



Independent Audit

Bellambi Heights BESS

Vena Energy Services (Australia) Pty Ltd

SSD-33344237

May 2026

Audit Details

Audit Report Name	Bellambi Heights Battery Energy Storage System (BHBESS) - Independent Audit No.1
Audit Report Reference	BHBESS_IEA-01
KPMG Internal Reference	481296
Date of Audit	8 April 2026
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Date:	11-May-2026 16:05 AEST	Date:	11-May-2026 16:58 AEST

Document Revision History

Revision	Date	Details
Draft.v1	1 May 2026	Draft Independent Audit Report for review.
Final.v1	11 May 2026	Final Independent Audit Report issued.

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Inherent Limitations

*This Report has been prepared at the request of Vena Energy Services (Australia) Pty Ltd (**Vena Energy**) in the Scope Section of KPMG's engagement letter dated 4th February 2026.*

The services provided in connection with this engagement comprise an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standards Board and, consequently no opinions or conclusions intended to convey assurance have been expressed.

Due to the inherent limitations of any internal control structure, it is possible that fraud, error or non-compliance with laws and regulations may occur and not be detected. Further, the internal control structure, within which the control procedures that have been subject to the procedures we performed operate, has not been reviewed in its entirety and, therefore, no opinion or view is expressed as to its effectiveness of the greater internal control structure. The procedures performed were not designed to detect all weaknesses in control procedures as they are not performed continuously throughout the period and the tests performed on the control procedures are on a sample basis. Any projection of the evaluation of control procedures to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

No warranty of completeness, accuracy or reliability is given in relation to the statements and representations made by, and the information and documentation provided by Vena Energy employees consulted as part of the process.

KPMG has indicated within this Report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the Report.

KPMG is under no obligation in any circumstance to update this Report, in either oral or written form, for events occurring after the Report has been issued in final form.

The findings in this Report have been formed on the above basis.

Third Party Reliance

This Report is solely for the purpose set out in the Audit Objectives and Scope Section and for BHBESS's information and is not to be used for any other purpose or distributed to any other party without KPMG's prior written consent.

This Report has been prepared at the request of Vena Energy, in accordance with the terms of KPMG's engagement letter dated 4th February 2026. Other than our responsibility to Vena Energy, neither KPMG nor any member or employee of KPMG undertakes responsibility arising in any way from reliance placed by a third party. Any reliance placed is that party's sole responsibility.

Executive Summary

Background

KPMG was engaged by Vena Energy Services (Australia) Pty Ltd (Vena Energy) to undertake an Independent Environmental Audit (IEA) at the Bellambi Heights Battery Energy Storage System (BHBESS) project (the Project) situated in the locality of Beryl – approximately 6.5 kilometres (km) north-west of the township of Gulgong in the Central West of New South Wales within the Mid-Western Regional Council (MWRC) local government area (LGA) and the Central-West Orana (CWO) Renewable Energy Zone (REZ). The BHBESS Project consists of the construction of a major grid-scale battery with delivery capacity of 408 megawatts (MW) and associated infrastructure. The IEA was undertaken in accordance with the *Independent Audit Post Approval Requirements 2020* (IAPAR 2020) as required by condition of approval (CoA) C14 of State Significant Development (SSD-33344237-Mod-1).

This was the first IEA to be undertaken at the Site and was required to be commissioned within three (3) months of commencing construction, in accordance with Schedule 2, Condition C14 of the development consent. The audit period was defined as being from the date that the development consent was granted (2 May 2024) to the date of the current IEA site inspection (8 April 2026). The IEA therefore sought to assess the compliance status of all pre-construction requirements and construction phase requirements within the audit period.

Based on the evidence provided, the observations made and compliance findings of this audit, the Project is considered to have demonstrated good environmental performance. Two (2) traffic-related non-compliances related to daily traffic limit exceedances were identified, one of which was self-reported. Vena Energy is currently in the process of seeking an increase for these limits and they were not considered by the Auditor to have resulted in significant impacts to the environment or the community. Two (2) opportunities for improvement were identified by the Auditor, which were both acted upon immediately, with close out actions completed within 48 hours of the site inspection.

Site Inspection

One (1) finding was raised by the Auditor during the inspection:

- The Samsung Environmental Control Plan (ECP) required the installation of sediment fencing along the southern boundary of the BESS civil works site. At the time of the audit site inspection there was no sediment fence installed at this location. Upon receipt of this preliminary audit finding, Samsung took immediate action to install the sediment fence, with photographic evidence of its installation provided within 48 hours of the audit site inspection. In all other instances across both the Samsung and Transgrid work sites, environmental controls were installed and maintained to a very high standard, in accordance with the ECPs. Given the lack of significant rainfall, the absence of the sediment fence had not appeared to have resulted in erosion and offsite sediment impacts and was consequently considered an opportunity for improvement by the Auditor.

Refer to finding **BHBESS-01_OFI-2** in relation to CoA B26 for further details (Photos 11 and 12).

Audit Findings

Table E.1: Summary of Audit Findings

Reference	Requirement Details	Finding Details	Status
<p>Self-reported Non-compliance.</p> <p>BHBESS-01_NC-1</p>	<p>B1 TRANSPORT</p> <p>Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions</p> <p>The Applicant must ensure that the:</p> <ul style="list-style-type: none"> (a) development does not generate more than: <ul style="list-style-type: none"> i. 40 heavy vehicle movements a day during construction, upgrading, or decommissioning; ii. 20 light vehicle movements and 4 heavy vehicle movements during the AM (6-7 am) or PM (5-6 pm) project peak hours during construction, upgrading, or decommissioning; and iii. 4 movements of heavy vehicles requiring escort during construction, upgrading, or decommissioning; and (b) length of any vehicles (excluding heavy vehicles requiring escort) used for the development does not exceed 26 metres, <p>unless the Planning Secretary agrees otherwise.</p>	<p>On 27 February 2026 the project recorded 57 heavy vehicle movements, exceeding the daily limit of 40.</p> <p>On 6 March 2026 Vena Energy self-reported the HV movement exceedance as a non-compliance to DPHI in accordance with CoA C11.</p> <p>On 31 March 2026 DPHI issued Vena Energy with a Notice to Furnish Information (Notice) in response to the self-reported non-compliance. At the time of undertaking this IEA Vena Energy was in the process of furnishing their response to the DPHI Notice.</p> <p>Recommendation: The Auditor understands that Vena Energy is in the process of consulting with relevant stakeholders and DPHI regarding increasing the daily vehicle movement limits as provided in CoA B1. It is the Auditor’s opinion that an increase in vehicle movements limits is reasonable, given that there are two (2) principal contractors on the site, which was not contemplated during the EIS, resulting in higher traffic volumes than anticipated. Further, there have been nil complaints received to date regarding traffic impacts associated with the project and the risk of cumulative traffic impacts is mitigated due to construction delays associated with nearby projects such as the Tallawang Solar Farm, which has not commenced construction.</p>	Open
<p>Non-compliance.</p> <p>BHBESS-01_NC-2</p>	<p>B1 TRANSPORT</p> <p>Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions</p> <p>The Applicant must ensure that the:</p> <ul style="list-style-type: none"> (c) development does not generate more than: 	<p>During the review of project traffic logs of light vehicle (LV) movements during the 6am-7am period it was identified that the limit of 20 LV movements was exceeded on 3 February (24 movements), 18 February (22 movements), 20 February (23 movements), 25 February (21 movements), 19</p>	Open

Reference	Requirement Details	Finding Details	Status
	<ul style="list-style-type: none"> iv. 40 heavy vehicle movements a day during construction, upgrading, or decommissioning; v. 20 light vehicle movements and 4 heavy vehicle movements during the AM (6-7 am) or PM (5-6 pm) project peak hours during construction, upgrading, or decommissioning; and vi. 4 movements of heavy vehicles requiring escort during construction, upgrading, or decommissioning; and <p>(d) length of any vehicles (excluding heavy vehicles requiring escort) used for the development does not exceed 26 metres, unless the Planning Secretary agrees otherwise.</p>	<p>March (21 movements) and 24 March (21 movements).</p> <p>While these exceedances are considered by the Auditor to be minor, they represent a non-compliance against CoA B1.</p> <p>Vena Energy advised that while the internal Traffic Management Plan audits had identified the LV exceedances, there appeared to be no process pathway to escalate these to the Vena Energy Manager, Development & Stakeholders.</p> <p>Recommendation: It is recommended to implement an internal escalation process to notify the Vena Energy Manager, Development & Stakeholders when LV limits are exceeded during the 6-7am or 5-6pm windows.</p> <p>The Vena Energy project team should continue to coordinate vehicle limits between Samsung and Transgrid during the weekly project coordination meetings, with increased emphasis on LV movements, in addition to HV movements.</p> <p>The Auditor understands that Vena Energy is in the process of consulting with relevant stakeholders and DPHI regarding increasing the daily vehicle movement limits as provided in CoA B1. It is the Auditor's opinion that an increase in vehicle movements limits is reasonable, given that there are two (2) principal contractors on the site, which was not contemplated during the EIS, resulting in higher traffic volumes than anticipated. Further, there have been nil complaints received to date regarding traffic impacts associated with the project and the risk of cumulative traffic impacts is mitigated due to construction delays associated with nearby projects such as the Tallawang Solar Farm, which has not commenced construction.</p>	
Opportunity for Improvement BHBESS-01_OFI-1	<p>B26 Operating Conditions</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (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 	<p>The Samsung ECP required the installation of sediment fencing along the southern boundary of the BESS civil works site. At the time of the audit site inspection there was no sediment fence installed at this location.</p> <p>Upon receipt of this preliminary audit finding, Samsung took immediate action to install the sediment fence, with photographic evidence of its installation provided within 48 hours of the audit site inspection. In all other instances across both the Samsung and Transgrid work sites, environmental controls were installed and maintained to a very high standard, in accordance with the ECPs. Given the lack of significant rainfall, the absence of the</p>	Closed

Reference	Requirement Details	Finding Details	Status
	<p>controls designed, installed and maintained in accordance with the relevant requirements in the Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, and the Managing Urban Stormwater: Soils and construction - Volume 2A (Landcom, 2008) manual, or their latest versions;</p> <p>(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</p> <p>(d) ensure the battery storage and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site.</p>	<p>sediment fence had not appeared to have resulted in erosion and offsite sediment impacts.</p> <p>Recommendation</p> <p>Nil. The Auditor considers that Samsung immediately took appropriate action to address the audit finding via the installation of sediment fence along the southern boundary of the BESS site, as documented in the photographic evidence provided following the audit inspection.</p>	
<p>Opportunity for Improvement BHBESS-01_OFI-2</p>	<p>B 32 WASTE</p> <p>The Applicant must:</p> <p>(a) minimise the waste generated by the development;</p> <p>(b) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version);</p> <p>(c) store and handle all waste on site in accordance with its classification;</p> <p>(d) not receive or dispose of any waste on site; and</p> <p>(d) 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.</p>	<p>Samsung CEMP Table 4.1 (<i>Environmental management and mitigation measures</i>) states "use of Mid-Western Regional Council facilities must not be relied on".</p> <p>At the time of the audit the Samsung waste register was not maintained and up to date, with only two (2) entries being made on the 2 and 4 March 2026. Additionally, the two (2) entries identified the receiving facility as the Mudgee Waste Facility.</p> <p>Immediately following the site audit, Samsung provided an updated waste register that included 16 entries of waste disposal, that all listed Mudgee Waste Facility as the receiving facility.</p> <p>Also immediately following the audit Samsung issued email notices to the incumbent waste contractor instructing them not to use MWRC facilities and emailed a separate waste contractor seeking waste disposal quotations for non-MWRC facilities. Samsung also emailed their sub-contractors instructing them to not use MWRC waste facilities.</p> <p>Separately, in response to this preliminary audit finding, Vena Energy issued formal contractual notices to Samsung and Transgrid, highlighting the requirement to not use MWRC waste facilities and</p>	Closed

Reference	Requirement Details	Finding Details	Status
		<p>reiterated that all sub-contractors on the project are to be made aware of the requirement.</p> <p>Recommendation:</p> <p>Nil. It is considered that Vena Energy and Samsung immediately took appropriate actions to address the audit finding, as documented in the post-audit evidence reviewed.</p>	

1 Introduction

1.1 Background

KPMG was engaged by Vena Energy Services (Australia) Pty Ltd (Vena Energy) to undertake an Independent Environmental Audit (IEA) at the Bellambi Heights Battery Energy Storage System (BHBESS) project. The IEA was undertaken in accordance with the *Independent Audit Post Approval Requirements 2020* (IAPAR 2020) as required by condition of approval (CoA) C14 of State Significant Development (SSD-33344237-Mod-1).

This was the first IEA to be undertaken at the Site and was required to be commissioned within three (3) months of commencing construction, in accordance with CoA C14 of the development consent. The audit period was defined as being from the date that the development consent was granted (2 May 2024) to the date of the current IEA site inspection (8 April 2026).

The purpose of the IEA was to assess compliance with the Project's development consent (SSD-33344237-Mod-1) CoAs, and to evaluate the implementation and effectiveness of the Project's environmental management plans, in line with the methodology set out in IAPAR 2020. The compliance assessment is inclusive of pre-construction requirements from the date that the development consent was granted.

Any references to 'audit', 'independent', 'review' and / or 'verification' in this report have not been used in the context of its respective meaning under assurance, audit and other standards issued by the Australian Auditing and Assurance Standards Board. As such, no opinions or conclusions intended to convey assurance, or an audit opinion, have been expressed in this report.

The evidence used to test the compliance status with respect to each CoA has been documented in Appendix A with a summary of audit findings and recommendations provided in Section 4.13.

1.2 Project Details

The Project received development consent as a State Significant Development (SSD-33344237) under the NSW Environmental Planning and Assessment Act 1979 (EP&A Act) on 2 May 2024, and following an approved modification for a minor increase in the development footprint to facilitate connection into the existing 330kV line the development consent was modified to SSD-33344237-Mod-1 on 20 October 2025.

The Project is situated in the locality of Beryl – approximately 6.5 kilometres (km) north-west of the township of Gulgong in the Central West of New South Wales within the Mid-Western Regional Council (MWRC) local government area (LGA) and the Central-West Orana (CWO) Renewable Energy Zone (REZ). The Bellambi Heights BESS Project consists of the construction of a major grid-scale battery with delivery capacity of 408 megawatts (MW) and associated infrastructure including a substation.

Vena Energy has appointed two (2) Principal Contractors (PCs) to deliver the Project, with Samsung CT being appointed as the PC for the BESS component and Transgrid / CPP appointed as the PC for the

substation component. The two (2) PC worksites are clearly separated with their own construction compounds and lay down areas etc, although they share internal access roads. Vena Energy oversees the environmental performance and compliance of both of its PCs and acts as the principal point of contact for external stakeholder consultation.

1.3 Audit Team

In accordance with CoA C15 of the development consent and the IAPAR 2020, Independent Auditors must be suitably qualified, experienced and independent of the Project, and endorsed by the Planning Secretary prior to each IEA. Details of the KPMG audit team for this audit are as follows:

Table 1.1: Audit Team Details

Name	Company Title	Audit Position	Certifications
Dylan Jones	KPMG Director	Lead Auditor	Exemplar Global Lead Environmental Auditor – Certificate No. C-464532 M. Environmental Engineering Management B. Environmental Science & Management Certified Environmental Practitioner (CEnvP) Infrastructure Sustainability Accredited Professional (ISAP)
Gary Selwyn	KPMG Partner	Alternate Lead Auditor and Technical Reviewer	EPA Victoria Appointed Environmental Auditor (Industrial Facilities) Principal Environmental Auditor – Institute of Sustainability and Environmental Professionals (ISEP) MSc. Environmental Science BSc (Hons). Biological Sciences
Manya Narain	KPMG Consultant	Audit Team Member / Assistant	B. Biomedical Engineering (Hons)

Endorsement of the Audit Team was provided by DPHI on 23 January 2026 (refer to the Planning Secretary Audit Team Endorsement presented in Appendix B).

2 Audit Objectives and Scope

2.1 Audit Objectives

The objective of this audit was to satisfy SSD-33344237 CoA C14 by undertaking an independent assessment of environmental performance and compliance against the Project's conditions of approval and environmental mitigation measures.

2.2 Audit Scope

The scope of the audit included undertaking an assessment of compliance against the Project's CoAs of SSD-33344237-Mod-1 Schedule 2, Parts A, B and C as they apply to the construction and pre-construction phases of the Project throughout the audit period.

