Orana BESS Accommodation and Employment Strategy

Email 18/11/2024 Akaysha-DRC re: follow-up Orana BESS Accommodation and Employment Strategy</td><td>8/10/2024, DRC responded, noting they were short-staffed and suggested discussing the report on key metrics in early November. Akaysha replied to DRC and proposed holding the meeting on 11/11/2024. However, no response was received from DRC. A follow-up email was sent by Akaysha to the Council on 28/11/2024 however, DRC made no response.

No monthly meetings with Council yet, only informal discussions. The auditee attempted to organise meeting with Council but Council have not had the resources to date (refer to consultation records in Appendix C)</td><td></td></tr>
<tr><td colspan="5">DECOMMISSIONING AND REHABILITATION</td></tr>
<tr><td>B35</td><td>Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to comply with the objectives in Table 3 below.

Table 3: Rehabilitation Objectives<table><tr><th>Feature</th><th>Objective</th></tr><tr><td>Site</td><td>• Safe, stable and non-polluting.</td></tr><tr><td>Battery Storage and ancillary infrastructure</td><td>• To be decommissioned and removed, unless the Planning Secretary agrees otherwise, with the exception of assets held by the Network Service Provider.</td></tr><tr><td>Land use</td><td>• Restore land to pre-existing use.</td></tr><tr><td>Community</td><td>• Ensure public safety at all times.</td></tr></table></td><td>Site inspection on 17/12/2024</td><td>The project is under construction</td><td>Not triggered</td></tr>
<tr><td colspan="5">PARTC ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</td></tr>
<tr><td colspan="5">ENVIRONMENTAL MANAGEMENT</td></tr>
<tr><td colspan="5">Environmental Management Strategy</td></tr>
<tr><td>C1</td><td>Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:

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

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

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

d) set out the procedures that would be implemented to:

i. keep the local community and relevant agencies informed about the operation and environmental performance of the development;

ii. receive, handle, respond to, and record complaints;

iii. resolve any disputes that may arise;</td><td>Environmental Management Strategy Orana BESS – (rev D dated 30 July 2024) prepared by WSP

DPHI letter to Akaysha Energy dated 31/07/2024, re: Orana BESS – Environmental Management Strategy

Mobilisation Audit 19/11/2024 by Consolidated Power Projects (CPP)

Email 18/10/2024 Australia Community Media to Akaysha re: Orana BESS booking details – Classified

ACM Media – advertisement of Orana BESS

Weekly site inspections (refer to A2)</td><td>DPHI, in correspondence to Akasha Energy dated 31/07/2024, approved the Orana BESS – Environmental Management Strategy (rev D dated 30 July 2024)

Weekly inspections are undertaken in accordance with the Environmental Management Strategy (refer to A2).

Local residents reportedly contacted fortnightly, refer also to emails.

Mobilisation Audit dated 19/11/2024 was prepared by Consolidated Power Projects (CPP) and achieved a score of 31/31, corresponding to "fully aligned".

An email from Australia Community Media dated 18/10/2024 was sighted, indicating booking details for the project advertisement. It also included the dates the advertisement would appear in the Wellington Times and Daily Liberal from 23/10/2024 to 21/12/2024.

Sighted Orana BESS project advertisement from ACM Media.</td><td>Compliant</td></tr>
</table>

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
	iv. respond to any non-compliance; v. respond to emergencies; and e) include: i. references to any strategies, plans and programs approved under the conditions of this consent; and ii. a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all the monitoring and reporting obligations under the conditions of this consent. Following the Planning Secretary's approval, the Applicant must implement the Environmental Management Strategy.			
Revision of Strategies, Plans and Programs				
C2	The Applicant must: a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 1 month of the: i. submission of an incident report under condition C10 of Schedule 2; ii. submission of an audit report under condition C14 of Schedule 2; or iii. any modification to the conditions of this consent.	Interview with auditees 17/12/2024 Biodiversity Management Plan Orana BESS (rev G, dated 8 November 2024) prepared by WSP DPHI letter to Akaysha dated 20/11/2024, re: Orana BESS – Biodiversity Management Plan	The BMP was revised in response to MOD 1, which amongst other items, included a Masked Owl Management Plan as MOD 1 resulted in Masked Owl needing to be offset. The revised BMP (8 Nov 2025, but initial amended version dated 30/09/2024) was approved by DPHI on the 20/11/2024. Other documents were reportedly reviewed by the applicant but did not require updating.	Compliant
Staging, Combining and Updating Strategies, Plans or Programs				
C3	With the approval of the Planning Secretary, the development may be stages and the Applicant may: a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program); b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).	DPHI letter to Akaysha dated 8/10/2024 re: Orana BESS – Traffic Management Plan Staging	DPHI, in correspondence dated 8/10/24, approved the staging of the Traffic Management Plan. The project has not been staged, other than the traffic works and Traffic Management Plan. This is the first independent audit undertaken for the project.	Compliant
C4	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	As above	As above	Compliant
C5	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	As above	As above	Compliant

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C6	If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.	As above	As above	Compliant
NOTIFICATIONS				
Notification of Department				
C7	Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase. If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	Letter 17/06/2024 Akaysha to DPHI re: Request to commence limited construction activities prior to completion of Goolma road upgrades Letter 19/07/2024 DPHI-Akaysha re: Orana BESS road upgrade and enabling works request Letter 10/09/2024 Akaysha to DPHI re: Commencement of Goolma Road and Enabling Site Works Post Approval Submission 10/09/2024	Akaysha, in its email dated 17/06/2024, made a request to the Department to commence limited construction activities prior to the completion of Goolma Road upgrades. On 19/07/2024, The Department approved the request. Akaysha, in correspondence dated 10/09/2024, notified DPHI of the commencement of Goolma Road upgrade road on the 29/08/2024 and the development plans to commence construction in line with the parallel works approval on the 11/09/2024. **Non-compliance**: The notification of commencement of construction to the Department was not undertaken prior to the commencement of construction. The notification was undertaken on the 10 September 2024 and Goolma Road upgrade started on the 29 August 2024. This non-compliance is closed as the notification was made on the 10 September 2024.	Non- compliant
Final Layout Plans				
C8	Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website, showing comparison to the approved layout and including details on the siting of battery storage and ancillary infrastructure. The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans.	DRW No. 12937-EL-DR-10000 Overall Site Layout Rev A 29/05/2024 by Consolidated Power Projects DRW No. 12937-EL-DR-10001 Facility Plan Rev B 29/05/2024 by Consolidated Power Projects DRW No. 12937-EL-DR-11100 General Arrangement Rev A 29/05/2024 by Consolidated Power Projects Email 9/07/2024 DPHI-Akaysha re: Acknowledgement receipt for the submission of Final Layout Drawings	Sighted an email from DPHI dated 9/07/2024 acknowledging the submission of the final layout drawings to the Department.	Compliant
Work as Executed Plans				
C9	Prior to commencing operations or following the upgrades of any battery storage components or ancillary infrastructure, the Applicant must submit work as executed plans of the development showing comparison to the final layout plans to the Department via the Major Projects website and to Council.	Interview with Auditees 17/12/2024	The project is in the construction phase, this condition will be addressed during final phase.	Not triggered

