

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State Significant Development
<b>Application number and project name</b>	SSD-27014706 Wellington South Battery Energy Storage System
<b>Applicant</b>	The Trustee for AMBESS01 Hold Trust
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

On 22 December 2023, the Director, Energy Assessments, granted consent to the development application for the Wellington South Battery Energy Storage System subject to conditions, under delegation from the Minister for Planning and Public Spaces and section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act).

A copy of the Department of Planning and Environment's assessment report and development consent is available [here](#).

### Date of decision

22 December 2023

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2021*;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the *Biodiversity Conservation Act 2016* (NSW);
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including:
  - enabling renewable energy to be stored and dispatched during peak demand, supporting grid stability and energy security;
  - contributing to a more diverse local economy;
  - creating up to 100 construction jobs and 2 operational jobs;
  - contributions to Dubbo Regional Council of \$2.45 million through a Voluntary Planning Agreement;
  - a capital investment of approximately \$545 million;
  - storage of energy for dispatch to the National Electricity Market; and
  - assisting in transitioning the electricity sector from coal and gas fired power stations to renewable energy.
- the project is permissible with consent, and is consistent with NSW Government policies including the *NSW Climate Change Policy Framework (2016)*, *NSW Electricity Strategy (2019)*, *NSW Electricity Infrastructure Roadmap*, *NSW Net Zero Plan Stage 1: 2020 – 2030* and associated *Implementation Update* and *Central West and Orana Regional Plan 2041*;
- the impacts on the community and the environment can be appropriately minimised and managed to an acceptable level, in accordance with applicable NSW Government policies and standards;
- none of the NSW Government agencies nor Council object to the project;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines; and
- weighing all relevant considerations, the project is in the public interest, subject to the strict conditions of the consent.

## Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 18 November 2022 to 15 December 2022 (28 days) and received one submission objecting to the project, one submission supporting the project and one submission providing comments.

The Applicant engaged with the community during the preparation of the EIS and detailed the findings of the engagement, including how it influenced the scope and design of the project, in the EIS.

The Department consulted with government agencies and Dubbo Regional Council throughout the assessment process.

The key issue raised by the community (including in submissions) and considered in the Department's assessment report and by the decision maker were visual, noise, and hazards, including fire risk. Other issues are addressed in detail in the Department's Assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Visual</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"><li>• The project will be visible from one receiver (R15) due to their elevation in relation to the site, however this impact is reduced due to distance from the site and partial screening from existing vegetation on the property.</li><li>• In addition, the Applicant has committed to landscaping around the BESS compound which will further reduce any potential visual impacts.</li></ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"><li>• Require the provision of screening around the BESS site in accordance with the landscape plan.</li></ul>
<i>Noise</i>	<p><i>Assessment</i></p> <ul style="list-style-type: none"><li>• The project will result in minor construction impacts at some receivers, which the Applicant will mitigate through standard construction noise management measures.</li><li>• In order to mitigate operational noise, the Applicant has committed to constructing a 4 m high acoustic barrier around the site.</li></ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"><li>• Require the development to comply with operational noise limits at all receivers and undertake periodic monitoring.</li></ul>
<i>Hazards</i> <ul style="list-style-type: none"><li>• Fire risk /toxic fumes</li></ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"><li>• The Applicant has undertaken a preliminary hazards analysis which concluded that risks are not considered to exceed the acceptable risk criteria.</li><li>• To actively manage fire risk, an asset protection zone would be established and maintained. In addition, a 10 000 litre water supply tank would be provided as requested by the Rural Fire Service.</li><li>• A Fire Safety Study will be prepared along with an Emergency Plan to support the development.</li></ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"><li>• Develop a Fire Safety Study prior to the commencement of construction.</li><li>• Store and handle all chemicals, fuels and oils used on-site in accordance with relevant standards.</li><li>• Provide an asset protection zone in accordance with RFS's <i>Planning for Bushfire Protection 2019</i>.</li></ul>