An overview of the audit scope undertaken by the KPMG audit team includes the following:

- Review the implementation of management plans, including:
 - Vena Energy
 - Environmental Management Strategy, Rev 3, dated 21 October 2025.
 - Stage 2 Traffic Management Plan, Rev E, dated 6 January 2026.
 - Biodiversity Management Plan, Rev 11, dated 23 October 2025
 - Aboriginal Cultural Heritage Management Plan, Rev 9, dated 23 October 2025
 - Samsung
 - Soil and Water Management Plan, Rev 1, dated 19 November 2025
 - Erosion and Sediment Control Plan, Rev 1, dated 26 November 2025
 - Bushfire Construction Management Plan, Rev 3, dated 4 February 2026
 - Waste and Resource Management Plan, Rev 3, dated 4 December 2025
 - Construction Environmental Management Plan, Rev E, dated 26 November 2025
 - Transgrid
 - Construction Environmental Management Plan, Rev 1, dated 21 November 2025
 - Soil and Water Management Plan, Rev 2, dated 18 November 2025
 - Erosion and Sediment Control Plan, Rev 1, dated 26 November 2025
 - Fire Risk Management Plan, Rev D, dated 16 October 2025
- Site inspection conducted on 8 April 2026:
 - A high-level assessment of the effectiveness of environmental management plans.

- Assess general environmental performance.
- Review of records.
- Interviews with site personnel.
- Conduct audit interviews at the BHBESS site office.

2.3 Audit Period

This is the first IEA undertaken on the Project and was designed to cover all activities from the date that the development consent was granted to the date of the current IEA site inspection. The audit period was therefore defined as the period between **2 May 2024 to 8 April 2026**, inclusive of pre-construction requirements.

3 Audit Methodology

3.1 Endorsement of the Audit Team

The KPMG Audit team included:

- Dylan Jones – Lead Auditor;
- Gary Selwyn - Alternate Lead Auditor / Technical Reviewer; and,
- Manya Narain – Audit Team Member / Assistant.

Endorsement of the Audit Team was provided by DPHI on 23 January 2026 (refer to the Planning Secretary Audit Team Endorsement presented in Appendix B).

3.2 Audit Process

The following sections describe the processes that comprised the IEA, with site inspection and personnel interview components completed on 8 April 2026, followed by additional document reviews, consultation and reporting. The IEA process was aligned with the principles of *ISO 19011:2018 Guidelines for Auditing Management Systems* and the IAPAR 2020 requirements.

3.2.1 Audit Preparation

A kick off meeting was held between KPMG and Vena Energy on 23 February 2026, ahead of the audit. The kick off meeting was used to establish project objectives, confirm dates, timelines and methods of communication. Following the kick off meeting the Lead Auditor prepared an Audit Plan/Agenda and Request for Information documents, which were distributed to the Vena Energy team in preparation for the IEA (refer to Appendix E for the Audit Agenda). Upon receipt of documents from Vena Energy and via review of documents publicly available on the Vena Energy project website, document assessment (refer to Section 3.2.6) commenced in advance of the audit.

3.2.2 Consultation

In accordance with Section 3.2 of the IAPAR 2020 and at DPHI's request, consultation request emails were sent to DPHI and all relevant stakeholders as identified in the development consent, including; Fire and Rescue NSW (FRNSW), Heritage NSW, Transport for NSW (TfNSW), NSW Department of Climate Change, Energy, the Environment and Water (DCCEE) and the Mid Western Regional Council (MWRC) to identify focus areas for the audit or other matters that the Auditor should be made aware of.

Stakeholder consultation is summarised in Table 3.1, with full extracts of correspondence included in Appendix C.

Table 3.1: Consultation summary

Stakeholder	Stakeholder Response	KPMG Response
DPHI	<p>In addition to the consent requirements, please review the management of land, including erosion and sediment, flora and fauna, amenity, dust, waste, transport, including parking and mud tracking onto public roads, any out of hours operation, community consultation and complaints management.</p> <p>Please ensure all relevant stakeholders, as identified in the consent are consulted during the audit.</p>	<p>The audit scope included review of all topics mentioned by DPHI, with evidence of implementation documented against relevant CoAs in Appendix A.</p>
Midwestern Regional Council	<p>Council requests that the following matters be considered as part of the audit scope and further investigated where necessary:</p> <ol style="list-style-type: none"> 1 Use of Unapproved Access Routes 2 Unauthorised Extractive Industry Activities 3 Unauthorised Water Procurement 4 Local Procurement Commitments 5 Noise Monitoring and Out-of-Hours Works Compliance 6 Implementation of Environmental Assessment Requirements and Mitigation Measures 7 Subcontractor Awareness of Consent Requirements 8 Waste Disposal Compliance 9 Dust Management. 	<p>The Auditor considered the matters raised by MWRC, some of which fall outside the scope of the IEA as they do not relate to requirements of the development consent, and provides the following comments:</p> <ol style="list-style-type: none"> 1 No evidence of use of unapproved traffic routes. All vehicles enter and exit via the Castlereagh Highway and there have been no Over Size Over Mass (OSOM) deliveries to date. 2 No evidence of unapproved extractive industry activities. Bulk earthworks include cut and fill with no bulk spoil import export required. 3 Refer to CoA B24 in Appendix A. Water obtained via an appropriate water access licence (WAL). 4 Refer to CoA B33. Vena Energy implements an accommodation and employment strategy. However, there are no SSD requirements in relation to local procurement, Vena Energy have undertaken several initiatives to increase local procurement and employment as documented against CoA B33. The Auditor anecdotally observed that contractors (including Samsung civil works contractor) appeared to be local and Vena Energy’s monthly reporting to MRWC identifies that over 30% of the workforce were local. 5 There have been no out of hours works undertaken to date. 6 The audit included a comprehensive review of SSD CoA and management

		<p>plan requirements. Refer to the four (4) findings raised in this audit report.</p> <p>7 Refer to CoA A12 in Appendix A. The Auditor considers there to be adequate training and awareness provided to subcontractors, including the driver code of conduct.</p> <p>8 Refer to CoA B32 in Appendix A and audit finding BHBESS-01-OFI-2.</p> <p>9 Refer to CoA B19 in Appendix A for details of dust mitigation measures.</p>
DCCEEW	Our team is processing a high volume of requests relating to major projects including critical state significant infrastructure. Given this we apologise that we do not currently have capacity to provide input to this request.	Not applicable
FRNSW	In relation to this project, FRNSW have no specific issues or matters that we would require to be addressed within the audit process.	Not applicable
Heritage NSW	N/A – No response received	Not applicable
TfNSW	<p>TfNSW recommends that the Independent Environmental Audit scope considers for Bellambi Heights BESS:</p> <ol style="list-style-type: none"> 1 Compliance with Instrument of Consent transport-related conditions 2 Implementation and enforcement of shuttle bus arrangements 3 Management of construction traffic volumes during AM and PM peak periods. 4 Any pre-construction minor works mitigation measures and associated Planning Secretary approvals. 5 Completion of road upgrades and compliance with the scope of the road upgrades set within the Instrument of Consent. 6 Implementation of the Traffic Impact Assessment (TIA) and Traffic Management Plans (TMPs). 7 Commitments made within the Environmental Impact Statement (EIS). 	<p>The Auditor considered the matters raised by TfNSW, some of which fall outside the scope of the IEA as they do not relate to requirements of the development consent.</p> <p>There were two (2) traffic-related non-compliances raised during the audit, involving heavy and light vehicle daily limit exceedances. Refer to Section 4.13 and CoA B1 in Appendix A for details.</p> <p>It is the Auditors opinion that actual traffic impacts are greater than those anticipated in the EIS, and that this is due to a delivery strategy using two (2) principal contractors, instead of one (1). Refer to Section 4.1 for further details.</p> <p>The road upgrade works required by Appendix 3 of the development consent had been practically completed (as advised by TfNSW via email) and were awaiting issuance of formal Notice of Practical Completion from TfNSW.</p>

<ul style="list-style-type: none"> 8 Assumptions underpinning the assessed traffic task within the TIA, including traffic distribution assumptions. 9 Effectiveness of mitigation measures detailed within the TMP. 10 Alignment between assessed and actual traffic volumes and vehicle characteristics. 11 Suitability of existing intersection treatments under cumulative background and project traffic. 12 Ongoing appropriateness of approved OSOM routes for the configurations being utilised. 13 Any incidents of non-compliance with mitigation measures, commitments or assessed traffic volumes, and measures implemented in response. 14 Audit report outcomes and recommended actions relevant to the State road network. 	<p>The project’s Stage 2 Traffic Management Plan appeared to be appropriately implemented, with the mitigation measures considered to be effective.</p>
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3.2.3 Opening Meeting

An opening meeting was held on site on 8 April 2026 with representatives from Vena Energy, Samsung and Transgrid site operations and management teams, as per the Audit Attendance Sheet (refer to Appendix F). During the opening meeting the Auditor outlined the objective and the process of the IEA. Vena Energy provided the Auditor with a summary of current site activities including an overview of planned construction program. Key matters such as any environmental incidents, non-compliances, environmental issues and risks and stakeholder interactions were discussed.

3.2.4 Site Inspection

A site inspection was undertaken on 8 April 2026 at the BHBESS site with representatives from Vena Energy, Samsung and Transgrid environmental management and site operations teams. The site inspection was used to understand the nature of the operations and the extent to which environmental controls were implemented and managed across the site. The Auditor was provided full access to all areas requested for inspection.

Refer to details of the site inspection in Section 4.9 and photographs provided in Appendix D.

3.2.5 Interviews

Interviews were held with key personnel from Vena Energy, Samsung and Transgrid. These interviews focused on the management of environmental aspects, and, where areas of concern may exist, what proposed means of risk control are undertaken and proposed to account for these concerns. Additionally, the interviews assisted the Auditor to understand the nature of the activities undertaken at the sites and to identify focus areas for the audit. Table 3.2 provides details of the personnel interviewed during the IEA.

Table 3.2: Personnel Interviewed

Name	Organisation	Position
Dylan Jones	KPMG	Auditor
Rachel Purcell	Vena Energy	Environmental Officer
Andrew Brownlow	Vena Energy	Manager Development and Stakeholders
Russell Stewart	Vena Energy	Site Manager
Michelle Doole	Samsung	HSE Lead
Simon Foley	Samsung	Samsung Construction Manager
Bridie Jackson	Transgrid	Environmental Business Partner
Mick Haddon	Transgrid	Construction Manager
Hamid Yaheriniu	Transgrid	HSE Officer
Greg Cownow	Transgrid	Site Manager

3.2.6 Document Assessment

Documentation relevant to the audit scope was collected and assessed by the audit team as evidence of compliance with a CoA. This included, but was not limited to, management plans, site induction forms and presentations, monitoring and sampling records, correspondence with stakeholders, emergency response plans, plant and equipment maintenance registers and pre-approval documentation such as the Environmental Impact Statement (EIS). Refer to Appendix H for a full list of documents reviewed as part of the IEA.

3.2.7 Closing Meeting

A closing meeting was held virtually at 3:10pm on 13 April 2026 over Microsoft Teams. During the closing meeting the Lead Auditor presented the preliminary audit findings, including any identified potential non-compliances and opportunities for improvement. Where identified, additional documentary evidence was requested by the Auditor following the closing meeting to enable further assessment of compliance.

3.3 Compliance Evaluation

Considering the evidence gathered during audit execution, the IEA assessed and tested the compliance status of each condition from the development consent (SSD-33344237) in the Audit Table, through application of the compliance descriptors detailed in *Table 2* of the IAPAR, as listed in *Table 3.3*.

Table 3.3: Compliance descriptors from Table 2 of the IAPAR

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.
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. ¹
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.

¹ This includes non-compliances that occurred at some point within the audit period and were subsequently rectified, self-reported, and closed prior to the date of the audit.

Where appropriate, the Auditor also identified opportunities for improvement and provided recommendations for Vena Energy’s consideration, details of which are provided in Section 4.13 and Appendix A.

4 Audit Findings

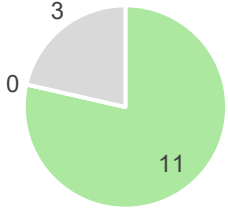
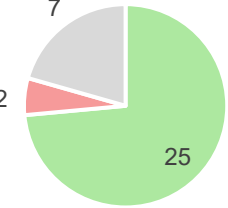
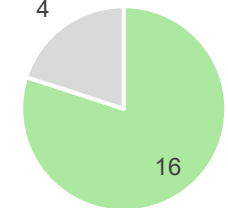
4.1 Approvals and Documents Audited

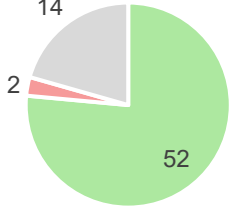
Refer to Appendix H for details of the primary documents assessed as part of the IEA.

4.2 Compliance Assessment Summary

The Project was audited against 68 Conditions of Approval (CoA), with two (2) non-compliances identified. An assessment of each CoA is provided in Appendix A and summarised in *Table 4.1*. Details of the non-compliances are provided in Section 4.13.

Table 4.1: Compliance assessment summary

Part (total number of conditions)	Summary	
Schedule 2A- Administrative Conditions (14)	<ul style="list-style-type: none"> • Compliant - 11 • Non-Compliant - 0 • Not Triggered - 3 	
Schedule 2B – Environmental Conditions General (34)	<ul style="list-style-type: none"> • Compliant - 25 • Non-Compliant - 2 • Not Triggered - 7 	
Schedule 2C – Environmental Management, Reporting and Auditing (20)	<ul style="list-style-type: none"> • Compliant - 16 • Non-Compliant - 0 • Not Triggered - 4 	

Part (total number of conditions)	Summary	
Total - (68)	<ul style="list-style-type: none"> Compliant - 52 Non-Compliant - 2 Not Triggered - 14 	

4.3 Notices, Orders, Penalty Notices and Prosecutions

On 31 March 2026, DPHI issued Vena Energy with a Notice to Furnish Information (Notice) in response to a self-reported non-compliance against CoA B1 regarding the exceedance of daily heavy vehicle movement limits. The Notice requested that Vena Energy provide additional evidence and records in relation to the non-compliance, with a deadline of 1 May 2026 provided by DPHI. At the time of undertaking this IEA Vena Energy was in the process of furnishing its response to the Notice.

Refer to audit finding **BHBESS-01_NC-1** in relation to CoA B1 for further details.

4.4 Incidents

There were no notifiable incidents recorded within the audit period, as per the definition of an incident provided in the development consent. There were two (2) minor environmental incidents, that did not meet the definition of an incident as there was no actual or potential material harm caused. Details of the non-notifiable incidents are as follows:

- On 30 January 2026 approximately 10 litres of diesel was spilled to ground in the process of refilling the onsite 4,000L bulk diesel tank. The spill was contained within the bunded refuelling area on the Transgrid worksite and cleaned using the onsite spill kits, consequently, the Auditor agrees that the minor fuel spill is unlikely to have caused material harm.
- On 6 February 2026 a water cart rolled over within the Transgrid substation worksite, resulting in a diesel fuel leak from the vehicle to unsealed ground. Spill response measures were employed including use of oil absorbent pads, and removal of oily water via vacuum truck and disposal at a licenced waste facility. An investigation was undertaken by Transgrid that concluded that due to the spill being contained and the absence of an established migration pathway to surface water bodies, groundwater or other sensitive receivers, it was unlikely to have caused material harm.

4.5 Complaints

Vena Energy maintains a feedback register to capture and track any positive and negative feedback received. There is a formal feedback mechanism on the project website including instructions on how the community can provide feedback on the project. There had been nil complaints received on the project to date, meaning that the feedback register was empty at the time of the audit. In addition to the feedback register, a stakeholder engagement register is maintained. The Auditor reviewed the stakeholder engagement register and no issues were identified.

4.6 Non-compliances

The IEA identified two (2) non-compliances (NCs) during the audit period, one (1) of which had been self-reported by Vena Energy. Both NCs related to daily traffic movement limit exceedances against CoA B1 and did not result in any identifiable impacts to the community or the environment. Details of the non-compliances identified during the IEA are listed in Section 4.13.

4.7 Previous Audit Findings

This is the first IEA undertaken on the project, consequently there are no previous audit findings.

4.8 Suitability of Environmental Management Plans

The Project is managed in accordance with the following management plans:

- Vena Energy
 - Environmental Management Strategy, Rev 3, dated 21 October 2025.
 - Stage 2 Traffic Management Plan, Rev E, dated 6 January 2026.
 - Biodiversity Management Plan, Rev 11, dated 23 October 2025
 - Aboriginal Cultural Heritage Management Plan, Rev 9, dated 23 October 2025
- Samsung
 - Soil and Water Management Plan, Rev 1, dated 19 November 2025
 - Erosion and Sediment Control Plan, Rev 1, dated 26 November 2025
 - Bushfire Construction Management Plan, Rev 3, dated 4 February 2026
 - Waste and Resource Management Plan, Rev 3, dated 4 December 2025
 - Construction Environmental Management Plan, Rev E, dated 26 November 2025
- Transgrid
 - Construction Environmental Management Plan, Rev 1, dated 21 November 2025
 - Soil and Water Management Plan, Rev 2, dated 18 November 2025

- Erosion and Sediment Control Plan, Rev 1, dated 26 November 2025
- Fire Risk Management Plan, Rev D, dated 16 October 2025

The Vena Energy Environmental Management Strategy (EMS) is the overarching management plan for the Project, supported by topic-specific management plans and construction environmental management plans (CEMP) prepared by Samsung and Transgrid Principal Contractors (PCs). While not required by the development consent, Vena Energy has implemented contractual obligations for its PCs to prepare their own environmental management documentation, including various obligations over and above those included in the development consent. Examples include the requirement to engage a Certified Professional in Erosion and Sediment Control (CPESC) to prepare erosion and sediment control plans (ESCPs) for the PC's worksites, and to prepare waste management plans that include requirements to not rely on MWRC facilities. Vena Energy is responsible for reviewing PC management plans to ensure that they appropriately reflect the overarching EMS requirements, the SSD CoAs (where applicable) and other project-specific obligations and commitments.