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
Incident Notification				
C10	The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including: a) date, time and location; b) a brief description of what occurred and why it has been classified as an incident; c) a description of what immediate steps were taken in relation to the incident; and d) identifying a contact person for further communication regarding the incident.	Interview with Auditees 17/12/2024	No reportable incidents to date	Not triggered
C10A	The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 8 (Incident Notification and Reporting Requirements).	Interview with Auditees 17/12/2024	No reportable incidents to date	Not triggered
Non-Compliance Notification				
C11	Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the noncompliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance. *Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*	Interview with Auditees 17/12/2024	No non-compliances reported to date	Not triggered
C12	*Deleted*	Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI	This requirement was removed in Modification 1.	Not Triggered
C13	*Deleted*	Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI	This requirement was removed in Modification 1.	Not Triggered
INDEPENDENT ENVIRONMENTAL AUDIT				
C14	Independent Environmental Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) or as updated from time to time and published on the Department's website.	IAPAR 2020 Letter 10/09/2024 Akaysha to DPHI re: Commencement of Goolma Road and Enabling Site Works	WolfPeak was engaged by Akaysha to undertake the independent audits for the project. The current audit has been undertaken in accordance with IAPAR (2020) **Non-compliance**: IAPAR 2020 stipulates that the initial independent audit must be carried out within 12 weeks of the commencement of construction. While construction for the project began on 29 August 2024, the first audit took place on 17 December 2024, which was beyond the required timeframe. **Recommendation**: Conduct future independent environmental audits in accordance with the timeframes in IAPAR 2020.	Non-compliant
C15	*Deleted*	Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI	This requirement was removed in Modification 1.	Not Triggered

SSD ID No.	Compliance Requirement	Evidence collected	Independent Audit findings and recommendations	Compliance Status
C16	*Deleted*	Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI	This requirement was removed in Modification 1.	Not Triggered
C17	*Deleted*	Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI	This requirement was removed in Modification 1.	Not Triggered
C18	*Deleted*	Mod-1 SSD 45242780 : Additional construction laydown area and permanent fill batters approved on 26/09/2029 by DPHI	This requirement was removed in Modification 1.	Not Triggered
C19	Notwithstanding the requirements of the Independent Audit Post Approvals Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.		The project is under construction	Not Triggered
ACCESS TO INFORMATION				
C20	The Applicant must: a) make the following information publicly available on its website as relevant to the stage of the development: i. the EIS; ii. the final layout plans for the development; iii. current statutory approvals for the development; iv. approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan); v. the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged; vi. a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent; vii. how complaints about the development can be made; viii. any independent environmental audit, and the Applicant's response to the recommendations in any audit; and ix. any other matter required by the Planning Secretary; and b) keep this information up to date.	There are two project websites with information about the project: https://community.akayshaenergy.com/orana-bess https://akayshaenergy.com/projects/orana-bess	The website https://community.akayshaenergy.com/orana-bess contains the following: i. EIS ii. A Final Layout Plan is uploaded iii. The SSD approval is not uploaded iv. Environmental Management Strategy, Biodiversity Management Plan, Traffic Management Plan and Accommodation and Employment Strategy uploaded v. The Stage 1 Traffic Management Plan is uploaded vi. Monitoring results not updated vii. Community feedback form and contact details provided viii. N/A as yet. The current report is the first audit ix. The approved capacity increase to 415 MW and the Chance Finds Protocol are uploaded in the website in accordance with Planning Secretary requests (DPHI correspondences dated 4/03/2024 and 19/07/24 respectively) **Non-compliance**: The SSD (45242780) approval and a comprehensive summary of monitoring results of the development to date are not uploaded in the project website. **Recommendation**: review the project website to ensure that all information require under Condition C20 is uploaded	Non-compliant

APPENDIX B – PLANNING SECRETARY AGREEMENT OF INDEPENDENT AUDITORS

Department of Planning, Housing and Infrastructure

NSW Planning ref: SSD-45242780-PA-26

Timothy Hoban
GM Development
Akaysha Energy Pty Ltd
Everlane Building, Level 7 22 Gordon Street
Cremorne, VIC, 3121
10/12/2024

Sent via the Major Projects Portal only

Subject: Orana BESS - IEA Team Agreement

Dear Mr Hoban

Reference is made to your post approval matter, SSD-45242780-PA-26, request for the Planning Secretary's agreement of suitably qualified, experienced, and independent persons to conduct an Independent Audit of the (Orana BESS SSD-45242780).

NSW Planning has reviewed the independent auditor nominations and based on the information you have provided is satisfied that the proposed person/s are suitably qualified, experienced, and independent.

In accordance with Schedule 2, Condition C15 of the Development Consent and the NSW Planning, *Independent Audit Post Approval Requirements* (2020), as nominee of the Planning Secretary, I agree to the following independent audit team:

- Mr Ricardo Prieto-Curiel
- Mr Steve Fermio

Please ensure this correspondence is appended to the Independent Audit Report.

The Independent Audit must be prepared, undertaken, and finalised in accordance with the conditions of the Development Consent and the *Independent Audit Post Approval Requirements* (2020). Failure to meet these requirements will require revision and resubmission.

Should you wish to discuss the matter further, please contact Wayne Jones on (02) 6575 3406.

Yours sincerely



Iwan Davies
Director
Energy Assessments

As nominee of the Planning Secretary

APPENDIX C – CONSULTATION RECORDS

From: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Sent: Friday, 6 December 2024 3:04 PM
To: DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>
Cc: lachlan.dowling@akayshaenergy.com; Nurudeen Huthman <nurudeen.huthman@akayshaenergy.com>; Jake Darby <jake.darby@akayshaenergy.com>; Steve Fermio <sfermio@wolfpeak.com.au>; Joyce Acierda <jacierda@wolfpeak.com.au>
Subject: Orana Battery Energy Storage System - SSD 45242780 - Independent Environmental Audit

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). Whilst we are waiting for the Department of Planning, Housing and Infrastructure (the Department)'s approval of the audit team, we have commenced the audit process in order to meet the required audit timeframes under SSD 45242780.

I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR).

The Approval as amended Modification 1 is available at the following link:

https://www.planningportal.nsw.gov.au/major-projects/projects/orana-battery-energy-storage-system

The IAPAR is available at the following link:

https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf

The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**, with the report to be submitted to the Department two months afterwards. The audit pertains to post-approval requirements and compliance.

In accordance with Section 3.2 of the IAPAR, I am consulting with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the Department to confirm:

- If it has any concerns/key issues it would like examined, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR, or
- If it recommends that other parties or agencies are to be consulted. If so, I request that the Department identify those parties.

Please feel free to reach out should you have any questions. I look forward to your input to ensure the audit meets the Department's expectations and fully addresses any key concerns.

Yours sincerely

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist

From: Wayne Jones <wayne.jones@planning.nsw.gov.au>
Sent: Friday, 13 December 2024 11:46 AM
To: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Cc: Lachie Dowling <lachlan.dowling@akayshaenergy.com>; Nurudeen Huthman <nurudeen.huthman@akayshaenergy.com>; Jake Darby <jake.darby@akayshaenergy.com>; Steve Fermio <sfermio@wolfpeak.com.au>; Joyce Acierda <jacierda@wolfpeak.com.au>; Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>
Subject: FW: Orana Battery Energy Storage System - SSD 45242780 - Independent Environmental Audit

Some people who received this message don't often get email from wayne.jones@planning.nsw.gov.au. Learn why this is important

Good day Ricardo,

Discussions with Katrina Oriley from compliance suggests consultation for IEA to occur with;

- Local Aboriginal land Council
- BCS
- Dubbo Regional Council
- EPA
- FRNSW
- Heritage NSW
- NSW DCCEEW
- RFS
- TfNSW

Suggest the following issues be considered as it is the beginning of project:

