

21 May 2026

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

By Email To: wayne.jones@planning.nsw.gov.au

Bellambi Heights Battery Energy Storage System SSD 33344237: Independent Environmental Audit and Response to Audit Findings

Dear Wayne

In accordance with Condition C14 an Independent Environmental Audit of the Bellambi Heights BESS was undertaken on 8 April 2026. Construction commenced 12 January 2026.

In accordance with Condition C18 Vena Energy Services (Australia) Pty Ltd (Vena) submits the Independent Environmental Audit report and Vena's response to the audit findings.

Vena's response to the audit findings is included in Appendix A.

If you have any queries regarding the information provided, please contact me on 0417 210 253 or alternatively via email at andrew.brownlow@venagroup.com.

Yours sincerely,

Andrew Brownlow

Andrew Brownlow
Manager, Development & Stakeholders

Appendix A Proponent Response to Audit Findings

Non-Compliances

Condition Number (ID)	Compliance requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/Action taken/ Response (as applicable)	Proposed Action Due Date
Condition B1	<p>The Applicant must ensure that the:</p> <p>(a) development does not generate more than:</p> <p>i) 40 heavy vehicle movements a day during construction, upgrading, or decommissioning;</p> <p>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</p> <p>iii) 4 movements of heavy vehicles requirement escort</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>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>	<p>Vena responded to the Departments Notice to Furnish Information on 1 May 2026.</p> <p>Vena has strengthened the heavy vehicle forecasting processes. Heavy vehicle forecasting has become more detailed with each forecasted movement including:</p> <ul style="list-style-type: none"> • Identification of contractors and delivery purpose. • Inclusion of a defined contingency allowance for unplanned or short-notice deliveries to reduce the risk of inadvertent exceedances. • Coordination between both Principal Contractors during weekly coordination meetings to manage forecasted heavy vehicles allocations. <p>The improved forecasting provides Vena enhanced oversight and</p>	<p>Closed. All actions have been implemented.</p>

	<p>during construction, upgrading, or decommissioning; and</p> <p>(b) 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>supports ongoing compliance with consent condition requirements.</p> <p>Vena’s request to increase the daily heavy vehicle movement limit from 40 to 60 heavy vehicles was approved by the Department on 12 May 2026.</p>	
Condition B1	<p>The Applicant must ensure that the:</p> <p>(c) development does not generate more than:</p> <p>i) 40 heavy vehicle movements a day during construction, upgrading, or decommissioning;</p> <p>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</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). While these exceedances are considered by the Auditor to be minor, they represent a non-compliance against CoA B1. Vena Energy advised that while the internal Traffic</p>	<p>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</p>	<p>Vena has implemented a Vehicle Movement Management Standard Operating Procedure (SOP) which includes a clear internal escalation pathway to ensure that all identified exceedances are promptly reported to all relevant stakeholders.</p> <p>The weekly project coordination meetings between Vena and the two Principal Contractors includes standing agenda items dedicated to both light and heavy vehicle movements. These meetings review actual movements from the preceding week and assess upcoming forecasts.</p>	<p>Closed. All actions have been implemented, and the procedures will continue to be actively managed</p>

	<p>iii) 4 movements of heavy vehicles requirement escort during construction, upgrading, or decommissioning; and</p> <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>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>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>		
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Observations & Opportunities for Improvement

Condition Number (ID)	Compliance requirement	Independent Audit Observation/Opportunity for Improvement	Proponent's Proposed Action or reason to not implement measures/changes	Proposed Action Due Date (if applicable)
Condition B26	<p>The Applicant must:</p> <p>(a) minimise any soil erosion and control sediment generation;</p> <p>(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</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,</p>	<p>Further to the actions taken immediately post audit, Vena's Site Manager has increased the frequency of monitoring the Principal Contractors compliance with its ESCPs.</p>	N/A

	<p>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>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: 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>		
Condition B32	<p>The Applicant must:</p> <p>(a) minimise the waste generated by the development;</p> <p>(b) classify all waste generated on site in accordance with the EPA's <i>Waste Classification Guidelines 2014</i> (or its latest version);</p> <p>(c) store and handle all waste on site in accordance with its classification;</p> <p>(d) not receive or dispose of any waste on site; and</p> <p>(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>Samsung CEMP Table 4.1 (Environmental management and mitigation measures) states “use of Mid-Western Regional Council facilities must not be relied on”. 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-</p>	<p>Further to the actions taken immediately post audit, Vena now requires both Samsung and Transgrid to confirm that Council waste facilities have not been utilised as part of their monthly reporting.</p> <p>Samsung has since engaged a waste contractor that can perform the service while not using MWRC facilities.</p>	N/A

		<p>contractors instructing them to not use MWRC waste facilities. 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: 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>		
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