The EMS, Traffic Management Plan and Biodiversity Management Plan have been approved by DPHI and, where required by the planning approval, prepared in consultation with relevant agencies.

As part of this audit, the Auditor reviewed the Vena Energy EMS and PC CEMPs to assess their adequacy for the construction phase of works. When assessing the suitability of management plans, the Auditor undertook a high-level gap assessment of the EMS and CEMPs against the Department of Planning, Industry and Environment, *Post Approval Guidance, Environmental Management Plan Guideline* requirements (April 2020). The high-level assessment found that the EMS and CEMPs generally contained all the relevant requirements from the guideline including identification of requirements, targets, objectives and controls, roles and responsibilities, and commitments to continuous improvement (monitoring, reporting and corrective actions).

The Auditor tested implementation of the EMS and management plans via review of documentation, interviews and via the site inspection, with no major issues raised or non-compliances identified.

In general, the Auditor considers that the approach of having an overarching Vena Energy EMS, supported by PC prepared management plans that reference the development consent and include additional contractual obligations is an effective management system that works well in practice. It is important that Vena Energy maintains a high level of oversight of the implementation of the PC management plans to ensure that they are maintained and updated as required.

4.9 Audit Site Inspection

A site inspection was undertaken on 8 April 2026, starting at approximately 9am and ending at approximately 12pm. At the time of the inspection weather conditions were mild, sunny and calm. The objective of the site inspection was to review the effectiveness of the environmental mitigation measures implemented at the Site and to assess environmental performance generally.

The Vena Energy Manager, Development & Stakeholders, Environmental Officer and Site Manager accompanied the Auditor during the site inspection, in addition to representatives from Samsung and Transgrid for their respective worksite locations. Areas and activities inspected included:

- Main site entrance on Castlereagh Highway including recently completed road upgrade works.
- Internal access roads.
- Main site compounds for both Samsung and Transgrid including crib sheds, lay down, storage and parking
- Samsung active construction worksite including cut and fill civil works.
- Transgrid active construction worksite including detailed excavation, stabilising batters with jute mesh and hydroseed, steel fixing and concrete pours.
- Sediment basins and environmental controls.
- Former disturbed surfaces subject to rehabilitation.

All areas were made accessible to the Auditor upon request.

One (1) finding was raised by the Auditor during the inspection:

- The Samsung ECP required the installation of sediment fencing along the southern boundary of the BESS civil works site. At the time of the audit site inspection there was no sediment fence installed at this location. Upon receipt of this preliminary audit finding, Samsung took immediate action to install the sediment fence, with photographic evidence of its installation provided within 48 hours of the audit site inspection. In all other instances across both the Samsung and Transgrid work sites, environmental controls were installed and maintained to a high standard, in accordance with the ECPs. Given the lack of significant rainfall, the absence of the sediment fence had not appeared to have resulted in erosion and offsite sediment impacts.

Refer to finding **BHBESS-01_OFI-2** in relation to CoA B26 for further details (Photos 11 and 12).

The following observations were made:

- Main site entrance was clearly identified with project information displayed and was equipped with a rumble grid to mitigate mud tracking out onto public roads. No tracking was observed on Castlereagh Highway (Photos 1 and 2).
- Road upgrade works had been recently completed (Photo 3).
- Sediment basins were located in the Samsung and Transgrid worksites, in accordance with the details provided in the environmental control plans (ECPs). The Samsung sediment basin was also utilised by water carts to minimise offsite water being trucked to site (Photo 4).
- Water carts were observed to be maintaining moisture on internal access roads to prevent dust emissions.
- Diesel was stored in self-bunded ASTs in the Samsung and Transgrid worksites, with no visual or olfactory evidence of leaks or spills observed (Photos 6, 10 and 14).
- Waste segregation with dedicated bins (Photo 7).

- Hydro seed had recently been applied to soil stockpiles within the Samsung worksite for surface stabilisation to prevent dust emissions (Photo 9).
- With the exception of one (1) location (refer to audit finding **BHBESS-01_OFI-2**) all sediment fences and erosion controls were observed to have been installed and maintained (Photos 11, 12, 16 and 17).
- The Transgrid worksite predominately comprised sealed surfaces in preparation for substation installation, mitigating dust emissions and therefore air quality risk (Photo 18).
- Active rehabilitation of previously disturbed surfaces using hydroseed was observed (Photo 19).

Refer to Appendix D for additional photographs taken during the site inspection.

4.10 Actual versus Predicted Environmental Impacts

The Auditor has undertaken a qualitative assessment of the predicted impacts associated with the Project, as described within the following documentation, against the actual impacts observed during the audit process:

- Environmental Impact Statement, Bellambi Heights Battery Energy Storage System, July 2023. (EIS); and
- Bellambi Heights Battery Energy Storage System, Modification Report, Rev 4, dated 31 July 2025.

Chapter 6 of the EIS contains a summarised assessment of the predicted impacts of each environmental issue identified in the Secretary's Environmental Assessment Requirements (SEARs). The EIS is supported by several technical assessments, included as appendices. The summarised assessments within the EIS were used by the Auditor as a comparison against actual impacts.

When assessing actual impacts the following factors were considered:

- The occurrence of environmental incidents.
- Compliance history against the conditions of consent and adherence to the approved management plan requirements.
- Results of environmental monitoring data compared to predicted levels.
- Number and frequency of internal actions raised during site inspections.
- The nature and frequency of complaints.
- Regulatory notices and actions.
- The physical extent of the Project's operations compared to the approved boundaries.
- Consistency of designs with the EIS.
- Any planning approval modifications or consistency assessments.
- Appropriate implementation of environmental mitigation measures.

It is beyond the scope of this IEA to investigate each of the detailed studies and predictions undertaken as part of the EIS to make comparisons against actual measurements. As such, a qualitative assessment of key aspects has been undertaken, in respect to the current operational status of the project.

Biodiversity

The EIS predicted that the project would result in the loss of 1.12 ha of native vegetation, including: 1.07 ha of PCT 266 – white box grassy woodland; and, 0.056 ha of PCT 277 – Blakely’s red gum. Review of the Section 6.33 certificate (refer to CoA B12 in Appendix A) confirmed that these limits were not exceeded and have been compensated via biodiversity offsets.

The EIS also required the protection of EPBC Act listed Box Gum Woodland PCT 277 via the relocation of the project disturbance footprint away from the patch of remnant woodland. The Auditor confirmed that the protected remnant woodland had not been impacted by the project during construction.

The Auditor was advised by Vena Energy that the modification (Mod-1) did not result in the generation of additional biodiversity credit obligations or increased impacts to biodiversity values.

In general, the mitigation measures included in Table 6.3 of the EIS had been captured by the project Biodiversity Management Plan and implemented effectively. The Auditor noted that active rehabilitation of previously disturbed areas was occurring via use of hydroseed.

Heritage

An Aboriginal Cultural Heritage Assessment (ACHA) was undertaken as part of the EIS, including undertaking consultation with 10 Aboriginal stakeholder organisations. Given that the project site has historically been extensively used for pastoral and agricultural purposes it was expected that significant ground disturbance had occurred prior to the project. No artefacts or significant sites were identified within project boundary during site surveys as part of the ACHA. A Chance Finds Protocol has been prepared as part of the Aboriginal Cultural Heritage Management Plan, however, there have been no finds on the project to date.

Noise and Vibration

A Noise and Vibration Impact Assessment (NVIA) was prepared as part of the EIS, including the assessment of noise from 74 locations surrounding the project. Worst case construction scenarios were modelled which found that the Noise Management Levels (NMLs) were achieved at all non-associated locations. Operational noise from the BESS was also modelled and found to satisfy the relevant criteria.

There have been no construction noise related complaints received, and construction has been limited to standard hours only. Vena Energy will complete an operational noise monitoring report once the BESS becomes operational to validate noise criteria in accordance with CoA B18.

Traffic and Transport

A Traffic Impact Assessment (TIA) was undertaken as part of the EIS that included traffic monitoring to understand the existing traffic conditions, and modelling of anticipated construction traffic impacts. The EIS anticipated an average of 40 light vehicle movements per day during the construction works phase and an average of 40 heavy vehicle movements per day in the peak delivery phase. These estimates were based on an anticipated 100-person workforce, and the use of a shuttle bus for workers.

It is understood that the EIS did not contemplate that there would be two (2) separate PCs on the project, which has resulted in higher than anticipated daily LV and HV movements. Vena Energy has self-reported a non-compliance and this audit identified a second non-compliance associated with exceeding traffic limits set out in CoA B1 (refer to finding **BHBESS-01_NC-1** and **BHBESS-01_NC-2** in relation to CoA B26 for further details).

Based on the non-compliances and from interviews undertaken during the audit, it is the Auditor's opinion that the actual traffic impacts are greater than those anticipated in the EIS, due to the delivery model of using two (2) PCs. Vena Energy is actively consulting with Council, TfNSW and DPHI in relation to the project's traffic limits.

The Auditor sighted the presence of a shuttle bus during the site inspection, which was used to transport personnel to and from the Site.

Water

The EIS contemplated that surface water and runoff would be managed in accordance with ECP and CEMPs. Vena Energy required Samsung and Transgrid to engage a Certified Professional in Erosion and Sediment Control (CPESCP) to prepare the ECPs, and there have been no surface water issues to date. Non-potable water was anticipated to be supplied from a nearby bore under a water access licence (WAL). The Auditor sighted details of the WAL used to provide water to the Site. Overall, the EIS concluded that surface and groundwater impacts would be minor and could be managed via the implementation of mitigation measures, which is consistent with the observations made during the audit.

General

The Auditor noted that mitigation measures were generally being suitably implemented in accordance with approved management plans. The project has been subject to one (1) planning modification since its original approval, relating to a minor increase to the disturbance footprint to facilitate connection to the existing overhead transmission lines. However, this change has not resulted in significant additional environmental impact, evidenced by DPHI's approval of the modification assessment report.

Based on the assessment of the environmental impacts identified in the EIS compared to actual impacts observed during the audit, the Auditor considers that current environmental impacts would likely be considered less than or consistent with those anticipated within the EIS, with the exception of traffic volumes, which are considered to be greater than those anticipated in the EIS and are being managed by Vena Energy in consultation with MWRC, TfNSW and DPHI.

4.11 Previous Compliance Reporting Recommendations

Compliance reports are not a requirement of the SSD-33344237 planning approval.

4.12 Summary of Environmental Performance

Based on the evidence provided, the observations made and compliance findings of this audit, the Project is considered to have demonstrated good environmental performance. Two (2) traffic-related non-compliances were identified. However, these are not considered to have resulted in significant impacts to the environment or the community and are related to daily traffic limit exceedances, for which Vena Energy is currently in the process of seeking an increase.

Two (2) opportunities for improvement were identified by the Auditor, which were both acted upon immediately, with close out actions completed within 48 hours of the site inspection.

The IEA focused on the transition from pre-construction to construction phases, which indicated that all pre-construction requirements were met within the required timeframes.

The following key strengths are noted:

- Availability of evidence and good preparation in advance of the audit, with documentation clearly organised against their respective CoAs.
- Vena Energy demonstrated a strong understanding of compliance requirements.
- Principal Contractor environmental inspections have been undertaken at an appropriate frequency, either weekly or monthly.
- Environmental controls were generally installed to a very high standard.
- Early use of hydroseeding to stabilise stockpiles and rehabilitate disturbed areas.
- Minimal environmental incidents and nil complaints.
- Responsiveness of both Samsung and Vena Energy to the preliminary audit findings.

The Auditor thanks the Vena Energy, Samsung and Transgrid teams for their cooperation during the IEA process.

4.13 Audit Findings and Recommendations

Independent Audit findings were based on evidence collected during the audit process, which included:

- Relevant records, documents and reports (refer to Appendix A and Appendix H).
- Interviews of relevant site personnel (refer to Section 3.2.5 and Appendix A).
- Photographs (refer to Appendix D).

- Figures and plans (refer to Appendix A and Appendix H).
- Site inspections of relevant locations, activities and processes (refer to Section 4.9).

Two (2) non-compliances (NCs), and two (2) opportunities for improvement (OFIs) were identified during the Audit. However, one (1) of the NCs had been self-reported by Vena Energy and both NCs are not likely to have resulted in any actual environmental impacts.

A summary of Audit Findings is provided in *Table 4.3* below.

Table 4.3: Summary of Audit Findings

Reference	Requirement Details	Finding Details	Status
Self-reported Non-compliance. BHBESS-01_NC-1	B1 TRANSPORT Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions The Applicant must ensure that the: <ul style="list-style-type: none"> (a) development does not generate more than: <ul style="list-style-type: none"> vii. 40 heavy vehicle movements a day during construction, upgrading, or decommissioning; viii. 20 light vehicle movements and 4 heavy vehicle movements during the AM (6-7 am) or PM (5-6 pm) project peak hours during construction, upgrading, or decommissioning; and ix. 4 movements of heavy vehicles requiring escort during construction, upgrading, or decommissioning; and (b) length of any vehicles (excluding heavy vehicles requiring escort) used for the development does not exceed 26 metres, 	<p>On 27 February 2026 the project recorded 57 heavy vehicle movements, exceeding the daily limit of 40.</p> <p>On 6 March 2026 Vena Energy self-reported the HV movement exceedance as a non-compliance to DPHI in accordance with CoA C11.</p> <p>On 31 March 2026 DPHI issued Vena Energy with a Notice to Furnish Information (Notice) in response to the self-reported non-compliance. At the time of undertaking this IEA Vena Energy was in the process of furnishing their response to the DPHI Notice.</p> <p>Recommendation: The Auditor understands that Vena Energy is in the process of consulting with relevant stakeholders and DPHI regarding increasing the daily vehicle movement limits as provided in CoA B1. It is the Auditor’s opinion that an increase in vehicle movements limits is reasonable, given that there are two (2) principal contractors on the site, which was not contemplated during the EIS, resulting in higher traffic volumes than anticipated. Further, there have been nil complaints received to date regarding traffic impacts associated with the project and the risk of cumulative traffic impacts is mitigated due to construction delays associated with nearby projects such as the Tallawang Solar Farm which has not commenced construction.</p>	Open

Reference	Requirement Details	Finding Details	Status
	unless the Planning Secretary agrees otherwise.		
Non-compliance. BHBESS-01_NC-2	<p>B1 TRANSPORT</p> <p>Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions</p> <p>The Applicant must ensure that the:</p> <p>(a) development does not generate more than:</p> <ul style="list-style-type: none"> x. 40 heavy vehicle movements a day during construction, upgrading, or decommissioning; xi. 20 light vehicle movements and 4 heavy vehicle movements during the AM (6-7 am) or PM (5-6 pm) project peak hours during construction, upgrading, or decommissioning; and xii. 4 movements of heavy vehicles requiring escort during construction, upgrading, or decommissioning; and <p>(b) length of any vehicles (excluding heavy vehicles requiring escort) used for the development does not exceed 26 metres,</p> <p>unless the Planning Secretary agrees otherwise.</p>	<p>During the review of project traffic logs of light vehicle (LV) movements during the 6am-7am period it was identified that the limit of 20 LV movements was exceeded on 3 February (24 movements), 18 February (22 movements), 20 February (23 movements), 25 February (21 movements), 19 March (21 movements) and 24 March (21 movements).</p> <p>While these exceedances are considered by the Auditor to be minor, they represent a non-compliance against CoA B1.</p> <p>Vena Energy advised that while the internal Traffic Management Plan audits had identified the LV exceedances, there appeared to be no process pathway to escalate these to the Vena Energy Manager, Development & Stakeholders.</p> <p>Recommendation: It is recommended to implement an internal escalation process to notify the Vena Energy Manager, Development & Stakeholders when LV limits are exceeded during the 6-7am or 5-6pm windows.</p> <p>The Vena Energy project team should continue to coordinate vehicle limits between Samsung and Transgrid during the weekly project coordination meetings, with increased emphasis on LV movements, in addition to HV movements.</p> <p>The Auditor understands that Vena Energy is in the process of consulting with relevant stakeholders and DPHI regarding increasing the daily vehicle movement limits as provided in CoA B1. It is the Auditor’s opinion that an increase in vehicle movements limits is reasonable, given that there are two (2) principal contractors on the site, which was not contemplated during the EIS, resulting in higher traffic volumes than anticipated. Further, there have been nil complaints received to date regarding traffic impacts associated with the project and the risk of cumulative traffic impacts is mitigated due to construction delays associated with nearby projects such as the Tallawang Solar Farm which has not commenced construction.</p>	Open