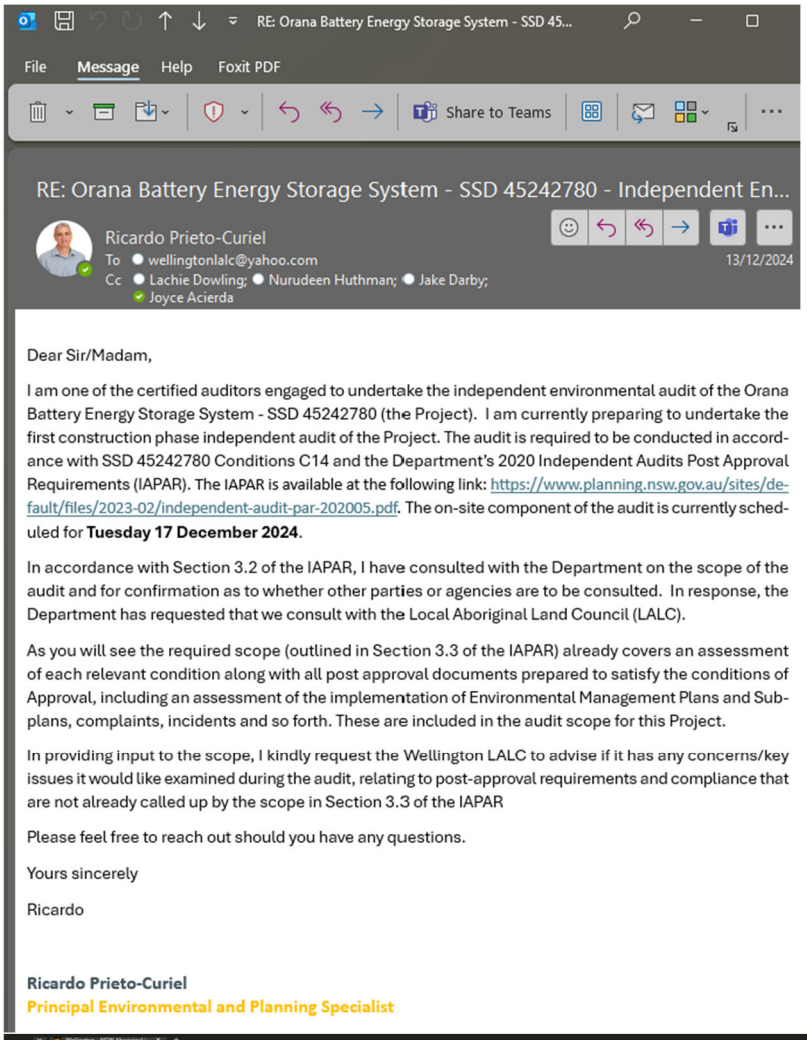
- Evidence of compliance with works within the approved footprint
- Evidence of compliance with road upgrades and approvals
- Evidence of compliance with truck movement criteria
- Evidence of compliance with all monitoring, reporting commitments and management plans
- Clearing undertaken in accordance with consent.
- Appropriate measures in place to protect heritage items
- Noise assessment and compliance with criteria
- Erosion sediment controls management monitoring and maintenance
- Appropriate fencing and demarcation
- Complaint register management, monitoring reporting and responding to complaints

Any question on any of these suggestions please call.

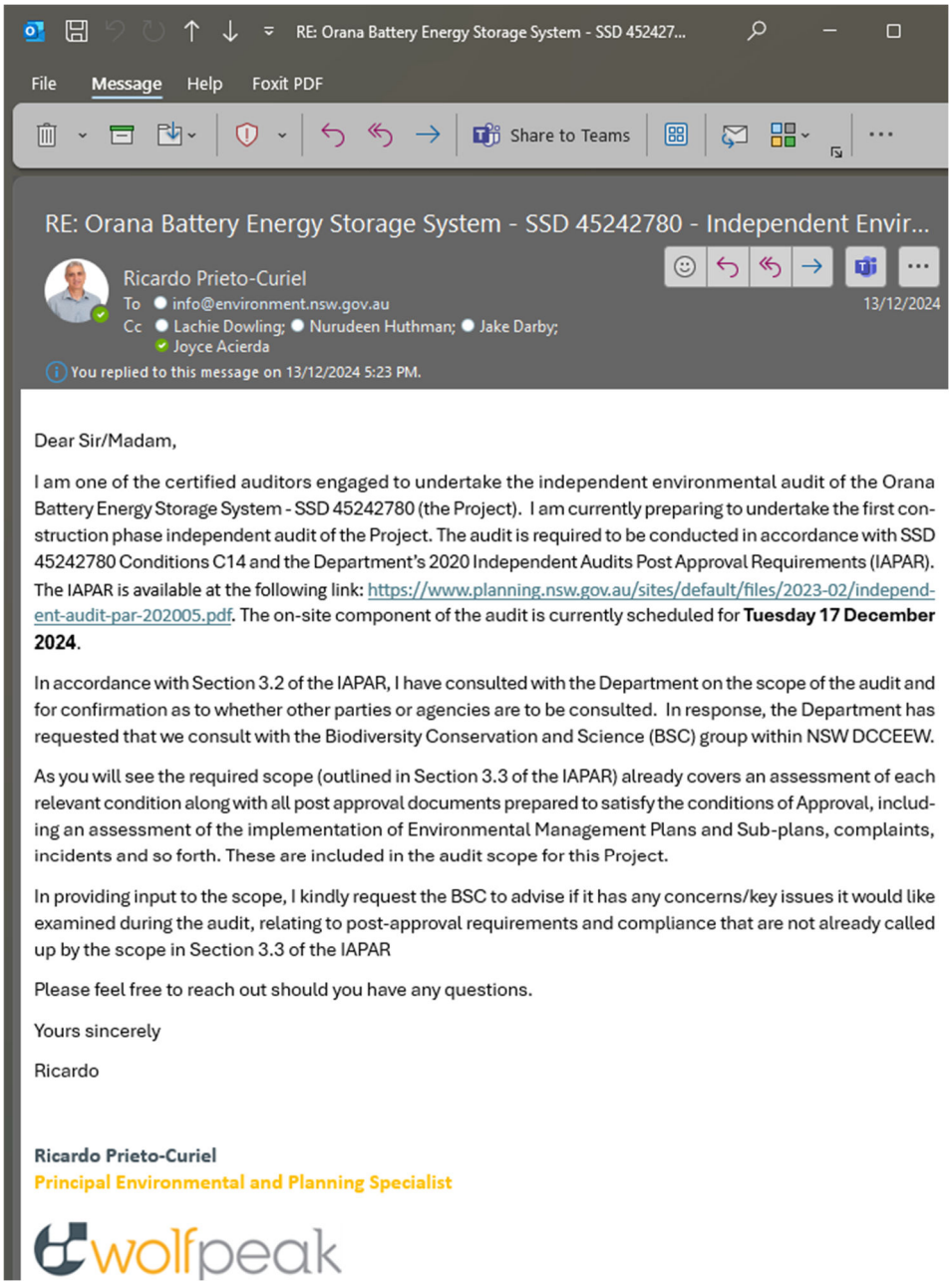
Cheers Wayne

Wayne Jones
Team Leader, Post Approvals

Energy, Resources and Industry | Department of Planning, Housing and Infrastructure


RE: Orana Battery Energy Storage System - SSD 45...
File
Message
Help
Foxit PDF
Share to Teams
RE: Orana Battery Energy Storage System - SSD 45242780 - Independent En...
Ricardo Prieto-Curiel
To wellingtonlalc@yahoo.com
Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda
13/12/2024
Dear Sir/Madam,
I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for Tuesday 17 December 2024.
In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with the Local Aboriginal Land Council (LALC).
As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Subplans, complaints, incidents and so forth. These are included in the audit scope for this Project.
In providing input to the scope, I kindly request the Wellington LALC to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR
Please feel free to reach out should you have any questions.
Yours sincerely
Ricardo
Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist


Wellington LALC
CONTACT
EMAIL



RE: Orana Battery Energy Storage System - SSD 452427...

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RE: Orana Battery Energy Storage System - SSD 45242780 - Independent Envir...

Ricardo Prieto-Curiel

To info@environment.nsw.gov.au

Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda

13/12/2024

You replied to this message on 13/12/2024 5:23 PM.

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**.

In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with the Biodiversity Conservation and Science (BSC) group within NSW DCCEEW.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the BSC to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR

Please feel free to reach out should you have any questions.

