

Constellation Independent Environmental Audit Response to Recommendation

The 2026 Independent Environmental Audit (IEA) commenced on 15 June 2026. This document has been prepared to satisfy Schedule 2, Condition D5 of the Constellation Project Approval (SSD 41579871) and the *Independent Audit Post Approval Requirements* published on the Departments website. Table 1 shows the Constellation response to the auditor's recommendations as listed within Section 7.1 and Appendix C of the 2026 IEA Report relating to non-compliance audit findings while Table 2 shows the Constellation Response to the IEA observations and opportunities for improvement as listed within Section 7.2 of the 2026 IEA report.

Table 1 Response to Non-Compliances

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Proponent's Proposed Action/ Response	Proposed Action Due Date (if applicable)
Condition A8	A8. The development may only be undertaken during the hours set out in Table 1.	Out of hours works were undertaken once without prior approval. It is noted that the incident was reported to DPHI and other protocols were followed after the non-compliant incident apparently due to an incorrect interpretation of requirements. It was explained in the audit discussions that a contractor employee misunderstood that the 24x7 hours permissible for mine site construction and	NC-1 Ensure adequate explanation of protocol is provided to all employees, operators and contractor staff	ACT-1 Aeris has implemented a sign-off sheet for Field Supervisors and subcontractor supervisors to confirm that they have reviewed and understood their roles,	Completed

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		preliminary works applied to corridor construction.		responsibilities, and obligations.	
Condition C6	C6. An out-of-hours-work protocol must be submitted to the Planning Secretary for approval prior to the commencement of any out-of-hours construction work. The protocol must: (a) describe the construction activities proposed to be undertaken outside the hours defined in condition A8; (b) be consistent with the requirements of the <i>Interim Construction Noise Guideline</i> (DECC, 2009); (c) justify why the construction needs to be undertaken as out-of-hours construction; (d) identify low, medium and high-risk out-of-hours work, proposed mitigation and management measures; and (e) include written notification arrangements for affected residences for approved out-of-hours work.	OOHW protocol has been drafted, under internal review, to be submitted for approval, as at the time of this audit. The Protocol addresses the requirements in sub conditions. One incident of OOHW happened due to a misinterpretation by a sub contractor, this was duly notified to DPHI as a non compliance (see A8). This is noted in this audit. The sub section for Construction within 7.2.2.1 of the Noise and Vibration Management Plan plan states that an OOHW protocol has been developed and approved by the Secretary, this has not yet occurred at the time of this audit.			

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Table 2 Response to Observations and Opportunities for Improvement

Condition Number (ID)	Compliance Requirement	Independent Audit Recommendation	Proponent's Proposed Action or reason to not implement measures/ changes	Proposed Action Due Date (if applicable)
A18	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.	OBS-1 Construction Management Plan refers to initial construction phase IEA however not subsequent construction phase IEAs as required by the DPHI IAPAR 2026. This could cause omissions or confusion during a subsequent IEA if required. Recommended to update section 10.7.3 of the CMP to address this.	ACT-2 Aeris has revised this internal management plan to further detail subsequent IEA requirements for the construction phase.	Completed
N/A	N/A	OBS-2 Construction Management Plan refers to development consent requirements, however reference to the CMP is not evident in the contractor's induction and pre-start documentation as sighted in this audit. While this	ACT-3 Aeris has advised principal contractor to revise their induction documentation to specifically refer to compliance of the	Completed

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		is not specifically in non-compliance to any conditions of consent, will assist in ensuring that all employees, contractors and subcontractors are instructed to comply with the conditions of consent.	Construction Management Plan and SSD-41579871.	
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