Reference	Requirement Details	Finding Details	Status
Opportunity for Improvement BHBESS-01_OFI-1	B26 Operating Conditions The Applicant must: <ul style="list-style-type: none"> (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, and the Managing Urban Stormwater: Soils and construction - Volume 2A (Landcom, 2008) manual, or their latest versions; (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. 	<p>The Samsung ECP required the installation of sediment fencing along the southern boundary of the BESS civil works site. At the time of the audit site inspection there was no sediment fence installed at this location.</p> <p>Upon receipt of this preliminary audit finding, Samsung took immediate action to install the sediment fence, with photographic evidence of its installation provided within 48 hours of the audit site inspection. In all other instances across both the Samsung and Transgrid work sites, environmental controls were installed and maintained to a very high standard, in accordance with the ECPs. Given the lack of significant rainfall, the absence of the sediment fence had not appeared to have resulted in erosion and offsite sediment impacts.</p> <p>Recommendation</p> <p>Nil. The Auditor considers that Samsung immediately took appropriate action to address the audit finding via the installation of sediment fence along the southern boundary of the BESS site, as documented in the photographic evidence provided following the audit inspection.</p>	Closed
Opportunity for Improvement BHBESS-01_OFI-2	B 32 WASTE The Applicant must: <ul style="list-style-type: none"> (e) minimise the waste generated by the development; (f) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version); 	<p>Samsung CEMP Table 4.1 (<i>Environmental management and mitigation measures</i>) states "use of Mid-Western Regional Council facilities must not be relied on".</p> <p>At the time of the audit the Samsung waste register was not maintained and up to date, with only two (2) entries being made on the 2 and 4 March 2026. Additionally, the two (2) entries identified the receiving facility as the Mudgee Waste Facility.</p> <p>Immediately following the site audit, Samsung provided an updated waste register that included 16</p>	Closed

Reference	Requirement Details	Finding Details	Status
	<p>(g) store and handle all waste on site in accordance with its classification;</p> <p>(h) not receive or dispose of any waste on site; and</p> <p>(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..</p> <p><i>Samsung CEMP Table 4.1 (Environmental management and mitigation measures) states "use of Mid-Western Regional Council facilities must not be relied on".</i></p>	<p>entries of waste disposal, that all listed Mudgee Waste Facility as the receiving facility.</p> <p>Also immediately following the audit Samsung issued email notices to the incumbent waste contractor instructing them not to use MWRC facilities and emailed a separate waste contractor seeking waste disposal quotations for non-MWRC facilities. Samsung also emailed their sub-contractors instructing them to not use MWRC waste facilities.</p> <p>Separately, in response to this preliminary audit finding, Vena Energy issued formal contractual notices to Samsung and Transgrid, highlighting the requirement to not use MWRC waste facilities and reiterated that all sub-contractors on the project are to be made aware of the requirement.</p> <p>Recommendation:</p> <p>Nil. It is considered that Vena Energy and Samsung immediately took appropriate actions to address the audit finding, as documented in the post-audit evidence reviewed.</p>	



Appendix A – Audit Compliance Table



Appendix A – Audit Compliance Table

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 2, Part A: Administrative Conditions				
A1	<p>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</p> <p>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, operation, upgrading, decommissioning or rehabilitation of the development.</p>	<p>During the course of the audit, the Auditor assessed the implementation of environmental mitigation measures included in the Vena Energy, Transgrid and Samsung environmental management plans. The Auditor concluded that the environmental mitigation measures were implemented appropriately to prevent and minimise any harm to the environment.</p>		Compliant
A2	<p>TERMS OF CONSENT</p> <p>The development may only be carried out:</p> <ul style="list-style-type: none"> (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 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Environmental Impact Statement, Bellambi Heights Battery Energy Storage System, July 2023. (EIS) – including all supporting documentation. • Project management plans. • Sight inspection observations to confirm adherence to the Development Layout. <p>The Auditor considers that the BHBESS development has generally been carried out in accordance with the above listed documentation.</p>		Compliant
A3	<p>The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department’s assessment of:</p> <ul style="list-style-type: none"> (a) any strategies, plans or correspondence that are submitted in accordance with this consenting accordance with all written directions of the Planning Secretary. (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. 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Correspondence from DPHI to Vena Energy, dated 11 February 2025. Re. Bellambi Heights BESS (SSD-33344237) - Environmental Management Strategy. Ref. SSD-33344237-PA-4. <p>DPHI formally requested that Vena Energy update the EMS in response to Mod-1 of the consent, including a revised layout plan and increased disturbance footprint.</p> <ul style="list-style-type: none"> • Correspondence from DPHI to Vena Energy, dated 31 October 2025. Re. Bellambi Heights BESS (SSD-33344237) - Environmental Management Strategy. Ref. SSD 33344237-PA-15. <p>DPHI approved the EMS including the Mod-1 updates on 31 October 2025.</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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.	Note only		Compliant
A5	BATTERY STORAGE RESTRICTION Unless the Planning Secretary agrees otherwise, the battery storage associated with the development must not exceed a total delivery capacity of 408 MW <i>Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage in the future.</i>	Evidence sighted: <ul style="list-style-type: none"> Bellambi Heights Battery Energy Storage System Stage 1 Performance Standards, Australian Energy Market Operator. The AEMO report stated that the maximum discharge/generation capacity is 408 MWh at the beginning of the integrated resource system's life.		Compliant
A6	UPGRADING OF BATTERY STORAGE AND ANCILLARY INFRASTRUCTURE 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.	No upgrades to battery and ancillary infrastructure to date.		Not triggered
A7	STRUCTURAL ADEQUACY 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. <i>Notes:</i> <ul style="list-style-type: none"> 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. 	Evidence sighted: Samsung: <ul style="list-style-type: none"> Staged Construction Certificate. Certificate Number: 25000634/1, prepared by MBC Group Consultants, dated 18 December 2025. (Vena Energy civil bench works only). Transgrid: <ul style="list-style-type: none"> Staged Construction Certificate. Certificate Number 26000647/1. Prepared by MBC Group Consultants, dated 15 January 2026. (Transgrid civil and drainage works only). Staged Construction Certificate. Certificate Number 26000647/2, prepared by MBC Group Consultants, 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>dated 5 March 2026 (Transgrid structural and ASB works).</p> <p>Supporting documents referenced in the Construction Certificates included management plans and strategies prepared in accordance with the following SSD CoAs; A5, A14, B9, B12, B13, B32, B33 and C1.</p> <p>It is noted that additional Construction Certificates will be provided for Samsung structural works associated with the battery infrastructure etc.</p>		
A8	<p>DEMOLITION</p> <p>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.</p>	No demolition works undertaken to date.		Not triggered
A9	<p>PROTECTION OF PUBLIC INFRASTRUCTURE</p> <p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <ul style="list-style-type: none"> (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. <p><i>Note:</i></p> <p><i>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.</i></p>	As part of the road upgrade works required under Appendix 3 of the consent, a fibre optic cable was required to be relocated. NBN Co. as the asset owner engaged Downer to relocate to fibre optic services. Downer reportedly caused damage to the service which was subsequently repaired. Vena Energy paid the full costs of relocation and repair works.		Compliant
A10	<p>OPERATION OF PLANT AND EQUIPMENT</p> <p>All plant and equipment used on site, or in connection with the development, must be:</p> <ul style="list-style-type: none"> (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner. . 	<p>Evidence sighted:</p> <p>Samsung:</p> <ul style="list-style-type: none"> • Prestart check. Asset number P0738, completed on 18 March 2026 • Plant and Equipment Access Form, Komatsu HM300-2. Approved as compliant by Samsung HSE team on 19 February 2026. • Induction details for [NAME REDACTED] from A1 Earthworx Pty Ltd, dated 29 January 2026. 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> Statement of Attainment for [NAME REDACTED] – RIIMP0317F Conduct roller operations and RIIMMP0337E Conduct articulated haul truck operations. Prestart check. Asset number P1275, completed on 19 March 2026 Plant and Equipment Access Form, Caterpillar Cat 12M grader. Approved as compliant by Samsung HSE team on 4 March 2026. Certificate of Validation of Competency for [NAME REDACTED] – RIIMP0324F Conduct civil construction grader operations. <p>Transgrid:</p> <ul style="list-style-type: none"> Plant Daily Inspection – Fault Report No. 0531, dated 9 March 2026. ATV / Quad Bike Prestart Check list, dated 29 January 2026 Daily checklist, unit number RA362 roller, dated 27 March 2026. Statement of Attainment for [NAME REDACTED] – RIIMPO317F Conduct roller operations, RIIMPO320F Conduct civil construction excavator operations, RIIMPO324F Conduct civil construction grader operations. Statement of Attainment for [NAME REDACTED] – RIIMPO317F Conduct roller operations <p>Vena Energy provided sufficient evidence from Samsung and Transgrid to demonstrate that their plant and equipment was being appropriately maintained and that operators were appropriately qualified and competent.</p>		
A11	<p>APPLICABILITY OF GUIDELINES</p> <p>References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols,</p>	No such requests have been made by the Secretary.		Not triggered

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>Standards or policies in the form they are in as at the date of this consent.</p> <p>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.</p>			
A12	<p>COMPLIANCE</p> <p>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.</p>	<p>Evidence sighted:</p> <p>Samsung:</p> <ul style="list-style-type: none"> • Screenshot of Samsung’s contractor induction list for Bellambi Heights BESS. • Samsung site induction – includes environmental requirements. • Excel spreadsheet titled ‘Edara Induction Status’, dated 19 March 2026, including columns for names of organisations and employees, induction date, onboard status and induction status. <p>Transgrid:</p> <ul style="list-style-type: none"> • Excel spreadsheet titled ‘Bellambi Heights Induction – spreadsheet’, including columns for course name ‘Bellambi Heights Substation Induction’, employee name, contractor company name, course progress and course status. <p>Additional evidence:</p> <ul style="list-style-type: none"> • Driver induction code of conduct includes truck vehicle movement requirements. • PC communication meetings (weekly) discuss vehicle movement requirements. • Approved management plans are sent to PCs by Vena Energy and instructed that their management plans must be prepared in accordance with CoAs. Vena Energy review and approved Samsung and Transgrid management plans in accordance with contractual 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		requirements. The evidence provided demonstrates that both Contractors are aware of their compliance requirements under the SSD consent.		
A13	<p>EVIDENCE OF CONSULTATION</p> <p>Where conditions of this consent require consultation with an identified party, the Applicant must:</p> <p>(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>(b) provide details of the consultation undertaken including:</p> <p>i. the outcome of that consultation, matters resolved and unresolved; and</p> <p>ii. details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.</p>	<p>Evidence sighted:</p> <p>Stage 1 Traffic Management Plan (B9)</p> <ul style="list-style-type: none"> Correspondence from Vena Energy to TfNSW, dated 5 November 2024. Re. SSD 33344237 Bellambi Heights BESS – Traffic Management Plan Staging. Correspondence from TfNSW to vena Energy, dated 12 December 2024. Re. Review of Traffic Management Plan for Bellambi BESS – SSD33344237. Correspondence from Vena Energy to TfNSW, dated 17 December 2024. Re. SSD 33344237 Bellambi Heights BESS – Traffic Management Plan Staging. Email correspondence between Vena Energy and Midwestern Council, dated between 12 to 14 November 2024. Re. Bellambi Heights – Stage 1 Traffic Management Plan for REVIEW. <p>Stage 2 Traffic Management Plan (B9)</p> <ul style="list-style-type: none"> Correspondence from TfNSW to Vena Energy, dated 11 November 2025. Re. Review of Stage 2 Traffic Management Plan for Bellambi Heights Battery Energy Storage System- 696 Castlereagh Highway, Beryl, Revision A, prepared by Amber dated September 2025. <p>Biodiversity Management Plan (CoA B13)</p> <ul style="list-style-type: none"> Correspondence from the Conservation Programs, Heritage and Regulation Group (CHPR) to Vena Energy, dated 14 May 2025. Re. Bellambi Heights battery Energy Storage System – Draft Biodiversity Management Plan. <p>Aboriginal Cultural Heritage Management Plan including the Chance Finds Protocol (CoA B23)</p> <ul style="list-style-type: none"> Correspondence from Kylie Manson Warrabinga 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Wiradjuri #7 Native Title Claimants Aboriginal Corporation to EMM Consulting, dated 27 November 2024. Re. Draft Aboriginal Cultural Heritage Management Plan – Bellambi Heights Battery Storage Project, Beryl NSW.</p> <ul style="list-style-type: none"> Correspondence from EMM Consulting to Heritage NSW, dated 20 November 2024. Re. Bellambi Heights ACHMP - Aboriginal cultural heritage management plan. Correspondence from Heritage NSW to Vena Energy, dated 2 February 2025. Re. Aboriginal Cultural Heritage Management Plan – State Significant Development. Accommodation and Employment Strategy (B33) Correspondence between Vena Energy and MRWC relating to approved and purpose-built accommodation providers. Email correspondence from Vena Energy to MWRC, dated 20 October 2025, including the Accommodation Plan for Council’s comment. 		
A14	<p>COMMUNITY ENHANCEMENT</p> <p>Prior to commencing construction, unless the Planning Secretary agrees otherwise, the Applicant must enter into a VPA with Mid-Western Regional Council in accordance with:</p> <ol style="list-style-type: none"> Division 7.1 of Part 7 of the EP&A Act; and The terms of the correspondence dated 7 December 2023, which are summarised in Appendix 4. 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Bellambi Heights Battery Energy Storage System Project, Planning Agreement, between Mid-Western Regional Council and Vena Energy Services (Australia) Pty Ltd, dated 9 January 2025. Email from DPHI acknowledging receipt of the VPA, with no comments, dated 14 February 2025. Correspondence from Vena Energy to DPHI, dated 9 January 2026. Re. SSD 33344237: Bellambi Heights BESS – Notification Condition C7. Correspondence from Vena Energy to MWRC, dated 23 January 2026. Re. Bellambi Heights BESS Planning Agreement Annual Report. <p>The VPA was entered into on 9 January 2025. Construction commenced on 12 January 2026.</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		Vena Energy provided annual reports to MRWC as required by the VPA.		
Schedule 2, Part B: Environmental Conditions - General				
B1	<p>TRANSPORT</p> <p>Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions</p> <p>The Applicant must ensure that the:</p> <ul style="list-style-type: none"> i. development does not generate more than: ii. 40 heavy vehicle movements a day during construction, upgrading, or decommissioning; iii. 20 light vehicle movements and 4 heavy vehicle movements during the AM (6-7 am) or PM (5-6 pm) project peak hours during construction, upgrading, or decommissioning; and iv. 4 movements of heavy vehicles requiring escort during construction, upgrading, or decommissioning; and v. length of any vehicles (excluding heavy vehicles requiring escort) used for the development does not exceed 26 metres, <p>unless the Planning Secretary agrees otherwise.</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Graph of heavy vehicle daily numbers from 15 January to 31 March 2026. • Graph of light vehicle movements between 6-7am from 1 February to 31 March 2026. • Vena Energy notification to DPPI regarding non-compliance against CoA B1, dated 6 March 2026. • DPPI Notice to Furnish Information and Records (Notice), issued to Vena Energy on 31 March 2026. <p>It appeared that light vehicle movements exceeded the limit of 20 between 6-7am on six (6) occasions. – non-compliance?</p> <p>Vena Energy have submitted a request to DPPI on 31 March to increase the heavy vehicle and light vehicle numbers. Council have endorsed the increase in principle. The request is pending DPPIs endorsement.</p> <p>No heavy vehicles requiring escorts to date.</p>	<p>Self-reported Non-compliance.</p> <p>BHBESS-01_NC-1</p> <p>On 27 February 2026 the project recorded 57 heavy vehicle movements, exceeding the daily limit of 40.</p> <p>On 6 March 2026 Vena Energy self-reported the HV movement exceedance as a non-compliance to DPPI in accordance with CoA C11.</p> <p>Recommendation: The Auditor understands that Vena Energy is in the process of consulting with relevant stakeholders and DPPI regarding increasing the daily vehicle movement limits as provided in CoA B1. It is the Auditor’s opinion that an increase in vehicle movements limits is reasonable, given that there are two (2) principal contractors on the site, which was not contemplated during the EIS, resulting in higher traffic volumes than anticipated. Further, there have been nil complaints received to date regarding traffic impacts associated with the project and the risk of cumulative traffic</p>	Non-Compliant



Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			<p>impacts is mitigated due to construction delays associated with nearby projects such as the Tallawang Solar Farm which has not commenced construction.</p> <p>Non-compliance. BHBESS-01_NC-2</p> <p>During the review of project traffic logs of light vehicle (LV) movements during the 6am-7am period it was identified that the limit of 20 LV movements was exceeded on 3 February (24 movements), 18 February (22 movements), 20 February (23 movements), 25 February (21 movements), 19 March (21 movements) and 24 March (21 movements).</p> <p>While these exceedances are considered by the Auditor to be minor, they represent a non-compliance against CoA B1.</p> <p>Vena Energy advised that while the internal Traffic Management Plan audits had identified the LV exceedances, there appeared to be no process pathway to escalate these to the Vena Energy Manager, Development & Stakeholders.</p>	