Yours sincerely

Ricardo

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist

Department of Climate Change, Energy, the Environment and Water

Our ref: DOC24/1056816
Your ref: SSD 45242780

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist
Wolfpeak
rprietocuriel@wolfpeak.com.au

Dear Ricardo

Orana Battery Energy Storage System – Independent Environmental Audit

Thank you for your e-mail request dated 16 December 2024 to the Biodiversity, Conservation and Science Directorate (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments ahead of the independent environmental audit for Orana Battery Energy Storage System (BESS).

BCS have reviewed the independent audit post approval requirements and the Consolidated Consent for Orana BESS. Given this is the first initial independent audit to be undertaken within 12 weeks of construction, the main item we suggest be included as part of the audit is confirmation that condition B12 (retirement of biodiversity credits in Table 1) has been complied with.

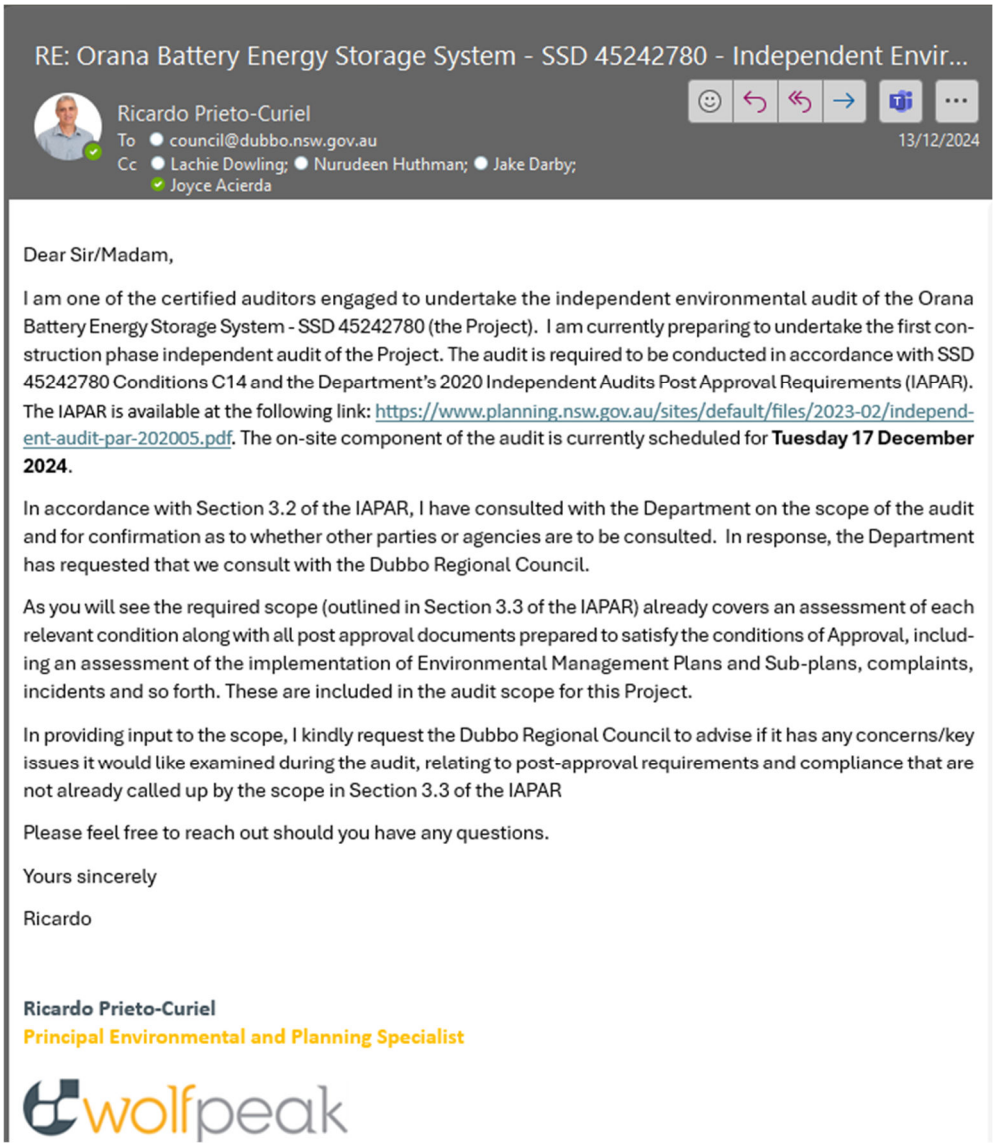
We also request confirmation that the actions within the Biodiversity Management Plan are being implemented, particularly in relation to Condition B14(b)(iv) of the development consent (avoidance of clearing in spring).

If you have any questions about this advice, please do not hesitate to contact Kate Tierney, Senior Conservation Planning Officer, via kate.tierney@environment.nsw.gov.au or (02) 4904 2782.

Yours sincerely

David Geering
Acting Senior Team Leader Planning North West
Biodiversity, Conservation and Science

13 January 2025



RE: Orana Battery Energy Storage System - SSD 45242780 - Independent Envir...

Ricardo Prieto-Curiel
To council@dubbo.nsw.gov.au
Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda
13/12/2024

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**.

In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with the Dubbo Regional Council.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the Dubbo Regional Council to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR

Please feel free to reach out should you have any questions.

Yours sincerely

Ricardo

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist

SSD-4542780
AD25/718

7 January 2025

WOLFPEAK
Level 1, 180 George Street
SYDNEY NSW 2000

rprietocuriel@wolfpeak.com.au

Ricardo Prieto-Curiel

RE: SSD-45242780(MOD 1) ORANA BATTERY ENERGY STORAGE SYSTEM
6945 GOOLMA ROAD WUULUMAN

I refer to your recent email dated 13 December 2024 regarding an Independent Environmental Audit for the Orana Battery Energy Storage System approval and your request for any concerns/key issues in this regard.

Council Officers have reviewed your request and provide the following comments:

- That the Audit ensures that all required statutory approvals, particularly Construction Certificates and any Section 68 approvals under the Local Government Act have been obtained prior to those works being undertaken.

  It has been Council's experience that State Significant Developments are notorious for failures by the builder and contractors to obtain the prerequisite approvals.

- A Planning Agreement was entered into on 19 August 2024, as per Condition A15 https://www.dubbo.nsw.gov.au/Builders-Developers/Planning-Controls-Tools-and-Resources/planning-agreements

- Council provided comments on the Accommodation and Employment Strategy on 10 April 2024, in accordance with the consultation requirement in Condition B34. The applicant has wanted to meet lately to provide ongoing updates about its implementation, but Council does not have the resources to accommodate their request.

- That the Audit confirms that all required biodiversity credits were retired prior to the commencement of work, as per Conditions B12 & B13, and that the required Biodiversity Management Plan as per Condition B14 has been prepared.

