Maxwell Solar Farm Independent Environmental Audit 2025

Response to Auditor Recommendations

Table 1. Summary of Non-Compliances and Proponent's Proposed Action/Action taken/ Response as applicable and Due Dates

Approval, Schedule and Condition Number	Condition	Compliance Status	Details	Recommendations	Proponent's Proposed Action/ Action taken/ Response	Proposed Action Due Date
SSD 9820 Schedule 3 Condition 17	**Emergency Plan** 17. Prior to commencing construction, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, to the satisfaction of Fire and Rescue NSW and the NSW Rural Fire Service. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must: (a) 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); (b) identify the fire risks and hazards and detailed measures for the development to prevent or mitigate fires igniting; (c) list works that should not be carried out during a total fire ban; (d) include availability of fire suppression equipment, access and water;	**Non - Compliant**	<u>Preparation:</u> For Stage 1, site has addressed these aspects in the Malabar Bushfire Management Plan (2024) and the Malabar Emergency Response Control Plan (ERCP). Section 1.1 of the ERCP notes that it includes the Maxwell Solar Farm. The Bushfire Management Plan (BMP) does not refer to the Maxwell Solar Farm however site personnel advised that the area of the Stage 1 construction site is within the overall Maxwell consent boundary, so is covered by the BMP. Copies of these management plans are kept in the Maxwell offices. The BMP was developed in consultation with the NSW Rural Fire Service (Appendix 3), however neither plan was developed in consultation with Fire and Rescue NSW, therefore non-compliance. a) Neither plan references either the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' - non-compliance. The BMP has been developed in accordance with the RFS's Planning for Bushfire Protection 2019. b) Section 3 of the BMP outlines the potential fire risks and hazards, as well as measures to prevent or mitigate fires igniting (for the Maxwell site generally).	NC REC 1: Update the Bushfire Management Plan in consultation with Fire and Rescue NSW. Include reference to the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'. Include text that confirms that this document covers the Maxwell Solar Farm. Include the relevant conditions of SSD-9820 in Appendix 1 Regulatory Requirements.	Update the Bushfire Management Plan in consultation with Fire and Rescue NSW. Include reference to the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'. Include text that confirms that this document covers the Maxwell Solar Farm. Include the relevant conditions of SSD 9820 in Appendix 1 - Regulatory Requirements.	31 August 2026

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	(e) include procedures for the storage and maintenance of any flammable materials; (f) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency; (g) include a figure showing site infrastructure, Asset Protection Zone and the fire fighting water supply; (h) include location of hazards (physical, chemical and electrical) that may impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations; (i) include details of the location, management and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone; (j) include bushfire emergency management planning; (k) include details of the how RFS would be notified, and procedures that would be implemented, in the event that: • there is a fire on-site or in the vicinity of the site;		c) Section 3.8 of the BMP outlines the works that should not be carried out during a total fire ban (for the Maxwell site generally). d) Section 3.6 of the BMP outlines firefighting equipment on site (for the Maxwell site generally). e) Storage and maintenance of flammable materials is outlined in Section 2.4.6 and Section 3 of the BMP, and shown in the plans in Appendix 4 (noting that there is no storage of flammable materials within the Stage 1 construction area). f) Section 4 of the ERCP outlines emergency protocols, including access, and site contact details (for the Maxwell site generally). g) Appendix 4 of the BMP includes figures showing site infrastructure and firefighting water supply. Asset protection zones are described in Section 3.9.1 of the BMP (for the Maxwell site generally). h) Section 3.9 of the BMP outlines Hazard Mitigation (for the Maxwell site generally). i) Section 3.9.1 of the BMP outlines the location, management and maintenance of the Asset Protection Zones, with roles and responsibilities listed in Section 7 (for the Maxwell site generally).			

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	• 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. Following approval by the relevant authorities, the Applicant must implement the Emergency Plan.		j) Bushfire emergency management planning is outlined in Section 2.4.1 (Bushfire Season) and Section 3 (Implementation) of the BMP. k) RFS notification is outlined in Section 3.2 (Emergency Initiation), Section 3.3 (External Emergency Services), Section 4.1 (Incident Notification). <u>Implementation:</u> The current Stage 1 disturbance is minimal, and does not pose a bushfire hazard. It requires minimal maintenance that is completed by Maxwell as part of the larger site operations.			

Table 2. Additional Recommendations and Proponent's Proposed Action/Action taken/ Response as applicable and Due Dates

Aspect	Condition Reference	Improvement REC Number	Recommendation	Proponent's Proposed Action/ Action taken/ Response	Proposed Action Due Date
Environmental Management Strategy	Schedule 4 Condition 1	IMP REC 1	The compliance table in Appendix 1 of the EMP is missing text. In the next update of the EMP, include this missing text.	Update Appendix 1 of the Environmental Management Strategy.	31 March 2026
Emergency Response Plan	Mitigation Measure WA8	IMP REC 2	Prior to commencement of Stage 2 construction, update the Emergency Response Control Plan to address the Flood Response Plan Requirements.	Update the Emergency Response Control Plan to address the Flood Response Plan Requirements.	Prior to the commencement of Stage 2 construction.

Aspect	Condition Reference	Improvement REC Number	Recommendation	Proponent's Proposed Action/ Action taken/ Response	Proposed Action Due Date
Emergency Fire Response Plan	Mitigation Measure HA7	IMP REC 3	Prior to commencement of Stage 2 construction, update either the Bushfire Management Plan or the Emergency Response Control Plan to include the risk control measures that will be implemented to mitigate potential risk to the health and safety of firefighters and other first responders.	Update either the Bushfire Management Plan or the Emergency Response Control Plan to include the risk control measures that will be implemented to mitigate potential risk to the health and safety of firefighters and other first responders.	Prior to the commencement of Stage 2 construction.