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			<p>Recommendation: It is recommended to implement an internal escalation process to notify the Vena Energy Manager, Development & Stakeholders when LV limits are exceeded during the 6-7am or 5-6pm windows.</p> <p>The Vena Energy project team should continue to coordinate vehicle limits between Samsung and Transgrid during the weekly project coordination meetings, with increased emphasis on LV movements, in addition to HV movements.</p> <p>The Auditor understands that Vena Energy is in the process of consulting with relevant stakeholders and DPHI regarding increasing the daily vehicle movement limits as provided in CoA B1. It is the Auditor’s opinion that an increase in vehicle movements limits is reasonable, given that there are two (2) principal contractors on the site, which was not contemplated during the EIS, resulting in higher traffic volumes than anticipated. Further, there have been nil complaints received to date regarding traffic impacts associated with the project and the risk of cumulative traffic impacts is mitigated due to construction delays associated with nearby projects such as the</p>	

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
			Tallawang Solar Farm which has not commenced construction.	
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.	Evidence sighted: <ul style="list-style-type: none"> Gate logs maintained by dedicated staff who record all vehicles entering and exiting the site including directions. 		Compliant
B3	Access Route All heavy vehicles associated with the development must travel to and from the site via: <ul style="list-style-type: none"> (a) Golden Highway and Castlereagh Highway north of the development; (b) Castlereagh Highway south of the development, as described in the EIS.	Evidence sighted: <ul style="list-style-type: none"> Extracts of gate logs from 10, 14 and 31 March 2026. There is only one (1) access point to the Site, which satisfies the directional traffic requirements of the condition.		Compliant
B4	All heavy vehicles requiring escort associated with the development must travel to and from the site via the Golden Highway and Castlereagh Highway north of the development as identified in Figure 2 of Appendix 3. <i>Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of heavy vehicles requiring escort on the road network.</i>	No heavy vehicle escorts to date.		Not triggered
B5	Site Access All vehicles associated with the development must enter and exit the site via the site access point off Castlereagh Highway as identified in Appendix 1.	The Auditor confirmed that the only site access was via the Castlereagh Highway as identified in Appendix 1 of the consent.		Compliant
B6	Unless the Planning Secretary agrees otherwise, the existing site access off the Castlereagh Highway must be closed before any development related vehicles enter the site.	Evidence sighted: <ul style="list-style-type: none"> Photographs of the existing site access off the Castlereagh Highway closed via installation of a new wire fence, photos dated 22 January 2026. Stage 2 TMP including consultation logs from DPHI and TfNSW. The Auditor observed that the existing site access off the Castlereagh Highway was closed at the time of the audit. The Stage 2 TMP noted that the existing site access would be closed prior to practical completion of the road upgrade		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B7	<p>Road Upgrades</p> <p>Unless the Planning Secretary agrees otherwise, prior to commencing construction the Applicant must complete the road upgrades detailed in Appendix 3.</p> <p>Unless the relevant road authority agrees otherwise, these upgrades must comply with the current Austroads Guidelines, Australian Standards (as amended by TfNSW supplements), and be carried out to the satisfaction of the relevant roads authority.</p>	<p>works. DPHI approved the Stage 2 TMP including the revised dates.</p> <p>Evidence sighted:</p> <ul style="list-style-type: none"> Correspondence from Vena Energy to DPHI, dated 12 December 2025. Re. SSD 33344237: Bellambi Heights BESS – Planning Secretary Request Condition B7. <p>Due to unfavourable ground conditions and poor weather, Vena Energy requested DPHI’s agreement to allow construction to commence while the required road upgrades (Basic Left Turn (BAL) and Basic Right Turn (BAR)) were being completed.</p> <ul style="list-style-type: none"> Correspondence from DPHI to Vena Energy, dated 24 December 2025. Re. Bellambi Heights BESS (SSD-33344237) - Condition B7: Request for restricted construction activities to be undertaken before completion of road upgrade works. <p>DPHI agreed to Vena Energy’s request and approved ‘restricted construction activities’ subject to conditions.</p> <ul style="list-style-type: none"> Correspondence from Vena Energy to DPHI, dated 30 December 2025. Re. SSD 33344237: Bellambi Heights BESS – Planning Secretary Request Condition B7. <p>Vena Energy agreed to DPHI’s conditions of approval for ‘restricted construction activities’.</p> <ul style="list-style-type: none"> Correspondence from DPHI to Vena Energy, dated 7 January 2026. Re. Bellambi Heights BESS (SSD-33344237) - Traffic Management Plan Stage 2. Ref. SSD-33344337-PA-21. <p>DPHI approved the TMP Stage 2 for ‘Restricted Construction Activities’ in accordance with CoA B9.</p> <ul style="list-style-type: none"> Correspondence from TfNSW to Makercs (Engineer), dated 12 March 2026. Re. RE: WST24/00004 Beryl - Bellambi - Pending Practical Completion. 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
B8	<p>Operating Conditions</p> <p>The Applicant must ensure:</p> <ul style="list-style-type: none"> (a) any new internal roads are constructed and maintained as all-weather roads; (b) any existing internal roads are maintained as all-weather roads; (c) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site; (d) the capacity of the existing roadside drainage network is not reduced; (e) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and (f) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the public road network. 	<p>TfNSW confirmed that all road defects had been actioned subject to sealing works, stating “all works on site are physically complete to achieve practical completion.”.</p> <p>Evidence:</p> <ul style="list-style-type: none"> • Site inspection observations. <p>Confirmed all new internal roads were maintained as all-weather roads and there was sufficient onsite parking at each PC compound.</p> <p>A rumble grid was installed at the site entrance with no visible signs of mud tracking on public roads.</p> <ul style="list-style-type: none"> • Extracts of gate logs from 10, 14 and 31 March 2026. <p>Gate logs confirmed that vehicles leave site in a forward direction.</p>		Compliant
B9	<p>Traffic Management Plan</p> <p>Prior to commencing road upgrades identified in condition B7, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council, and to the satisfaction of the Planning Secretary. This plan must include:</p> <ul style="list-style-type: none"> (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, including: (c) Details of the closure of the existing site access as required by condition (d) Details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including: 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Bellambi Heights Battery Energy Storage System, 696 Castlereagh Highway, Beryl, Stage 1 Traffic Management Plan, dated April 2025. • Correspondence from DPHI to Vena Energy, dated 29 April 2025. Re. Bellambi Heights BESS (SSD-33344237) - Traffic Management Plan Stage 1. Ref. SSD-33344237-PA-8. <p>DPHI approval of Stage 1 TMP.</p> <ul style="list-style-type: none"> • Correspondence from DPHI to Vena Energy, dated 7 January 2026. Re. Bellambi Heights BESS (SSD-33344237) - Traffic Management Plan Stage 2. Ref. SSD-33344337-PA-21. <p>DPHI approved the TMP Stage 2 for ‘Restricted Construction Activities’ in accordance with CoA B9.</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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 State significant development projects in the area (including consultation with the applicant of Tallawang Solar Farm regarding scheduling of peak construction movements and further traffic management measures (if required) to ensure the road upgrades identified in condition B7 are compliant with Austroads Guidelines); 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; vii. details of employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage employee use of this service as described in the EIS; viii. encouraging car-pooling or ride sharing by employees; ix. scheduling of heavy vehicle movements to minimise convoy length or platoons, and to 	<ul style="list-style-type: none"> • Bellambi Heights battery Energy Storage System, 696 Castlereagh Highway, Beryl, Stage 2 Traffic Management Plan, Rev C, dated November 2025c. • Correspondence from DPHI to Vena Energy, dated 21 November 2025. Re. Bellambi Heights BESS (SSD-33344237) - Traffic Management Plan Stage 2. Ref. SSD-33344237-PA-18. <p>DPHI approval of Stage 2 TMP.</p> <ul style="list-style-type: none"> • Bellambi Heights battery Energy Storage System, 696 Castlereagh Highway, Beryl, Stage 2 Traffic Management Plan, Rev E, dated 6 January 2026. • Correspondence from DPHI to Vena Energy, dated 7 January 2026. Re. Bellambi Heights BESS (SSD-33344237) - Traffic Management Plan Stage 2. Ref. SSD-33344237-PA-21. <p>DPHI approval of TMP Stage 2 (Rev E) to allow for restricted construction activities while road upgrade works were in progress.</p> <p>Evidence of implementation of the TMP:</p> <ul style="list-style-type: none"> • Speed limit signs on site. • Internal monthly audits of TMP undertaken by Vena Energy. Audit dated 27 February 2026, mentions ACERZ and Tallawang Solar farm consultation. • Monthly project updates on Vena Energy website. • Review of Council events websites to avoid scheduling activities concurrently with Council events. • Gate logs including numbers of LV and HV and turning directions. • Driver code of conduct, including all requirements. • Extract from stakeholder engagement logs including ACEREZ and Tallawang Solar regarding cumulative impacts. 		

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>minimise conflict with light vehicles;</p> <p>x. responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;</p> <p>xi. responding to any emergency repair or maintenance requirements; and</p> <p>xii. a traffic management system for managing heavy vehicles requiring escort;</p> <p>(e) a driver’s code of conduct that addresses:</p> <p>i. driver fatigue;</p> <p>ii. procedures to ensure that drivers adhere to the designated transport routes and speed limits; and</p> <p>iii. procedures to ensure that drivers implement safe driving practices; and</p> <p>(f) a program the Planning Secretary’s approval, the Applicant must implement the Traffic Management Plan.</p> <p>Following the Planning Secretary’s approval, the Applicant must implement the Traffic Management Plan.</p>	<ul style="list-style-type: none"> Each PC runs their own shuttle buses to keep their light vehicle numbers down. Carpooling being encouraged by Vena Energy. <p>There will be a Stage 3 and potentially Stage 4 TMP in future.</p>		
B10	<p>BIODIVERSITY</p> <p>Vegetation Clearance</p> <p>The Applicant must not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.</p>	<p>No vegetation clearing in areas outside of the EIS footprint was observed or is understood to have occurred.</p>		Compliant
B11	<p>Biodiversity Offsets</p> <p>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, unless the Planning Secretary agrees otherwise.</p> <p>The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:</p> <p>(a) acquiring or retiring ‘biodiversity credits’ within the meaning</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Correspondence from the NSW Biodiversity Conservation Trust to Vena Energy, dated 24 March 2025. Re. BCF847 – Section 6.33 Certificate. <p>BCT confirmed via email that “The attached section 6.33 certificate confirms that you have made a payment into the Biodiversity Conservation Fund to meet the biodiversity credit obligation detailed in the certificate. This certificate</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status						
	<p>of the Biodiversity Conservation Act 2016</p> <p>(b) making payments into an offset fund that has been developed by the NSW Government; or</p> <p>(c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.</p> <p>Table 1: Ecosystem Credit Requirements</p> <table border="1"> <thead> <tr> <th>Ecosystem Credits</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td>PCT266 – White Box grassy woodland in the upper slopes sub-region of the NSW South Western Slopes Bioregion</td> <td>1</td> </tr> <tr> <td>PCT277 – Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion</td> <td>1</td> </tr> </tbody> </table>	Ecosystem Credits	Credits Required	PCT266 – White Box grassy woodland in the upper slopes sub-region of the NSW South Western Slopes Bioregion	1	PCT277 – Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	1	<p>can be used to demonstrate to the consent authority that you have met this biodiversity credit obligation.”</p> <ul style="list-style-type: none"> Section 6.33 Certificate, dated 20 March 2025. <p>The Section 6.33 Certificate confirmed that 1 credit for PCT266 and 1credit for 277 had been retired via payment to the Biodiversity Conservation Fund.</p>		
Ecosystem Credits	Credits Required									
PCT266 – White Box grassy woodland in the upper slopes sub-region of the NSW South Western Slopes Bioregion	1									
PCT277 – Blakely's Red Gum – Yellow Box grassy tall woodland of the NSW South Western Slopes Bioregion	1									
B12	<p>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.</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Correspondence from DPHI to Vena Energy, dated 25 March 2025. Re. Bellambi Heights Battery Energy Storage System - Condition B12 Biodiversity Credits Retirement Cert. <p>DPHI confirmed receipt of the Section 6.33 Certificate in accordance with CoA B12.</p>		Compliant						
B13	<p>Biodiversity Management Plan</p> <p>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:</p> <p>(a) be prepared in accordance with the revised Biodiversity Development Assessment Report (dated 11 March 2024);</p> <p>(b) include a description of the measures and timeframes that would be implemented for:</p> <p>i. protecting vegetation and fauna habitat outside the approved disturbance areas;</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Bellambi Heights Battery Energy Storage System, Biodiversity Management Plan, Rev 11, dated 23 October 2025. DPHI correspondence to Vena Energy, dated 31 October 2025. Re. Bellambi Heights BESS - Biodiversity Management Plan. Ref SSD-33344237-PA-17. <p>DPHI approval of the BMP.</p> <p>Evidence of implementation of BMP:</p>		Compliant						

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> ii. managing the remnant vegetation and fauna habitat on site; iii. minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development; iv. minimising the impacts to fauna on site and implementing fauna management protocols, including the design of temporary fencing; v. maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; and vi. biosecurity management, including controlling weeds, feral pests and pathogens <p>(c) include a program to monitor and report on the effectiveness of mitigation measures</p> <p>(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</p> <p>(e) include details of who would be responsible for monitoring, reviewing and implementing the plan.</p> <p>Following the Planning Secretary's approval, the Applicant must implement the Biodiversity Management Plan.</p>	<ul style="list-style-type: none"> • Baseline Monitoring Memo, dated 19 November 2025. The baseline monitoring was undertaken in accordance with the approved BMP. The memo stated that there was limited weed invasion within the patch of remnant vegetation. • Correspondence from CHPR to Vena Energy, dated 17 February 2026. Re. Biodiversity Baseline Monitoring Report. CHPR confirmed that the baseline monitoring met the requirements of the approved BMP. • Pre-clearing Report: Bellambi Heights BESS, dated 25 September 2025. The pre-clearing report presenting findings of a (Key's matchstick) grasshopper survey, completed in accordance with the approved BMP. No threatened flora or fauna were identified during the grasshopper survey. • Pre and Post Clearance Report, dated 18 November 2025. • Pre-clearing report, dated 14 January 2026. The report documented the removal of two (2) trees and the relocation of boulders which was undertaken during the supervision of an ecologist. The report states that clearing activities occurred on site on 19 September 2025. These clearing activities related to internal road works and road upgrade works which were undertaken pre-construction. The January 2026 clearing report confirms that the works were supervised by an Ecologist. 		
B14	<p>AMENITY</p> <p>Construction Hours</p> <p>Road upgrades, construction, commissioning, demolition, upgrading or decommissioning activities (excluding blasting) may only be undertaken between:</p> <p>(a) 7 am to 6 pm Monday to Friday;</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Samsung and Transgrid CEMPs <p>Both PCs do not operate outside of standard construction hours. Construction hours from the CoA B14 are included in PC CEMPs.</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(b) 8 am to 1pm Saturdays; and (c) At no time on Sundays and NSW public holidays; Unless the Planning Secretary agrees otherwise	On 21 January 2026 Vena Energy submitted a request to work outside of standard construction hours. At the time of the audit Vena Energy was in the process of consulting with stakeholders as requested by DPHI and MRWC. This request was in relation to Transgrid’s activities only.		
B15	Exceptions to Construction Hours The following activities may be carried outside the hours specified in condition B14 above: <ul style="list-style-type: none"> (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 	Not triggered		Not triggered
B16	Variation of Construction Hours The hours of construction activities specified in condition B14 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: <ul style="list-style-type: none"> (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 accompanied by a noise impact assessment consistent with the requirements of the Interim Construction Noise Guideline (DECC, 2009), or latest version. 	On 21 January 2026 Vena Energy submitted a request to work outside of standard construction hours. At the time of the audit Vena Energy was in the process of consulting with stakeholders as requested by DPHI and MRWC. This request was in relation to Transgrid’s activities only.		Not triggered
B17	Noise The Applicant must: <ul style="list-style-type: none"> (a) minimise the noise generated by any construction, 	Samsung <ul style="list-style-type: none"> • Adhere to construction hours. • Construction noise measured to be significantly less 		Compliant