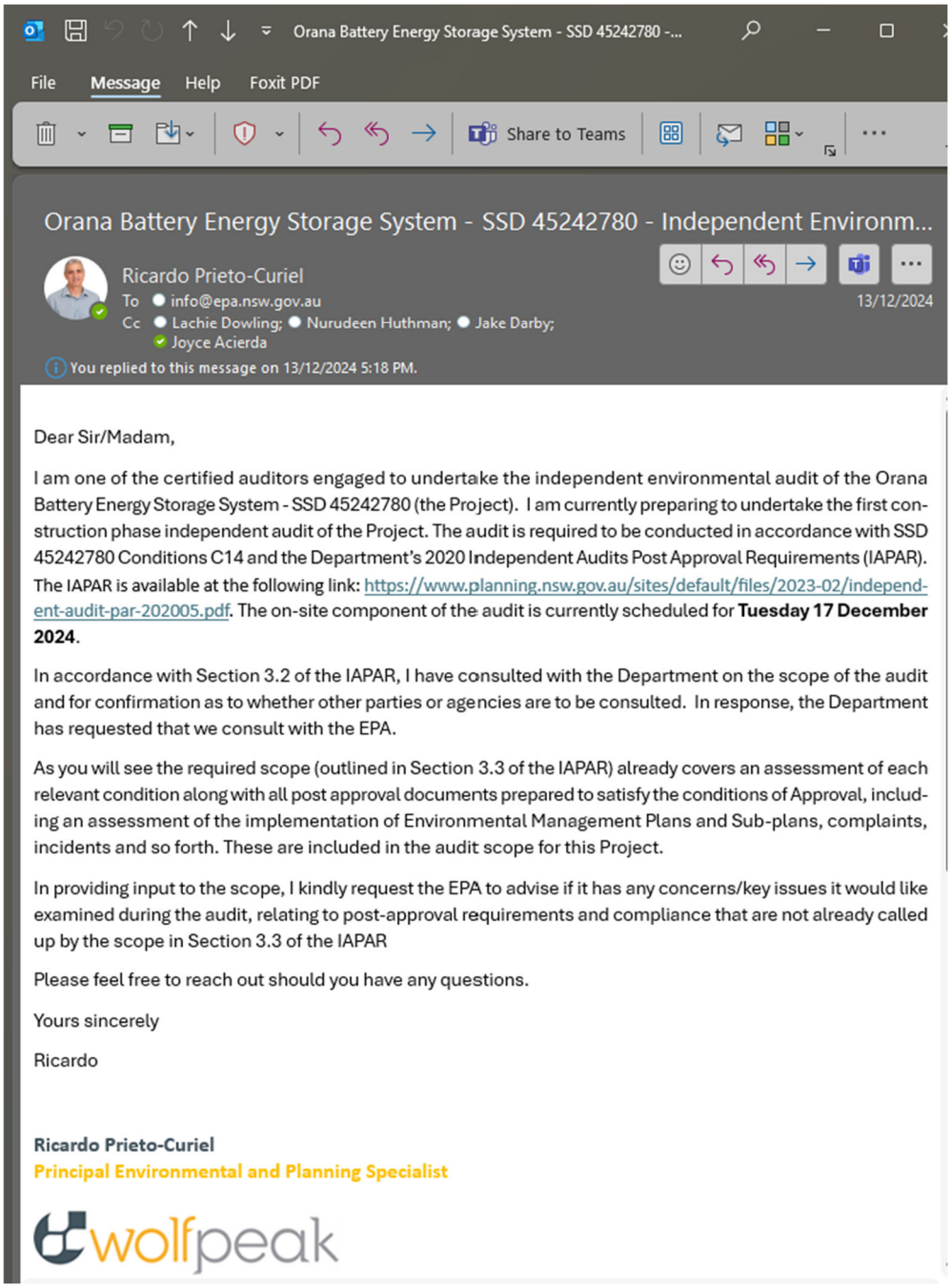
If you have any enquiries in this matter, please do not hesitate to contact Council's Manager Building & Development Services, Darryll Quigley during normal office hours, on 6801 4656.

All communications to: CHIEF EXECUTIVE OFFICER
ABN 53 539 070 928
PO Box 81 Dubbo NSW 2830
T (02) 6801 4000 F (02) 6801 4259 E council@dubbo.nsw.gov.au
Civic Administration Building Church St Dubbo NSW 2830
W dubbo.nsw.gov.au

Yours faithfully



Darryll Quigley
Manager Building and Development Services



Orana Battery Energy Storage System - SSD 45242780 -...

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Orana Battery Energy Storage System - SSD 45242780 - Independent Environm...

Ricardo Prieto-Curiel
To info@epa.nsw.gov.au
Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda
13/12/2024

You replied to this message on 13/12/2024 5:18 PM.

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**.

In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with the EPA.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Sub-plans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the EPA to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR

Please feel free to reach out should you have any questions.

Yours sincerely

Ricardo

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist

wolfpeak

From: Amelia Orth <amelia.orth@epa.nsw.gov.au>
Sent: Thursday, 16 January 2025 1:15 PM
To: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Cc: Mick Lowcock <mick.a.lowcock@epa.nsw.gov.au>
Subject: Orana Battery Energy Storage System - SSD 45242780 - Stakeholder consultation

You don't often get email from amelia.orth@epa.nsw.gov.au. Learn why this is important

Attention: Ricardo

I am writing in response to the invitation to provide input into the scope development for the *Operational Independent Environmental Audit* for the Orana Battery Energy Storage System – SSD 45242780.

The scope of the independent environmental audit is pre-determined in Section 3.3 of the *Independent Audit Post Approval Requirements (*IAPAR*)*.

The EPA has no comments or feedback.

Regards,

Amelia Orth
Operations Officer
Regulatory Operations
NSW Environment Protection Authority
D: (02) 6881 4649 **M:** 0436 969 235

www.epa.nsw.gov.au @NSW_EPA

Orana Battery Energy Storage System - SSD 45242780 - Independent Enviro...



Ricardo Prieto-Curiel

To info@fire.nsw.gov.au

Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda

13/12/2024

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**.

In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with Fire and Rescue NSW.

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Subplans, complaints, incidents and so forth. These are included in the audit scope for this Project.

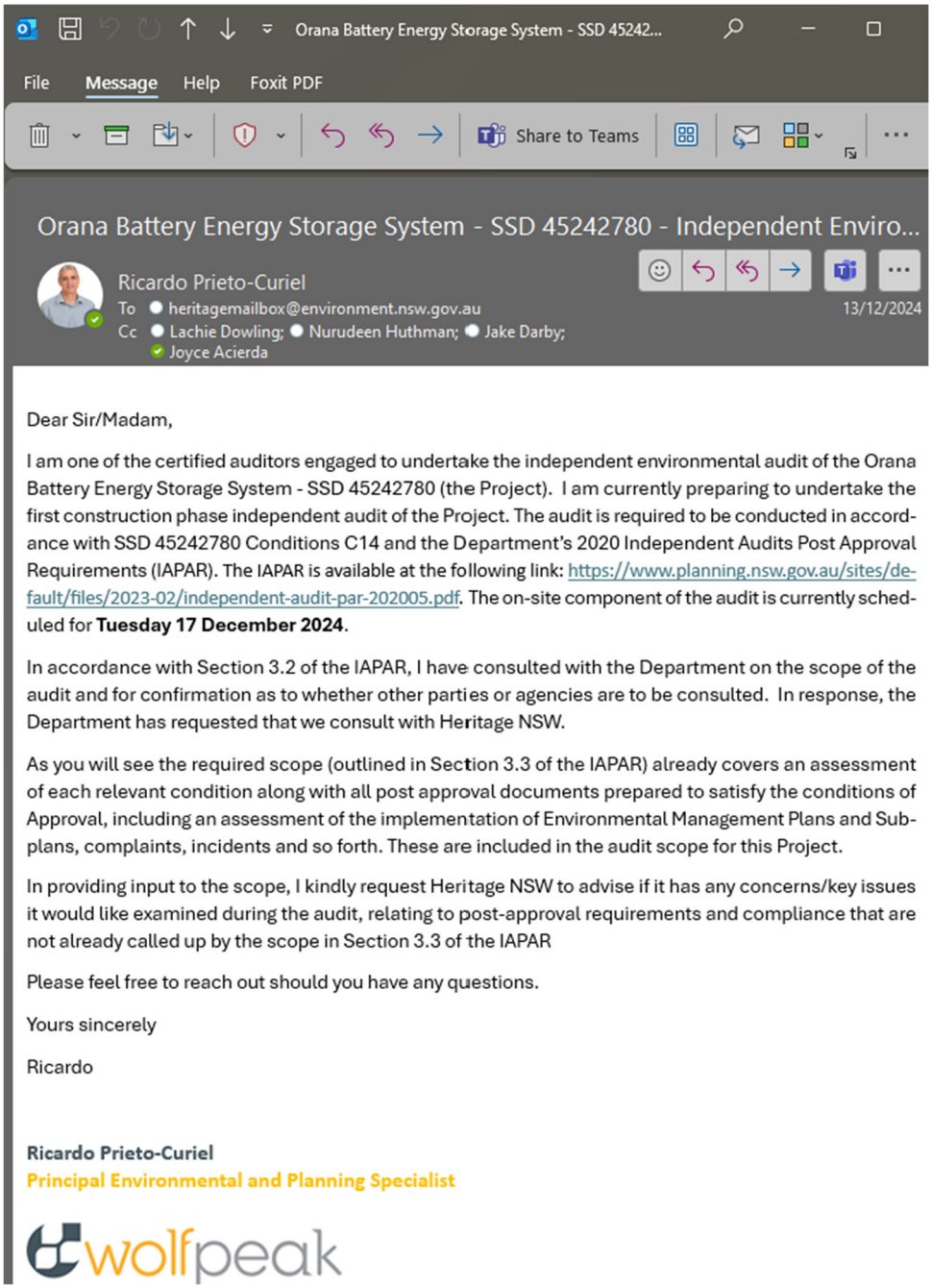
In providing input to the scope, I kindly request Fire and Rescue NSW to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR

Please feel free to reach out should you have any questions.

Yours sincerely

Ricardo

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist


Orana Battery Energy Storage System - SSD 45242...
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Orana Battery Energy Storage System - SSD 45242780 - Independent Enviro...
Ricardo Prieto-Curiel
To heritagemailbox@environment.nsw.gov.au
Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda
13/12/2024
Dear Sir/Madam,
I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for Tuesday 17 December 2024.
In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with Heritage NSW.
As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Subplans, complaints, incidents and so forth. These are included in the audit scope for this Project.
In providing input to the scope, I kindly request Heritage NSW to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR
Please feel free to reach out should you have any questions.
Yours sincerely
Ricardo
Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist

Department of Climate Change, Energy, the Environment and Water

Our ref: HMS ID 8656

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist
WolfPeak
rprietocuriel@wolfpeak.com.au

Letter provided via email

Independent Environmental Audit – State Significant Development

Proposal: Orana Battery Energy Storage System

Major Project reference: SSD-45242780

Received: 13 December 2024

Dear Ricardo,

Thank you for your referral seeking comment from Heritage NSW on the scope for the Independent Environmental Audit for the above Development. Thank you for the continued opportunity to comment on the project.

Heritage NSW has no comment on the audit scope. We note that the Chance Finds Protocol was provided to Heritage NSW for endorsement as per Condition B24 of the project approval.

It is recommended that the Department of Climate Change, Energy, the Environment and Water Compliance Team be contacted via info@environment.nsw.gov.au to determine if there is any non-compliance with Conditions of Consent for the project.

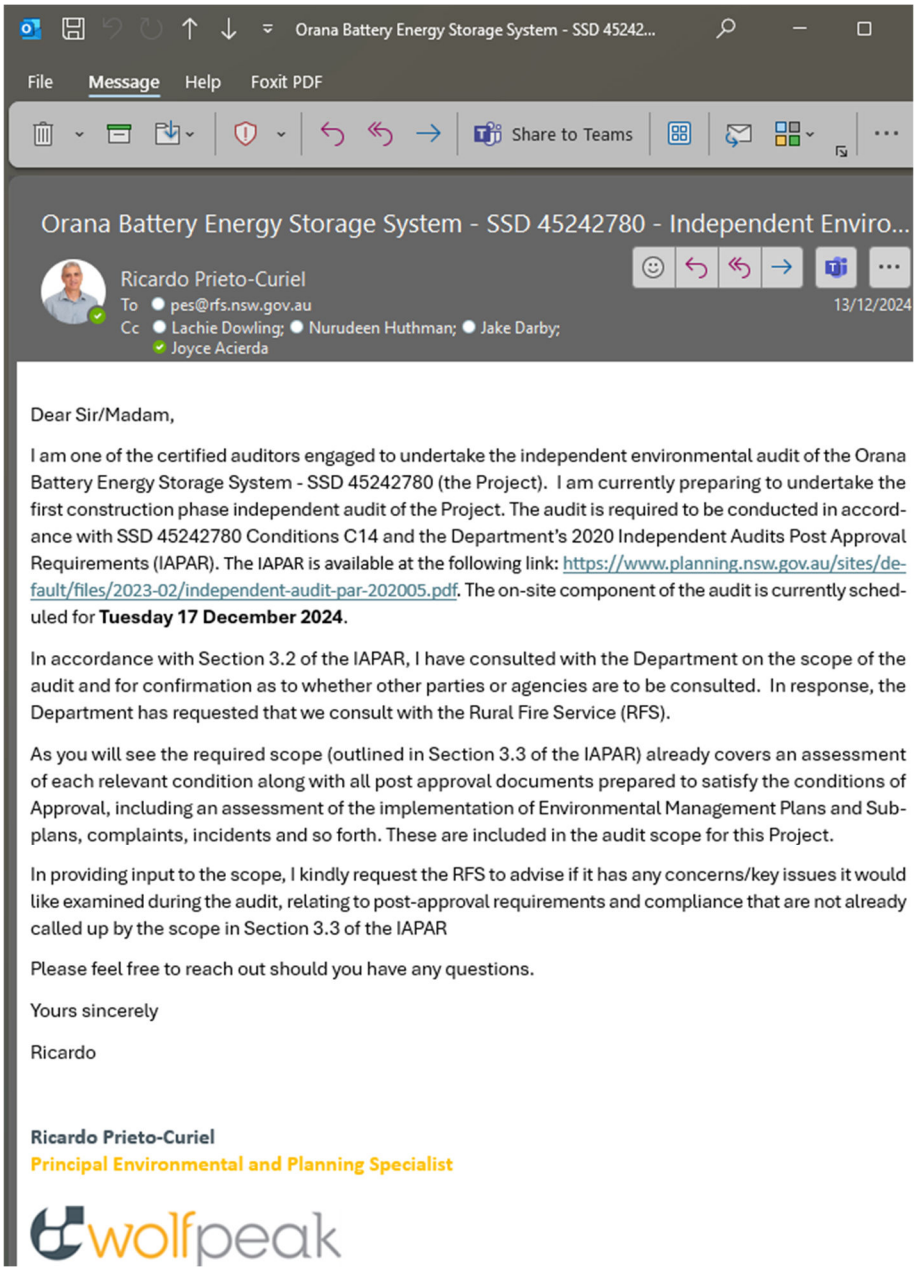
Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact James Cole, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
A/Strategic Manager – Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
10 January 2025

4PSQ, 12 Darcy Street, Parramatta NSW, 2150 (02) 9873 8500 www.environment.nsw.gov.au/topics/heritage
Locked Bag 5020, Parramatta 2124



Orana Battery Energy Storage System - SSD 45242...

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Orana Battery Energy Storage System - SSD 45242780 - Independent Enviro...

Ricardo Prieto-Curiel

To pes@rfs.nsw.gov.au

Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda

13/12/2024

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**.

In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with the Rural Fire Service (RFS).