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Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status																			
	<p>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;</p> <p>(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.</p> <p>Table 2: Operational Noise Limit Requirements</p> <table border="1"> <thead> <tr> <th rowspan="2">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> </thead> <tbody> <tr> <td></td> <td>LAeq(15 min)</td> <td>LAeq(15 min)</td> <td>LAeq(15 min)</td> <td>LAf max</td> </tr> <tr> <td>Non-associated residences</td> <td>40</td> <td>35</td> <td>35</td> <td>52</td> </tr> </tbody> </table>	Location	Noise Limits in dB(A)				Day	Evening	Night	Night		LAeq(15 min)	LAeq(15 min)	LAeq(15 min)	LAf max	Non-associated residences	40	35	35	52	<p>than the 75dbA limits at residents potentially impacted by construction.</p> <p>Transgrid</p> <ul style="list-style-type: none"> Modelled noise from construction activities was significantly less than the 75dbA limits at residents potentially impacted by construction. Toolbox talks and pre starts include noise mitigation. <p>Sensitive receivers are located significant distances. Interviews with nearby resident confirmed that they had not heard any noise,</p> <ul style="list-style-type: none"> No operational noise generated at the stage of the project subject to the audit. 		
Location	Noise Limits in dB(A)																						
	Day	Evening	Night	Night																			
	LAeq(15 min)	LAeq(15 min)	LAeq(15 min)	LAf max																			
Non-associated residences	40	35	35	52																			
B18	<p>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:</p> <p>(a) be prepared by a suitably qualified, experienced and independent acoustic consultant;</p> <p>(b) demonstrate that noise monitoring;</p> <ol style="list-style-type: none"> has been carried out in accordance with the procedures in the Noise Policy for Industry (EPA, 2017); and includes monitoring during the day, evening and night periods during operational, temperature and meteorological conditions that would represent typical worst-case scenarios 			Not triggered																			

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>where reasonable and feasible; and</p> <p>(c) include;</p> <ul style="list-style-type: none"> 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 B17 at R1, R2 and R5; 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 B17 at R1, R2 and R5 at all times. <p>The Applicant must undertake further noise monitoring of the development if required by the Planning Secretary.</p>			
B19	The Applicant must minimise the dust generated by the development.	<p>Evidence</p> <ul style="list-style-type: none"> • Prestart, dated 6 February 2026 and 17 February 2026. identified dust as a risk, to be controlled by water cart use. • Site observations confirmed the presence of water carts on site. • Capping the car park areas to prevent dust. • worksite is now predominately sealed surfaces in preparation for substation installation. • Jute mat and hydroseeding of batters was underway in TransGrid's worksite • Polymer and hydroseed had been applied to soil 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>stockpiles and previously disturbed surfaces.</p> <ul style="list-style-type: none"> • Speed limits are enforced on site. • On 26 March works were stopped in response to a severe weather event with strong winds. <p>The Auditor considers that the project is implementing all reasonable and feasible dust mitigation measures.</p>		
B20	<p>Visual</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (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 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Samsung CEMP. • Email correspondence from Transgrid, dated 17 November 2025 confirming external surfaces colour specifications. • Email correspondence from Samsung, dated 18 November 2025 confirming external surfaces colour specifications. <p>Colour specifications for external surfaces are confirmed as being neutral shade colours as required by the EIS.</p> <p>Section 14.18.2 (Visual) of the CEMP included visual amenity mitigation measures including requirements to not mount or install advertising signs or logos.</p> <p>No advertising or logos identified during the site inspection.</p>		Compliant
B21	<p>Lighting</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (a) minimise the off-site lighting impacts of the development; and (b) ensure that any external lighting associated with the development: <ul style="list-style-type: none"> 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 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Engineering Report BESS Lighting Design, Rev B, dated 15 January 2026. <p>The engineering report includes references to relevant Australian Standards</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	of Obtrusive Effects of Outdoor Lighting, or its latest version.			
B22	<p>HERITAGE Protection of Heritage Items</p> <p>The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items located outside the approved development footprint.</p>	No heritage items discovered during construction.		Compliant
B23	<p>Chance Finds Protocol</p> <p>Prior to the commencement of road upgrades, 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.</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Aboriginal and Cultural Heritage Management Plan, Bellambi Heights Battery Energy Storage System Project, Rev 9, dated 23 October 2025. Correspondence from Kylie Manson Warrabinga Wiradjuri #7 Native Title Claimants Aboriginal Corporation to EMM Consulting, dated 27 November 2024. Re. Draft Aboriginal Cultural Heritage Management Plan – Bellambi Heights Battery Storage Project, Beryl NSW. Correspondence from EMM Consulting to Heritage NSW, dated 20 November 2024. Re. Bellambi Heights ACHMP - Aboriginal cultural heritage management plan. Correspondence from Heritage NSW to Vena Energy, dated 2 February 2025. Re. Aboriginal Cultural Heritage Management Plan – State Significant Development. <p>Evidence of implementation:</p> <ul style="list-style-type: none"> Cultural Heritage Training, prepared by EMM Consulting author of the ACHMP). Cultural heritage training attendance records, including civil contractors and Vena Energy personnel. 		Compliant
B24	<p>SOIL AND WATER Water Supply</p>	Construction water for the project is being sourced from the Macquarie and Cudgegong Regulated Rivers Water Source under Water Access Licence – 9596 as a Controlled Activity		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>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.</p> <p><i>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.</i></p>	<p>under the Water Management Act 2000. Controlled activity approval number: 80CA7012656</p> <p>The water filling point is metered and is listed on Water NSW public access website.</p> <p>The Audit sighted photographic evidence of the water filling point including the meter.</p> <p>Potable water is purchased from Ulan Water.</p>		
B25	<p>Water Pollution</p> <p>The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.</p>	<p>There have been no environmental incidents that have caused or threatened to cause water pollution as defined under Section 120 of the POEO Act,</p>		Compliant
B26	<p>Operating Conditions</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (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, and the Managing Urban Stormwater: Soils and construction - Volume 2A (Landcom, 2008) manual, or their latest versions; (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. 	<p>Evidence sighted:</p> <p>Samsung:</p> <ul style="list-style-type: none"> • Erosion and Sediment Control Plan (ESCP), Rev 01, dated 26 November 2025. Prepared by CPESCP. • Bellambi Heights Battery Energy Storage System, BESS Compound Soil and Water Management Plan, Rev 1, dated 19 November 2025. • Weekly Environmental Inspection Checklists, dated 11 February, <p>Transgrid</p> <ul style="list-style-type: none"> • Marked up site layout plan showing location of erosion and sediment controls. • Erosion and Sediment Control Plan, dated 16 November 2025. Prepared by CPESCP. • Bellambi heights BESS Connection Weekly Site Inspections for 5 March, 12 March, 26 March and 30 March 2026. • Transgrid HSE inspection forms. • Transgrid Monthly Construction Environmental Inspection forms for February and March 2026 	<p>Opportunity for Improvement BHBESS-01_OFI-1</p> <p>The Samsung ECP required the installation of sediment fencing along the southern boundary of the BESS civil works site. At the time of the audit site inspection there was no sediment fence installed at this location.</p> <p>Upon receipt of this preliminary audit finding, Samsung took immediate action to install the sediment fence, with photographic evidence of its installation provided within 48 hours of the audit site inspection. In all other instances across both the Samsung and Transgrid work sites, environmental controls were installed and maintained to a very high standard, in accordance with the ECPs. Given the lack of significant rainfall, the absence of the</p>	Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<p>Vena Energy required Samsung and Transgrid to engage a Certified Professional in Erosion and Sediment Control (CPESCP) to prepare the ECPs.</p> <p>Routine inspection undertaken by both PCs include assessment of environmental controls.</p> <p>Site inspection observations:</p> <ul style="list-style-type: none"> • With the exception of the sediment fence not being installed on the southern side of the Samsung worksite, erosion and sediment controls were installed and maintained to a very high standard and were in accordance with the approved ECPs. Environmental controls included <ul style="list-style-type: none"> • Sediment basins for each PC worksite. • Use of polymer and hydroseed to stabilise stockpiles and previously disturbed areas • Rock checks and rip rap used in swale drains • Sediment fences used extensively and maintained in good condition. 	<p>sediment fence had not appeared to have resulted in erosion and offsite sediment impacts.</p> <p>Recommendation</p> <p>Nil. The Auditor considers that Samsung immediately took appropriate action to address the audit finding via the installation of sediment fence along the southern boundary of the BESS site, as documented in the photographic evidence provided following the audit inspection.</p>	
B27	<p>HAZARDS</p> <p>Fire Safety Study</p> <p>Prior to commencing construction of the battery storage facility, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of the Planning Secretary and meet the requirements of FRNSW. The study must:</p> <ol style="list-style-type: none"> (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 fire scenario to and from the battery storage and the associated fire management; and (d) identify measures to eliminate the expansion of any fire incident including: <ol style="list-style-type: none"> i. adequate fire safety systems and appropriate water supply; 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Correspondence from FRNSW to Vena Energy, 10 March 2026. Re. Written Report Application – Fire Safety Study <p>Fire Safety Study is in draft (prepared by Samsung) and has been submitted to FRNSW. Will be submitted to DPHI prior CC3 or CC4.</p> <p>As per construction certificate CC1 and CC2 construction of the battery storage facility has not yet commenced.</p>		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>ii. separation and / or compartmentalisation of battery units; and</p> <p>iii. strategies and incident control measures specific to the battery storage design.</p> <p>Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study.</p> <p><i>Note: 'meet the requirements 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.</i></p>			
B28	<p>Storage and Handling of Dangerous Goods</p> <p>The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:</p> <p>(a) the requirements of all relevant Australian Standards; and</p> <p>(b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids</p> <p>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</p>	<ul style="list-style-type: none"> Site inspection observations <p>The Auditor observed diesel stored in above-ground storage tanks (ASTs) and small volumes of oils and lubricants stored in dedicated locations with spill containment and ventilation provided.</p>		Compliant
B29	<p>Operating Conditions</p> <p>The Applicant must:</p> <p>(a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;</p> <p>(b) ensure that the development:</p> <p>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</p> <p>ii. is suitably equipped to respond to any fires on site, including provision of a minimum 5,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection;</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Bushfire Design Compliance Statement, dated 13 march 2026, prepared by Stuart Greville, Director Bushfire Planning Australia. Rainwater tanks present on site meet 5,000 L requirement. Monthly environmental inspection report, February 2026 Transgrid Fire Risk Management Plan Transgrid environmental incident register. 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	(c) ensure that the battery storage area and infrastructure: <ul style="list-style-type: none"> i. includes a 10 metre defendable space between the vegetation hazard and the infrastructure, that permits unobstructed vehicle access; and ii. is managed as an asset protection zone (including the defendable space); (d) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and (e) Notify the relevant Local Emergency Management Committee following construction of the development, and prior to commencing operations.	<ul style="list-style-type: none"> • There have been no instances where RFS or emergency services have required assistance. 		
B30	<p>Emergency Plan</p> <p>Prior to commencing commissioning, the Applicant must develop and implement a comprehensive Emergency Plan (including an emergency responders induction plan) and detailed emergency procedures for the development, and provide a copy of the plan to the NSW RFS Cudgegong Fire Control Centre and FRNSW. The plan must:</p> <ul style="list-style-type: none"> (a) be prepared in accordance with the findings of the Fire Safety Study required under Condition B26 of Schedule 2; update the information previously provided (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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> - there is a fire on-site or in the vicinity 	Not triggered		Not triggered

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>of the site;</p> <ul style="list-style-type: none"> - 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 <p>(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.</p>			
B31	<p>The Applicant must:</p> <ul style="list-style-type: none"> (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. 	Not triggered		Not triggered
B32	<p>WASTE</p> <p>The Applicant must:</p> <ul style="list-style-type: none"> (i) minimise the waste generated by the development; (j) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version); (k) store and handle all waste on site in accordance with its classification; (l) not receive or dispose of any waste on site; and (m) 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. 	<p>Evidence sighted:</p> <p>Vena Energy</p> <ul style="list-style-type: none"> • Contractual notice issued from Vena Energy to Samsung, dated 10 April 2026. Re. Bellambi Heights BESS 1 And Bellambi Heights Bess 2 Project – Notice of Waste Disposal for the Development. • Contractual notice issued from Vena Energy to Transgrid, dated 10 April 2026. Re. Bellambi Heights BESS 1 And Bellambi Heights Bess 2 Project – Notice of Waste Disposal for the Development. <p>Samsung</p> <ul style="list-style-type: none"> • Construction Environmental Management Plan, Bellambi Heights BESS, Rev E, dated 26 November 2025. • Waste and Resource Management Plan, Bellambi Heights BESS, Rev 3, dated 4 December 2025. 	<p>Opportunity for Improvement BHBESS-01_OFI-2</p> <p><i>Samsung CEMP Table 4.1 (Environmental management and mitigation measures)</i> states “use of Mid-Western Regional Council facilities must not be relied on”.</p> <p>At the time of the audit the Samsung waste register was not maintained and up to date, with only two (2) entries being made on the 2 and 4 March 2026. Additionally, the two (2) entries identified the receiving facility as the Mudgee Waste Facility.</p> <p>Immediately following the site audit, Samsung provided an</p>	Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		<ul style="list-style-type: none"> Samsung Waste Register. Email correspondence from Samsung to Sams Waste contractor, dated 10 April 2026 requesting waste disposal records and clarifying that they are not to use Mid-Western Regional Council facilities for BHBESS generated waste. Email correspondence from Samsung to Cleanaway, dated 10 April 2026 requesting a quotation for waste disposal including the requirement to use non-Mid Western Regional Council waste facilities. Email correspondence from Samsung to its subcontractors, dated 10 April 2026 instructing them to immediately cease any use of Mid Western Regional Council waste facilities. <p>Transgrid</p> <ul style="list-style-type: none"> Project Bellambi Heights BESS Connection, Construction Environmental Management Plan, Rev C, dated 21 November 2025 <p>Transgrid confirmed that all waste was disposed of at non-MWRC facilities, in accordance with project requirements.</p>	<p>updated waste register that included 16 entries of waste disposal, that all listed Mudgee Waste Facility as the receiving facility.</p> <p>Also immediately following the audit Samsung issued email notices to the incumbent waste contractor instructing them not to use MWRC facilities and emailed a separate waste contractor seeking waste disposal quotations for non-MWRC facilities. Samsung also emailed their sub-contractors instructing them to not use MWRC waste facilities.</p> <p>Separately, in response to this preliminary audit finding, Vena Energy issued formal contractual notices to Samsung and Transgrid, highlighting the requirement to not use MWRC waste facilities and reiterated that all sub-contractors on the project are to be made aware of the requirement.</p> <p>Recommendation:</p> <p>Nil. It is considered that Vena Energy and Samsung immediately took appropriate actions to address the audit finding, as documented in the post-audit evidence reviewed.</p>	
B33	<p>ACCOMODATION AND EMPLOYMENT STRATEGY</p> <p>Prior to commencing construction, the Applicant must prepare and implement an Accommodation and Employment Strategy for the development in consultation with Council. This strategy must:</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Bellambi Heights Accommodation Strategy, Rev 1, dated April 2023 (part of the EIS). 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status				
	(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	<ul style="list-style-type: none"> Bellambi Heights, Accommodation Plan, dated 31 October 2025. Screenshot of Bellambi Heights – monthly accommodation tracker, including details of workforce in MWRC approved and ‘other’ accommodation. January to March 2026 ranged from 30 to 44% use of MWRC approved accommodation. The tracker also indicated that over 30% of the workforce were local. Email correspondence from Vena Energy to MWRC with updates on accommodation metrics. Vena Energy have undertaken several initiatives, including: <ul style="list-style-type: none"> Maintaining an Employment and Contractor Register since 2018 to capture expression of interest from local workers and contractors. Engagement with the CWO Aboriginal Working Group to identify opportunities for Indigenous employment. Community interaction actions including a presentation on 2 December 2025 to local businesses in Mudgee to identify procurement and employment opportunities. On 14 January 2026 Vena Energy hosted a local job opportunity application day to increase accessibility opportunities and expand a local pool of candidates. 						
B34	<p>DECOMMISSIONING AND REHABILITATION</p> <p>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.</p> <p>Table 3: Rehabilitation Objectives</p> <table border="1" data-bbox="302 1214 954 1259"> <thead> <tr> <th data-bbox="302 1214 539 1259">Features</th> <th data-bbox="546 1214 954 1259">Objective</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Features	Objective					Not triggered
Features	Objective							

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status								
	<table border="1"> <tr> <td data-bbox="304 376 539 539">Site</td> <td data-bbox="548 376 956 539"> <ul style="list-style-type: none"> • Safe, stable and non-polluting • Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use. </td> </tr> <tr> <td data-bbox="304 545 539 746">Battery Storage and ancillary infrastructure</td> <td data-bbox="548 545 956 746"> <ul style="list-style-type: none"> • To be decommissioned and removed where buried to depths of less than 500mm, unless the Planning Secretary agrees otherwise and with the exception of assets held by the Network Service Provider. </td> </tr> <tr> <td data-bbox="304 753 539 804">Land use</td> <td data-bbox="548 753 956 804"> <ul style="list-style-type: none"> • Restore land to pre-existing use </td> </tr> <tr> <td data-bbox="304 810 539 855">Community</td> <td data-bbox="548 810 956 855"> <ul style="list-style-type: none"> • Ensure public safety at all times. </td> </tr> </table>	Site	<ul style="list-style-type: none"> • Safe, stable and non-polluting • Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use. 	Battery Storage and ancillary infrastructure	<ul style="list-style-type: none"> • To be decommissioned and removed where buried to depths of less than 500mm, unless the Planning Secretary agrees otherwise and with the exception of assets held by the Network Service Provider. 	Land use	<ul style="list-style-type: none"> • Restore land to pre-existing use 	Community	<ul style="list-style-type: none"> • Ensure public safety at all times. 			
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Community	<ul style="list-style-type: none"> • Ensure public safety at all times. 											