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Subplans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request the RFS to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR

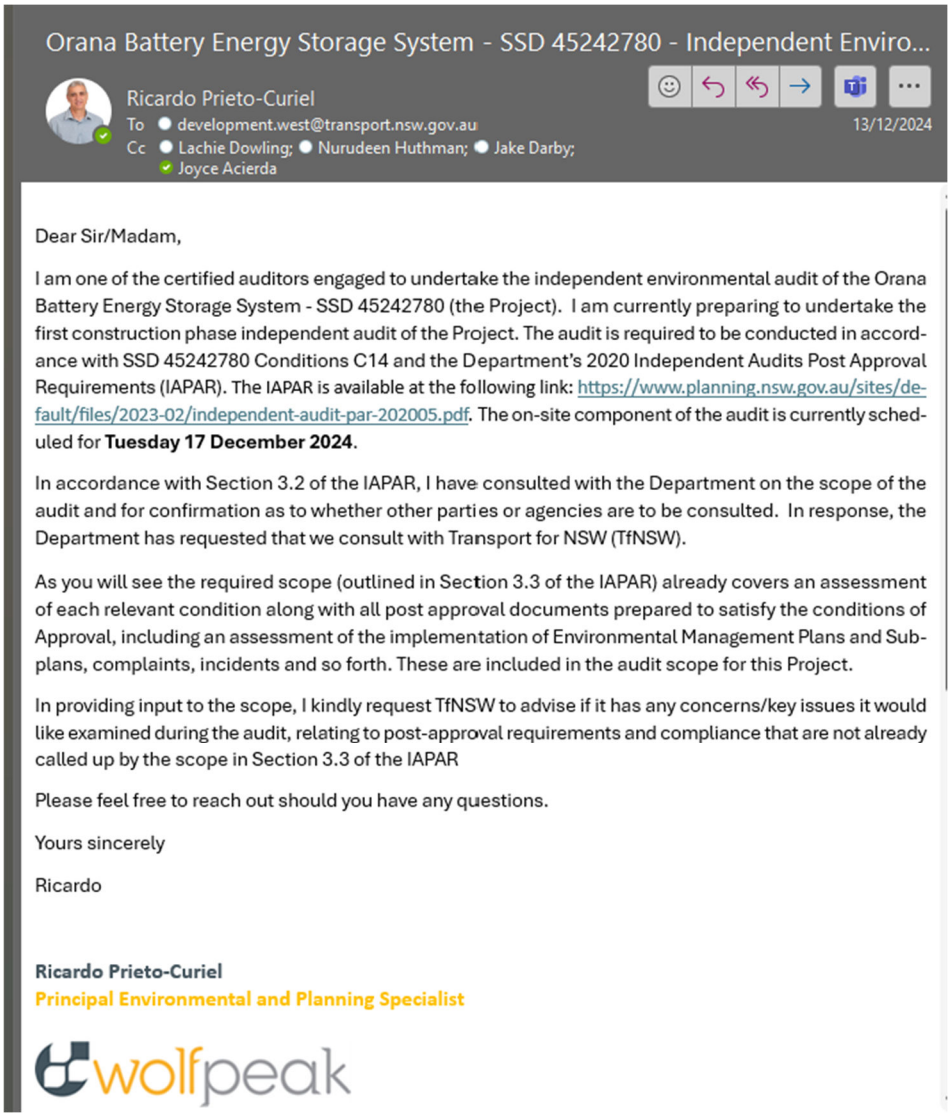
Please feel free to reach out should you have any questions.

Yours sincerely

Ricardo

Ricardo Prieto-Curiel

Principal Environmental and Planning Specialist



Orana Battery Energy Storage System - SSD 45242780 - Independent Enviro...

Ricardo Prieto-Curiel
To development.west@transport.nsw.gov.au
Cc Lachie Dowling; Nurudeen Huthman; Jake Darby; Joyce Acierda
13/12/2024

Dear Sir/Madam,

I am one of the certified auditors engaged to undertake the independent environmental audit of the Orana Battery Energy Storage System - SSD 45242780 (the Project). I am currently preparing to undertake the first construction phase independent audit of the Project. The audit is required to be conducted in accordance with SSD 45242780 Conditions C14 and the Department's 2020 Independent Audits Post Approval Requirements (IAPAR). The IAPAR is available at the following link: https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf. The on-site component of the audit is currently scheduled for **Tuesday 17 December 2024**.

In accordance with Section 3.2 of the IAPAR, I have consulted with the Department on the scope of the audit and for confirmation as to whether other parties or agencies are to be consulted. In response, the Department has requested that we consult with Transport for NSW (TfNSW).

As you will see the required scope (outlined in Section 3.3 of the IAPAR) already covers an assessment of each relevant condition along with all post approval documents prepared to satisfy the conditions of Approval, including an assessment of the implementation of Environmental Management Plans and Subplans, complaints, incidents and so forth. These are included in the audit scope for this Project.

In providing input to the scope, I kindly request TfNSW to advise if it has any concerns/key issues it would like examined during the audit, relating to post-approval requirements and compliance that are not already called up by the scope in Section 3.3 of the IAPAR

Please feel free to reach out should you have any questions.

Yours sincerely

Ricardo

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist

'

From: Kane Hitchcock <Kane.Hitchcock@transport.nsw.gov.au>
Sent: Wednesday, 8 January 2025 1:59 PM
To: Ricardo Prieto-Curiel <rprietocuriel@wolfpeak.com.au>
Subject: RE: Orana Battery Energy Storage System - SSD 45242780 - Independent Environmental Audit

You don't often get email from kane.hitchcock@transport.nsw.gov.au. Learn why this is important

Hi Ricardo,

TfNSW has no concerns or issues with this development which need to be addressed in the audit process at this time.

Kind Regards

Kane Hitchcock
Development Services Case Officer
Transport Planning
Planning, Integration and Passenger
Transport for NSW

Department of Climate Change, Energy, the Environment and Water

Our ref: DOC24/1056816
Your ref: SSD 45242780

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist
Wolfpeak
rprietocuriel@wolfpeak.com.au

Dear Ricardo

Orana Battery Energy Storage System – Independent Environmental Audit

Thank you for your e-mail request dated 16 December 2024 to the Biodiversity, Conservation and Science Directorate (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) inviting comments ahead of the independent environmental audit for Orana Battery Energy Storage System (BESS).

BCS have reviewed the independent audit post approval requirements and the Consolidated Consent for Orana BESS. Given this is the first initial independent audit to be undertaken within 12 weeks of construction, the main item we suggest be included as part of the audit is confirmation that condition B12 (retirement of biodiversity credits in Table 1) has been complied with.

We also request confirmation that the actions within the Biodiversity Management Plan are being implemented, particularly in relation to Condition B14(b)(iv) of the development consent (avoidance of clearing in spring).

If you have any questions about this advice, please do not hesitate to contact Kate Tierney, Senior Conservation Planning Officer, via kate.tierney@environment.nsw.gov.au or (02) 4904 2782.

Yours sincerely

David Geering
Acting Senior Team Leader Planning North West
Biodiversity, Conservation and Science

13 January 2025

Department of Climate Change, Energy, the Environment and Water

NSW GOVERNMENT

Our ref: HMS ID 8656

Ricardo Prieto-Curiel
Principal Environmental and Planning Specialist
WolfPeak
rprietocuriel@wolfpeak.com.au

Letter provided via email

Independent Environmental Audit – State Significant Development

Proposal: Orana Battery Energy Storage System

Major Project reference: SSD-45242780

Received: 13 December 2024

Dear Ricardo,

Thank you for your referral seeking comment from Heritage NSW on the scope for the Independent Environmental Audit for the above Development. Thank you for the continued opportunity to comment on the project.

Heritage NSW has no comment on the audit scope. We note that the Chance Finds Protocol was provided to Heritage NSW for endorsement as per Condition B24 of the project approval.

It is recommended that the Department of Climate Change, Energy, the Environment and Water Compliance Team be contacted via info@environment.nsw.gov.au to determine if there is any non-compliance with Conditions of Consent for the project.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact James Cole, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

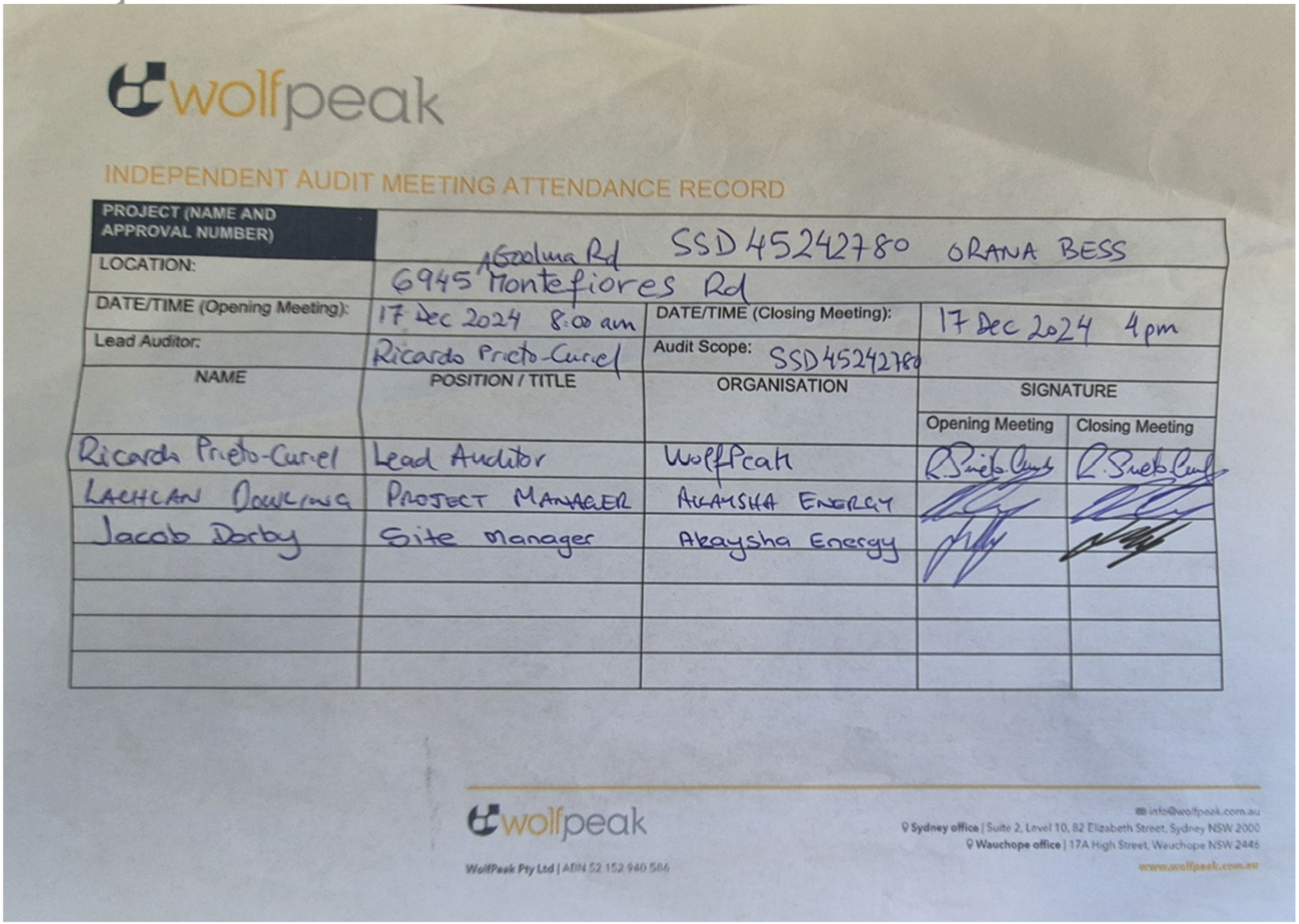
Yours sincerely,

Alison Lamond

Alison Lamond
A/Strategic Manager – Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
10 January 2025

4PSQ, 12 Darcy Street, Parramatta NSW, 2150
Locked Bag 5020, Parramatta 2124
(02) 9873 8500
www.environment.nsw.gov.au/topics/heritage

APPENDIX D – ATTENDANCE SHEET



wolfpeak

INDEPENDENT AUDIT MEETING ATTENDANCE RECORD

PROJECT (NAME AND APPROVAL NUMBER)	SSD 45242780 ORANA BESS		
LOCATION:	6945 Golma Rd / Montefiores Rd		
DATE/TIME (Opening Meeting):	17 Dec 2024 8:00 am	DATE/TIME (Closing Meeting):	17 Dec 2024 4pm
Lead Auditor:	Ricardo Prieto-Curiel	Audit Scope: SSD 45242780	

NAME	POSITION / TITLE	ORGANISATION	SIGNATURE	
			Opening Meeting	Closing Meeting
Ricardo Prieto-Curiel	Lead Auditor	WolfPeak	R. Prieto-Curiel	R. Prieto-Curiel
LACHLAN DOWLING	PROJECT MANAGER	AKAYSHA ENERGY		
Jacob Darby	Site Manager	Akaysha Energy		

wolfpeak

WolfPeak Pty Ltd | ABN 52 152 940 586

info@wolfpeak.com.au
Sydney office | Suite 2, Level 10, 82 Elizabeth Street, Sydney NSW 2000
Wauchope office | 17A High Street, Wauchope NSW 2446
www.wolfpeak.com.au

APPENDIX E – SITE PHOTOS

Observations from the site inspection are provided in the table below. The Auditor was escorted around the site by Project personnel who made themselves available for this purpose.

Site inspection photographs

No.	Comment	Photograph
1	Vehicular access to site at Goolma Road	
2	Closed former access servicing Lot 2 DP1136578	
3	Site access cattle grid and truck bringing water to site tanks for dust suppression	

No.	Comment	Photograph
4	Site project signage	
5	Site's speed limit sign	
6	Goolma Road construction works	

No.	Comment	Photograph
7	Sediment fencing along Goolma Road construction	
8	Access to R4, R5 properties along Goolma Road (with intersection works underway)	
9	Traffic controls at Goolma Road	

No.	Comment	Photograph
10	Site earthworks	
11	Site light vehicle car park	
12	Waste segregation and storage	

No.	Comment	Photograph
13	Concrete washout bay and water tanks at the back (for dust suppression)	
14	Tree protection around tree to be retained on site	
15	Installed boxes for Superb Parrot	

No.	Comment	Photograph
16	Temporary site fencing around works and sediment fencing around site	
17	Fenced off heritage protection area	
18	View of construction site from outside	

No.	Comment	Photograph
19	Dust control	
20	Site's sediment basin	
21	Sediment basin overflow point	

No.	Comment	Photograph
22	Substation the BESS would be connected to	
23	Earthworks	
24	Spill kits	

No.	Comment	Photograph
25	Bunded chemical storage	

APPENDIX F – AUDITOR DECLARATION

Independent Audit Report Declaration

Project Name:	Orana Battery Energy Storage System (BESS)
Consent Number:	SSD-45242780
Description of Project:	Construction and operation of the Orana Battery Storage System
Project Address:	6945 Goolma Road, Wellington. Lot 1 & 2 DP 1226751, Lot 2 DP 1136578, Road Corridor (Goolma Road)
Proponent:	Akaysha Energy Pty Ltd
Title of Audit	Independent Audit 1 Orana BESS
Date:	17 December 2024

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

i. the audit has been undertaken in accordance with relevant condition(s) of consent and the *Independent Audit Post Approval Requirements (Department 2020)*;
ii. the findings of the audit are reported truthfully, accurately and completely;
iii. I have exercised due diligence and professional judgement in conducting the audit;
iv. I have acted professionally, objectively and in an unbiased manner;
v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

a) Under section 10.6 of the *Environmental Planning and Assessment Act 1979* a person must not include false or misleading information (or provide information for inclusion in) in a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, $1 million and for an individual, $250,000; and
b) The *Crimes Act 1900* contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years imprisonment or 200 penalty units, or both)

Name of Proposed Auditor:	Ricardo Prieto-Curiel
Signature:	
Qualification:	Bachelor of Biological Sciences Masters in Environmental Toxicology Registered Environmental Assessment Practitioner (REAP - 46189) Exemplar Global Lead Environmental Auditor (No. 15160)
Company:	WolfPeak Group Pty Ltd