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 2, Part C – Environmental Management, Reporting and Auditing				
C1	<p>ENVIRONMENTAL MANAGEMENT</p> <p>Environmental Management Strategy</p> <p>Prior to the commencement of construction, the Applicant shall prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) provide the strategic framework for environmental management of the development;</p> <p>(b) identify the statutory approvals that apply to the development;</p> <p>(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(d) describe the procedures that would be implemented to:</p> <p style="margin-left: 20px;">i. keep the local community and relevant agencies informed about the operation and environmental performance of the development;</p> <p style="margin-left: 20px;">ii. receive, handle, respond to, and record complaints;</p> <p style="margin-left: 20px;">iii. resolve any disputes that may arise;</p> <p style="margin-left: 20px;">iv. respond to any non-compliance;</p> <p style="margin-left: 20px;">v. respond to emergencies; and</p> <p>(e) include:</p> <p style="margin-left: 20px;">i. references to any strategies, plans and programs approved under the conditions of this consent; and</p> <p style="margin-left: 20px;">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.</p> <p>Following approval, the Applicant shall implement the Environmental Management Strategy.</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Environmental Management Strategy, Rev 3, dated 21 October 2025 • Correspondence from DPHI to Vena Energy, dated 31 October 2025. Re. Bellambi Heights BESS (SSD-33344237) - Environmental Management Strategy. Ref: SSD-33344237-PA-15. <p>DPHI approval of the EMS.</p> <p>The Auditor found that the EMS was being effectively implemented via review of evidence, discussions with stakeholders and site inspection observations.</p>		Compliant
C2	<p>Revision of Strategies, Plans and Programs</p> <p>The Applicant must:</p> <p>(a) Update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary</p>	All plans were updated following Mod-1.		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<p>prior to carrying out any upgrading or decommissioning activities on site; and an independent environmental audit report under condition 6 below; or</p> <p>(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:</p> <ul style="list-style-type: none"> 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. 			
C3	<p>Staging, Combining and Updating Strategies, Plans or Programs</p> <p>With the approval of the Planning Secretary, the Applicant may stage the development and may:</p> <ul style="list-style-type: none"> (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). 	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Correspondence from Vena Energy to DPHI, dated 9 January 2025 Re. SSD 33344237 - BELLAMBI HEIGHTS BESS- STAGE ONE. <p>Vena Energy requested to stage the implementation of the Traffic Management Plan (TMP) to allow for commencement of internal access roads prior to the completion of road upgrade works required by CoA B7.</p> <ul style="list-style-type: none"> • Correspondence from DPHI to Vena Energy, dated 20 February 2026. Re. Bellambi Heights BESS (SSD-33344237) - Staging Request of Traffic Management Plan. Ref: SSD-33344237-PA-5. <p>DPHI approved the request to stage the TMP.</p> <p>No revision of consent conditions were involved in the TMP staging request.</p>		Compliant
C4	<p>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</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> • Correspondence from Vena Energy to DPHI, dated 9 January 2025 Re. SSD 33344237 - BELLAMBI HEIGHTS BESS- STAGE ONE. 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
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	Evidence of consultation with TfNSW was included in the staging request. The Stage 2 TMP is currently being implemented and supersedes the Stage 1 TMP.		Compliant
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.	No revision of consent conditions were involved in the TMP staging request.		Compliant
C7	<p>NOTIFICATIONS</p> <p>Notification of Department</p> <p>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.</p> <p>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.</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Correspondence from Vena Energy to DPHI, dated 9 January 2026. Re. SSD 33344237: Bellambi Heights Bess – Notification Condition C7. Correspondence from DPHI to Vena Energy, dated 23 January 2026. Ref: SSD-33344237-PA-22. <p>DPHI acknowledged that construction commenced on 12 January 2026.</p>		Compliant
C8	<p>Final Layout Plans</p> <p>Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website and to Council, showing comparison to the approved layout and including details on the siting of battery storage and ancillary infrastructure.</p> <p>The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Final Layout Plan, 10 December 2025 Submission to DPHI 9 January 2026 Email from Vena Energy to Council, dated 15 January 2026. 		Compliant
C9	<p>Work as Executed Plans</p> <p>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.</p>	Not triggered		Not triggered.

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
C10	<p>Incident Notification</p> <p>The Department must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.</p>	There have been no notifiable incidents on the project to date.		Not triggered
C11	<p>Non-Compliance Notification</p> <p>The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.</p>	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Vena Energy notification to DPHI regarding non-compliance against CoA B1, dated 6 March 2026. DPHI Notice to Furnish Information and Records (Notice), issued to Vena Energy on 31 March 2026. <p>Vena Energy notified DPHI within 7 days of becoming aware of the non-compliance.</p>		Compliant
C12	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance	<p>Evidence sighted:</p> <ul style="list-style-type: none"> Vena Energy notification to DPHI regarding non-compliance against CoA B1, dated 6 March 2026. <p>The non-compliance notification included all required details.</p>		Compliant
C13	A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.	Noted.		Compliant
C14	<p>INDEPENDENT ENVIRONMENTAL AUDIT</p> <p>Independent Audits of the development must be conducted and carried out at the frequency and in accordance with the Independent Audit Post Approval Requirements (2020) to the following frequency:</p> <ol style="list-style-type: none"> within 3 months of commencing construction; and within 3 months of commencement of operations. 	<p>This is the first Independent Environmental Audit conducted on the project and has been carried out in accordance with the frequency outlined in CoA C14.</p> <p>Construction commenced on 12 January 2026 and the audit site inspection was undertaken on 8 April 2026.</p>		Compliant
C15	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	<p>Evidence sighted:</p> <ul style="list-style-type: none"> DPHI correspondence to Vena Energy, dated 23 January 2026. Ref: SSD-33344237-PA-24. 		Compliant

Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
		The KPMG audit team received agreement in writing on 23 January 2026: prior to commencement of the audit.		
C16	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition C14 of Schedule 2 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.	There have been no requests to undertake audits at different times.		Not triggered
C17	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must: <ul style="list-style-type: none"> (a) review and respond to each Independent Audit Report prepared under condition C14 of Schedule 2 of this consent, or condition C16 of Schedule 2 where notice is given by the Planning Secretary; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary. 	It is understood that Vena Energy will review this audit report and submit it to DPHI along with their responses. The subsequent audit will test compliance against timeframe requirements to publish the audit report on the project website.		Compliant
C18	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.	It is understood that Vena Energy will review this audit report and submit it to DPHI along with their responses. The subsequent audit will test compliance against timeframe requirements to submit the audit report and responses within the two (2) month timeframe.		Compliant
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.	No requests to cease operational audits have been made.		Not triggered
C20	The Applicant must: <ul style="list-style-type: none"> (a) make the following information publicly available on its website as relevant to the stage of the development: <ul style="list-style-type: none"> i. the EIS; ii. the final layout plans for the development; 	The Auditor reviewed the project website and identified that all information and documents listed in this condition were available and up to date.		Compliant



Condition ID.	Compliance Requirement ¹ / Conditions of Approval	Evidence Collected	Independent Audit Findings and Recommendations	Compliance Status
	<ul style="list-style-type: none"> 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 <p>(b) keep this information up to date.</p>			



Appendix B – Planning Secretary Audit Team Endorsement

Appendix B – Planning Secretary Audit Team Endorsement

Department of Planning, Housing and Infrastructure



Reference: SSD-33344237-PA-24

Mr Andrew Brownlow
Manager Development & Stakeholders (NSW)
VENA ENERGY SERVICES (AUSTRALIA) PTY LTD
23/01/2026

Sent via the Major Projects Portal only

Subject: Bellambi Heights BESS - Independent Environmental Auditor 2026

Dear Mr Brownlow

I refer to your request of 21 January 2026 seeking the agreement of the Planning Secretary of the NSW Department of Planning, Housing and Infrastructure (the Department) of the suitability of the auditors' qualifications, experience and independence to undertake the upcoming Independent Environmental Audit of Bellambi Heights BESS (the development), in accordance with Part C, Condition C15 of SSD 33344237, as modified (the consent).

Having considered the qualifications and experience of the proposed audit team, I, as the nominee of the Planning Secretary, endorse the appointment of the following team from KPMG:

- Mr Dylan Jones, Lead Auditor;
- Mr, Gary Selwyn, Alternate Lead Auditor and Technical Reviewer; and
- Ms Manya Narain, Support lead Auditor,

to undertake the audit in accordance with Part C, Condition C14 of the consent. This approval is conditional on the audit team being independent of the development and maintaining certification as lead or principal auditors with a relevant industry body. The Department reserves the right to request an alternate auditor or audit team for future audits.

Please note, the Lead Auditor must attend the site inspection/s.

Please ensure this correspondence is appended to the Audit Report.

The audit must be conducted in accordance with the Independent Audit Post Approval Requirements (2020) and the consent. A copy of this guideline can be located at <https://www.planning.nsw.gov.au/sites/default/files/2023-02/independent-audit-par-202005.pdf>. The audit team may also wish to have regard to the AS/NZS ISO 19011 Australian/New Zealand Standard.

Within two months of undertaking the independent audit site inspection, you are to submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Planning Secretary, it is recommended that you review the report to ensure it complies with the relevant consent conditions.

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
Locked Bag 5022, Parramatta NSW 2124

www.dsh.nsw.gov.au

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Department of Planning, Housing and Infrastructure



Failure to meet these requirements will require revision and resubmission of the Audit Report.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic, Senior Compliance Officer, on (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au.

Yours sincerely

Katrina O'Reilly
Team Leader - Compliance
Compliance
As nominee of the Planning Secretary

Appendix C – Consultation Records

Appendix C – Consultation Records

Agency	Contact / email	Response Received
DPHI	compliance@planning.nsw.gov.au Georgia Dragicevic Georgia.Dragicevic@planning.nsw.gov.au	Yes – see details below
Mid-Western Regional Council	info@epa.nsw.gov.au Kristie Vaughan - Town Planner – State Significant Development Kristie.Vaughan@midwestern.nsw.gov.au	Yes – see details below
CHPR	Kirsten Mcwhirter Kirsten.McWhirter@dcceew.nsw.gov.au	No
FRNSW	Info@fire.nsw.gov.au Richard Jay – Station Officer Team leader OpsLiaison@fire.nsw.gov.au	Yes – see details below
Heritage NSW	Nicole Davis - Senior Manager - Development Coordination Authority Nicole.Davis@dcceew.nsw.gov.au	No
TfNSW	development.renewables@transport.nsw.gov.au Alexandra Power - Manager Development Services West Alexandra.Power@transport.nsw.gov.au	Yes – see details below



Example consultation request email

Dear [Stakeholder],

KPMG has been appointed by Vena Energy Services (Australia) Pty Ltd to undertake an independent environmental audit (IEA) of the Bellambi Heights Battery Energy Storage System (BHBESS) project. The Department of Planning, Housing and Infrastructure (DPHI) has endorsed the Audit Team, including myself as Lead Auditor. The IEA is planned to be undertaken during the week commencing 6 April 2026 and will focus on pre-construction and construction related requirements of the development consent.

In accordance with condition C14 of the development consent (SSD-33344237), the Auditor is required to consult with relevant agencies during the audit.

Accordingly, please feel free to contact me directly via email or phone should you like to raise any matters for the Auditor to consider as part of the audit process.

Regards

Dylan Jones
Director
ESG Advisory & Assurance
Climate Change & Sustainability

DPHI response

From: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Sent on: Tuesday, February 24, 2026 2:22:40 AM
To: Jones, Dylan <djones17@kpmg.com.au>
CC: Narain, Manya <mnarain@kpmg.com.au>; Katrina O'Reilly <Katrina.OReilly@planning.nsw.gov.au>
Subject: [EXTERNAL] RE: Independent Environmental Audit - Bellambi Heights BESS - SSD-33344237

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Dylan,

Thank you for consulting the NSW Department of Planning, Housing and Infrastructure on the upcoming IEA for Bellambi Heights BESS. In addition to the consent requirements, please review the management of land, including erosion and sediment, flora and fauna, amenity, dust, waste, transport, including parking and mud tracking onto public roads, any out of hours operation, community consultation and complaints management.

Please ensure all relevant stakeholders, as identified in the consent are consulted during the course of the audit.

Thank you kindly,
Georgia

Council response

Good afternoon Dylan,

Council appreciates the opportunity to provide input into independent environmental audits being undertaken for renewable energy projects. In this regard, Council requests that the following matters be considered as part of the audit scope and further investigated where necessary:

1. Use of Unapproved Access Routes

Council remains highly concerned that vehicles associated with renewable energy projects continue to utilise roads that do not form part of the approved access routes to and from project sites. This appears to be an ongoing and recurring issue, raising concerns regarding compliance with approved Traffic Management Plans and associated conditions of consent.

2. Unauthorised Extractive Industry Activities

Council has identified instances where properties have been used for extractive industry purposes without development consent to service renewable energy projects, including associated workforce accommodation and infrastructure.

Such activities are not authorised under relevant project approvals and have occurred in the absence of the requisite planning approvals. Council holds significant concerns regarding the emergence of ad hoc extractive industry operations undertaken without appropriate approval pathways to support renewable energy projects. In particular, there is concern that insufficient regulatory oversight may result in inadequate verification processes, including ensuring that materials imported to sites are sourced from lawful and appropriately approved operations.

3. Unauthorised Water Procurement

Council has received information indicating that water associated with renewable energy projects may be being sourced without the requisite approvals. Council requests that auditors investigate the sources of water supply and confirm whether all necessary approvals and licensing requirements are being complied with.

4. Local Procurement Commitments

Council notes that procurement practices associated with renewable energy projects do not always appear to be delivering meaningful benefits to local suppliers within the LGA. This may be inconsistent with commitments made in Environmental Impact Statements and Social Impact Management Plans.

Council requests that auditors review procurement records and practices to determine the extent to which local procurement commitments are being met.

5. Noise Monitoring and Out-of-Hours Works Compliance

Council requests that audits examine compliance with noise management requirements, particularly in relation to out-of-hours works. This should include verification that:

- all necessary approvals and permits for out-of-hours works have been obtained; and
- noise monitoring is being undertaken in accordance with approved management plans and relevant conditions of consent.

6. Implementation of Environmental Assessment Requirements and Mitigation Measures

Council is concerned that environmental assessment requirements and associated mitigation measures may not be being implemented in accordance with the relevant legislation, development consents, and approved documentation. This includes, but is not limited to, compliance with Environmental Impact Statements, conditions of consent, and all associated specialist reports and management plans.

Council requests that auditors undertake a comprehensive review to verify that all required environmental safeguards, mitigation measures, and management commitments are being properly implemented, monitored, and enforced.

7. Subcontractor Awareness of Consent Requirements

Council is concerned that subcontractors engaged on renewable energy projects may not be adequately informed of, or fully understand, the applicable conditions of consent, environmental assessment requirements, and associated management plans. This raises concern that works may be undertaken outside approved parameters. In particular, Council notes issues such as the use of non-approved access routes (including reliance on direct routes identified through navigation applications) rather than designated haulage and access routes required under the consent.

8. Waste Disposal Compliance

Council is concerned that subcontractors may not be aware that disposal of project-related waste at Council's waste facilities is not permitted. Council has received numerous enquiries seeking to dispose of waste generated by renewable energy projects at its facilities. Council is also concerned that some contractors may tender for works on the basis of local disposal without awareness of consent requirements to transport waste outside the LGA. This presents a risk of non-compliance with approved waste management arrangements and may also place an unintended burden on local small businesses required to manage or redirect such waste.

9. Dust Management

Council has observed dust generation associated with construction traffic on internal haul roads for renewable energy projects. As access expands onto unsealed public roads, there is an increased risk of dust impacts on surrounding land uses and road users.

Council requests that auditors review the adequacy and implementation of dust management measures to ensure impacts are appropriately minimised and managed in accordance with the relevant conditions of consent and approved management plans.

Council would appreciate that the above matters are specifically addressed within audit reports, including under stakeholder consultation or findings sections, and that any identified non-compliances or areas of concern are clearly documented along with recommended corrective actions.

Please do not hesitate to contact Council should further information or clarification be required.

Kind regards
Kristie Vaughan



FRNSW response

From: Operational Liaison <OpsLiaison@fire.nsw.gov.au>
Sent on: Thursday, February 26, 2026 4:16:03 AM
To: Jones, Dylan <djones17@kpmg.com.au>
CC: Fire Safety <FireSafety@fire.nsw.gov.au>; Bradley Brian <Bradley.Brian@fire.nsw.gov.au>
Subject: [EXTERNAL] RE: Bellambi Heights BESS - Independent Environmental Audit

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Good afternoon Dylan,

Thank you for your email.

In relation to this project, FRNSW have no specific issues or matters that we would require to be addressed within the audit process.

Kind regards



STATION OFFICER RICHARD JAY
A/Team Leader
Fire Safety Liaison Unit | Fire and Rescue NSW
M: 0407 103 571 E: richard.jay@fire.nsw.gov.au
1 Amarina Avenue Greenacre NSW 2190

Hi Dylan,

Thanks for your email. My colleague Jen Rowe has already responded.

Regards

Michael Wood

TfNSW response

Hello Dylan,

TfNSW suggests that the Independent Environmental Audit scope consider for Bellambi Heights BESS:

- • Compliance with Instrument of Consent transport-related conditions
- • Implementation and enforcement of shuttle bus arrangements
- • Management of construction traffic volumes during AM and PM peak periods.
- • Any pre-construction minor works mitigation measures and associated Planning Secretary approvals.
- • Completion of road upgrades and compliance with the scope of the road upgrades set within the Instrument of Consent.
- • Implementation of the Traffic Impact Assessment (TIA) and Traffic Management Plans (TMPs).
- • Commitments made within the Environmental Impact Statement (EIS).
- • Assumptions underpinning the assessed traffic task within the TIA, including traffic distribution assumptions.
- • Effectiveness of mitigation measures detailed within the TMP.
- • Alignment between assessed and actual traffic volumes and vehicle characteristics.
- • Suitability of existing intersection treatments under cumulative background and project traffic.
- • Ongoing appropriateness of approved OSOM routes for the configurations being utilised.
- • Any incidents of non-compliance with mitigation measures, commitments or assessed traffic volumes, and measures implemented in response.
- • Audit report outcomes and recommended actions relevant to the State road network.

Alexandra Power
A/Manager Development Services West
Transport Planning
Planning, Integration and Passenger
Transport for NSW



Appendix D – Site Inspection Photographs

Appendix D – Site Inspection Photographs

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

Site Inspection Details	
Site Location:	Castlereagh Highway, Beryl, NSW
Inspection Date / Time Period:	8 April 2026 / 9.00AM – 12PM
Weather Conditions:	Mild, sunny, calm.
The Auditee:	Vena Energy Samsung Transgrid



Photo 1 | Main site entrance on Castlereagh Highway.



Photo 2 | Main site entrance on Castlereagh Highway, with rumble grid, free of sediment tracking.



Photo 3 | Recently completed road upgrade works.



Photo 4 Onsite sediment basin installed as per ECP requirements and used to store non-potable water for onsite water cart refilling.



Photo 5 Generator and batteries to provide off grid power to the Samsung compound.



Photo 6 Above-ground diesel storage tank used to refill the generator.



Photo 7 Waste segregation bins located at the Samsung compound.



Photo 8 Samsung BESS cut and fill site. Surfaces being kept wet with no visible dust.



Photo 9 Samsung BESS site, showing soil stockpile sprayed with hydroseed for stabilisation.



Photo 10 Samsung BESS work site, diesel AST for vehicle refuelling.



Photo 11 Samsung BESS cut and fill site, showing absence of sediment fence.



Photo 12 Samsung BESS cut and fill site, showing new sediment fence installed within 48hours of the audit inspection.



Photo 13 Transgrid site main entrance.



Photo 14 | Transgrid compound, diesel AST in bunded location.



Photo 15 | Transgrid compound, hazardous chemical storage cabinets and oil drums and containers stored on drip trays.



Photo 16 | Transgrid site, showing use of sediment fencing as per the ECP.



Photo 17 | Transgrid site, dedicated concrete washout bunds with sediment fence behind.



Photo 18 | Transgrid site, mostly sealed surfaces in preparation for substation installation works. Steel fixing works in progress.



Photo 19 | Previously disturbed area recently hydroseeded as part of rehabilitation.



Appendix E – Audit Agenda

Appendix E – Audit Agenda

Note - The audit agenda was varied on the day to allow more time to complete site inspections, with the close out meeting moved to 13 April 2026 to allow for additional document review.

Independent Environmental Audit – Vena Energy	
Project	Bellambi Heights Battery Energy Storage System (BHBESS)
Planning Approval	SSD - 33344237
Proponent	Vena Energy Services (Australia) Pty Ltd
Location of Audit	Beryl - approximately 6.5 kilometres (km) north-west of the township of Gulgong
Date of Audit	8 April 2026
Audit Team	Dylan Jones (Lead Auditor) Manya Narain (Auditor Assistant)
Site Contact	Rachel Purcell, Environmental Officer
Audit Criteria	Conditions of consent SSD- Schedule 2, Parts A, B and C, and Appendices, in accordance with Independent Audit Post Approval Requirements 2020
Audit Period	12 January 2026 (date of construction commencement) to 8 April 2026
Audit Objectives	Assess compliance with SSD-33344237 conditions of approval.

Agenda		
Item	Time	Location
Opening Meeting <ul style="list-style-type: none"> Introduce the auditor and auditee team members. Confirm audit scope, audit period, objectives and outline the methodology and resources required. 	8:30 AM - 8:45 AM	Bellambi Heights BESS (in person)
Site Inspection <ul style="list-style-type: none"> Auditee to provide an overview of site processes and facilitate site access. Auditor to sight current site activities and assess the implementation of mitigation measures and effectiveness of management plan requirements. Identify environmental aspects, impacts, controls and onsite documentation. 	8:45 AM - 10:15 AM	
Site Inspection Debrief / Break	10:15 AM - 10:30 AM	
Review Compliance with Consent Conditions		
<ul style="list-style-type: none"> Part A – Administrative Conditions Vena Energy 	10:30 AM – 11:30 PM	Bellambi Heights BESS
<ul style="list-style-type: none"> Part B – Environmental Conditions – General CPP Contractors and Vena Energy 	12:00 PM – 12:45 PM	

Lunch Break	12:45 PM – 1:15 PM	(in person and online via MS Teams)
<ul style="list-style-type: none"> Part B – Environmental Conditions – General Samsung and Vena Energy 	1:15 PM – 2:00PM	
<ul style="list-style-type: none"> Part C –Environmental Management, Reporting and Auditing CPP Contractors and Vena Energy 	2:00 PM – 2:30 PM	
<ul style="list-style-type: none"> Part C –Environmental Management, Reporting and Auditing Samsung and Vena Energy 	2:30 PM – 3:00 PM	
Auditor Consolidation / Internal Meeting	3:00 PM – 3:15 PM	
Closing Meeting <ul style="list-style-type: none"> Discuss preliminary outcomes of the audit including details of any non-compliances and opportunities for improvement. Confirm next steps including additional requests for information and timelines 	3:15 PM – 3:30 PM	

Responsibilities		
Roles	Name	Responsibilities
Lead Auditor	Dylan Jones	<ul style="list-style-type: none"> Schedule audit, prepare audit materials and manage resources Provide Audit Agena to BHBESS, including confirmation on a scope and timeframes Attend the site visits Lead interviews with key personnel Lead the Opening and Closing Meetings Prepare the Independent Audit Report
Auditor Assistant	Manya Narain	<ul style="list-style-type: none"> Support the lead auditor by preparing audit materials such as Audit Plan, schedules, interview questions and report drafting. Attend interviews remotely. Support preparation of the Independent Audit Report
Audit Specialists	N/A	N/A
Auditee	Rachel Purcell – Environment Officer	<ul style="list-style-type: none"> Liaise with BHBESS personnel (CPP Contractors and Samsung) to attend site inspection and audit interviews, as required Provide WH&S supervision to KPMG staff while on site Provide meeting rooms for audit interviews Respond to request for information prior to, during and following the day of the audit, as required.
	Site Manager (TBC)	<ul style="list-style-type: none"> Provide WH&S supervision to KPMG staff while on site Provide meeting rooms for audit interviews



		<ul style="list-style-type: none">• Respond to request for information prior to, during and following the day of the audit, as required.
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Notes

- 1 The audit will cover the construction and pre-construction requirements in accordance with Conditions of Consent SSD-33344237 Schedule 2A, 2B and 2C.
- 2 The audit will cover a sampling of records relevant to the scope. KPMG auditors will apply their professional judgment based on the information made available during the audit.
- 3 KPMG will conduct the audit in accordance with the Independent Auditing Post Approval Requirements (IAPAR 2020) with the following ratings applied: Compliant, Non-Compliant and Not Triggered, with the option to raise any Opportunities for Improvement.
- 4 KPMG will issue a Request for Information (RFI) document separately to this agenda. To enable an efficient audit, it is requested that information is provided prior to the audit.



Appendix F – Audit Attendance Sheet

Appendix F – Audit Attendance Sheet



Audit Attendance Sheet

Project	Bellambi Heights	Audit Ref.	BHBESS-01
Auditee	Vena Energy	Lead Auditor	Dylan Jones
Location	696 Castlereagh Highway, Beryl NSW		
Opening Meeting Date / Time	8 April 2026 8:30am		
Closing Meeting Date / Time	13 April 2026 3:00pm (via MS Teams)		

Name	Organisation	Position	Signature	
			Opening Meeting	Closing Meeting
Dylan Jones	KPMG	Auditor		
ANDREW BROWNLOW	VENA	Manager Development (NSW)		
Russell Stewart	Vena	Site Manager		
Rachel Purcell	Vena	Envir officer		
Michelle Dool	Samsung	HSE Lead		
Snou Foley	Samsung	Cap Manager		
Bridie Jackson	Transgrid	ENV Business Partner		
Mich Haddon	Transgrid	Construction Manager		
Hamid Yehesinia	Transgrid	HSE		
GREG CANNON	TRANSGRID	SITE MANAGER		
Rao Chellaiah	Vena	Project Manager		
Manya Narain	KPMG	Assistant Auditor		

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 Document Classification: KPMG Confidential



Appendix G – Independent Audit Declarations

Appendix G – Independent Audit Declarations

Independent Audit Report Declaration Form	
Project Name	Bellambi Heights Battery Energy Storage System
Consent Number	SSD-33344237
Description of Project	Construction and operation of a Battery Energy Storage System
Project Address	6.5km north-west of Gulgong, NSW
Proponent	Vena Energy Services (Australia) Pty Ltd
Title of Audit	Independent Audit No.1
Date	1 May 2026

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 Compliance Requirements (Department 2019);
- 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 DPE 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 Auditor	Dylan Jones
Signature	<i>Dylan Jones</i>
Qualification	<p>Lead Auditor</p> <p>B. Env. Sci. & Mgt.</p> <p>M. Env. Eng. Mgt.</p> <p>Exemplar Global Lead Auditor: Environmental Management Systems</p>
Company	KPMG

Independent Audit Report Declaration Form	
Project Name	Bellambi Heights Battery Energy Storage System
Consent Number	SSD-33344237
Description of Project	Construction and operation of a Battery Energy Storage System
Project Address	6.5km north-west of Gulgong, NSW
Proponent	Vena Energy Services (Australia) Pty Ltd
Title of Audit	Independent Audit No.1
Date	1 May 2026

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:

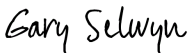
- i the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
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- iii I have exercised due diligence and professional judgement in conducting the audit;
- iv 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 DPE 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 Auditor	Gary Selwyn
Signature	
Qualification	Alternate Lead Auditor BSc (Hons), MSc Institute of Environmental Management and Assessment (IEMA) Registered Principal Environmental Auditor
Company	KPMG

Independent Audit Report Declaration Form	
Project Name	Bellambi Heights Battery Energy Storage System
Consent Number	SSD-33344237
Description of Project	Construction and operation of a Battery Energy Storage System
Project Address	6.5km north-west of Gulgong, NSW
Proponent	Vena Energy Services (Australia) Pty Ltd
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Date	1 May 2026

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- 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 DPE 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 Auditor	Manya Narain
Signature	<i>Manya Narain</i>
Qualification	Audit Team Member B. (Hons) Biomedical Engineering
Company	KPMG



Appendix H – Documents Reviewed

Appendix H – Documents Reviewed

- Environmental Impact Statement (EIS) – Bellambi Heights BESS, July 2023
- Secretary’s Environmental Assessment Requirements (SEARs)
- Bellambi Heights Battery Energy Storage System, Modification Report, Rev 4, dated 31 July 2025.
- State Significant Development Consent SSD-33344237 – Granted 2 May 2024
- State Significant Development Consent SSD-33344237-Mod-1 – Approved 20 October 2025
- Development Layout Plans (Appendix 1 to the consent)
- Final Layout Plans – 10 December 2025
- Submission of Final Layout Plans to DPHI – 9 January 2026
- Email from Vena Energy to MWRC re Final Layout Plans – 15 January 2026
- Correspondence from DPHI acknowledging commencement of construction, dated 23 January 2026
- Bellambi Heights BESS Planning Agreement Annual Report to MRWC, dated 23 January 2026.
- Stage 2 Environmental Management Strategy (EMS), Rev 3 – 21 October 2025
- DPHI approval letter for EMS (Mod-1) – 31 October 2025
- Stage 1 Traffic Management Plan – April 2025
- Stage 2 Traffic Management Plan (TMP), Rev E – 6 January 2026
- Biodiversity Management Plan, Rev 11 – 23 October 2025
- Accommodation and Employment Strategy – April 2023
- Accommodation Plan – 31 October 2025
- Monthly accommodation tracker spreadsheet (January–March 2026)
- Construction Environmental Management Plan (CEMP) – Samsung, Rev E, dated 26 November 2025
- Soil and Water Management Plan – Samsung, Rev 1, dated 19 November 2025
- Erosion and Sediment Control Plan (ESCP) – Samsung, Rev 1, dated 26 November 2025
- Bushfire Construction Management Plan – Samsung, Rev 3, dated 4 February 2026
- Waste and Resource Management Plan – Samsung, Rev 3, dated 4 December 2025
- Samsung Waste Register (initial entries dated 2 and 4 March 2026)
- Updated Samsung Waste Register (post audit)
- Weekly Environmental Inspection Checklists – Samsung (February–March 2026)
- Samsung Traffic Logs
- Internal TMP audit record – Vena Energy, dated 27 February 2026
- Samsung site induction materials
- Samsung contractor induction list (spreadsheet)
- Samsung toolbox talk records
- Pre start checklists – Samsung, dated 6 February 2026 and 17 February 2026
- Plant and Equipment Access Forms – Samsung, approved 19 February 2026 and 4

March 2026

- Statements of Attainment for Samsung plant operators
- Certificates of Validation of Competency – Samsung
- Photographic evidence of sediment fence installation
- Email correspondence from Samsung to waste contractor, dated 10 April 2026
- Email correspondence from Samsung to subcontractors regarding waste disposal, dated 10 April 2026
- Construction Environmental Management Plan (CEMP) – Transgrid, Rev 1, dated 21 November 2025
- Soil and Water Management Plan – Transgrid, Rev 2, dated 18 November 2025
- Erosion and Sediment Control Plan (ESCP) – Transgrid, Rev 1, dated 26 November 2025
- Fire Risk Management Plan – Transgrid, Rev D, dated 16 October 2025
- Monthly Construction Environmental Inspection Forms – Transgrid (February–March 2026)
- Weekly Site Inspection Reports – Transgrid
- Transgrid HSE inspection forms
- Plant Daily Inspection – Fault Report No. 0531, dated 9 March 2026
- ATV / Quad Bike pre start checklist – Transgrid, dated 29 January 2026
- Daily plant checklists (rollers, graders, excavators) – Transgrid
- Statements of Attainment for Transgrid operators
- Section 6.33 Biodiversity Certificate, dated 20 March 2025
- Correspondence from NSW Biodiversity Conservation Trust confirming credit retirement, dated 24 March 2025
- Baseline Biodiversity Monitoring Memo, dated 19 November 2025
- Correspondence from DCCEE CHPR confirming baseline monitoring, dated 17 February 2026
- Pre clearing Report, dated 25 September 2025
- Pre and Post Clearing Report, dated 18 November 2025
- Aboriginal Cultural Heritage Management Plan (ACHMP), Rev 9, dated 23 October 2025
- Correspondence between EMM Consulting and Heritage NSW
- Heritage NSW correspondence approving ACHMP, dated 2 February 2025
- Cultural heritage training materials
- Cultural heritage training attendance records
- Traffic Impact Assessment (TIA) (EIS supporting study)
- Gate logs recording light and heavy vehicle movements (January–March 2026)
- Graphs of heavy vehicle daily movements (15 January–31 March 2026)
- Graphs of light vehicle movements (6–7am period, February–March 2026)
- Driver Code of Conduct
- Staged Construction Certificate No. 25000634/1 (Samsung), dated 18 December 2025
- Staged Construction Certificate No. 26000647/1 (Transgrid), dated 15 January 2026
- Staged Construction Certificate No. 26000647/2 (Transgrid), dated 5 March 2026

- Engineering Report – BESS Lighting Design, Rev B, dated 15 January 2026
- Bushfire Design Compliance Statement, dated 13 March 2026
- Fire Safety Study (draft, prepared by Samsung)
- Water Access Licence No. 9596
- Controlled Activity Approval No. 80CA7012656
- Photographic evidence of metered water filling point
- Waste disposal dockets
- Contractual notice from Vena Energy to Samsung regarding waste disposal, dated 10 April 2026
- Contractual notice from Vena Energy to Transgrid regarding waste disposal, dated 10 April 2026
- Consultation responses from DPHI, Mid Western Regional Council, TfNSW, FRNSW, Heritage NSW and DCCEEW

