ACENERGY PTY LTD

Yanco Battery Energy Storage System

MODIFICATION APPLICATION

Project number: 223155

Rev: C

5 May 2026

Premise

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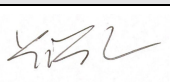
Tom Foster		YiSong Liu		David Walker	

ABBREVIATIONS

Abbreviation	*Abbreviated term*
ABS	Australian Bureau of Statistics
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIMS	Aboriginal Heritage Information Management System
ARTC	Australian Rail Track Corporation
AV	Articulated Vehicle
AWS	Automatic Weather Station
BAL	Basic Left Turn
BDAR	Biodiversity Development Assessment Report
BC Act	*Biodiversity Conservation Act 2016*
BESS/Battery	Battery Energy Storage System
CEMP	Construction Environmental Management Plan
CPHR	NSW Conservation Programs, Heritage and Regulation
CHR	Channelised Right Turn
CML	Concessional Mass Limits
DA	Development Application
DCP	Development Control Plan
DD	Due Diligence
DPE	NSW Department of Planning and Environment (now known as DPHI)
DPHI	NSW Department of Planning, Housing and Infrastructure
EDC	Estimated Development Cost
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue New South Wales
FSS	Fire Safety Study
FTE	Full Time Equivalent
GML	General Mass Limits
IBRM	Interim Biogeographic Regionalisation for Australia
ICNG	Interim Construction Noise Guideline 2009
kV	Kilovolt

NPfI	Noise Policy for Industry 2017
NIA	Noise Impact Assessment

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EXECUTIVE SUMMARY

Introduction

Premise has been commissioned by ACEnergy Pty Ltd (ACEnergy) to prepare an application for modification of the approved 250-Megawatt$_{AC}$ (MW_{AC}) Battery Energy Storage System (BESS) project (hereafter known as the Yanco BESS) located at 120 Houghton Road in Yanco. The Yanco BESS project (SSD-67478479) was approved by the Independent Planning Commission on 2 October 2025.

The Applicant for the Yanco BESS project is defined by the Development Consent ('consent') as "ACEnergy Pty Ltd'. ACEnergy is therefore entitled to act on the consent for the purposes of s4.55(1A) of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

The approved development footprint is situated approximately 2.5 kilometres (km) west-southwest of Yanco village and is located within Lots 516 and 521 DP 751745 at 120 Houghton Road, Yanco NSW. Ancillary aspects of the project associated with road upgrades and electricity transmission line routes affect other land including the road reserves of Hume Road, Houghton Road and Irrigation Way, Lot 7350 DP1199551 and Lot 10 DP8449631.

Development on land owned by Leeton Shire Council and Murrumbidgee Irrigation will be managed through land tenure agreements. ACEnergy are currently in the process of securing land tenure with Leeton Shire Council, while Murrumbidgee Irrigation have given in principle consent to land tenure via a letter of consent.

As per the approved project, the estimated project employment generation is up to 70 full time equivalent (FTE) construction jobs at peak construction, with up to 5 FTE operational roles when the facility is operating (mostly remotely). The proposed modification will not impact on the estimated employment generation.

The project consists of a 250-MW_{AC}, 1,100 MWh_{AC} BESS and will enable the storage of energy to be dispatched to the grid during periods of peak demand, which has the potential to increase grid stability and energy security. There is no proposed change to the project scale or capacity as a consequence of this modification.

The modified development represents the efficient use of land and is therefore consistent with the objects of the EP&A Act.

The consent has not previously been modified.

The modification is submitted pursuant to Section 4.55(1A) of the EP&A Act on the basis that the proposed modification is of minimal environmental impact.

The original application and consent were reflective of information available at the time of the application and during the detailed design phase a number of minor changes have been identified, including to the required road upgrades, the transmission line alignment and inclusion of an approved access point to the Transgrid substation.

The application therefore seeks to make a number of minor changes to the approved project to reflect the outcome of developed design.

Proposed Modification

The proposed modification entails five specific changes to the approved application, summarised as follows:

1. Changes to the approved layout plan to reflect minor changes to the Irrigation Way intersection upgrade works as a result of detailed intersection design and compliance with relevant Austroads standards;

2. Minor change to the site access and Hume Road intersection with Houghton Road;
3. Inclusion of a nominated site access point to the Yanco substation; and
4. Minor changes to the project layout and transmission line alignment

No other changes are proposed as a part of this modification.

Environmental Issues

To support this modification application, the following environmental impacts have been the subject of assessment to confirm no or minimal environmental impact:

- An Aboriginal cultural heritage memorandum considering the impacts of the minor changes to development footprint;
- An updated noise impact assessment to review the procured technology;
- A biodiversity memorandum considering the impacts of the minor changes to development footprint;
- Updated plans showing the amended intersection designs, site access, project layout, and electricity transmission line alignment;
- Consideration of the extent of change associated with this modification in relation to social impacts is provided in **Section 6.6**; and
- A summary of the information gathered through engagement is provided in **Section 5** of this report and consideration of any matters raised is provided in **Section 6**.

In summary, this modification report and the supporting technical reports conclude that this proposed modification is of minimal environmental impact.

Justification

The NSW Government has recognised that the NSW electricity system needs to change, acknowledging that traditional generators are ageing, and the State's transmission system is congested. Further, electricity prices are putting pressure on households and businesses. This realisation has informed the preparation of Government policies and documents, the provisions of which have filtered to the local scale and informed local plan making.

The project will contribute to the provision of renewable energy in NSW and facilitate private investment in the state's electricity system over the next decade and beyond, a key consideration of the NSW Electricity Strategy. The Yanco BESS has an anticipated lifespan in the order of 23 years and will contribute to the NSW Government's three objectives for the electricity system: reliability, affordability and sustainability.

The project would support the electricity supply market shift from a centralised power generation system, overly reliant on fossil fuels, to a dispersed and smaller scale system. The project provides firming capacity to the market by filling supply gaps when renewable energy sources are not producing. The project invests in, and contributes to, the local economy through the creation of jobs and provision of affordable electricity.

Conclusion

The assessments presented in this report indicate that the proposed modification would assist with the delivery of a range of benefits to the local region, the state, and the country, supporting the reliability and flexibility of the electrical network and the realisation of renewable energy targets.

The technical studies and memos supporting this report confirm that the proposed development would not result in any change to the level of environmental impacts assessed and approved via the original application and that residual impacts are manageable through the implementation of standard measures.

The proposed modification is consistent with the objects and matters for consideration in the EP&A Act. This report concludes that this modification would result in no more than minimal changes to the level of environmental impacts at the local or regional scale and is therefore considered to be in the public interest.

1. INTRODUCTION

1.1 Overview

Premise has been commissioned by ACEnergy Pty Ltd (ACEnergy), the applicant, to prepare an application for a modification to the approved Yanco BESS Energy Storage System (Battery) ('Yanco BESS') at 120 Houghton Road, Yanco, NSW.

The approved project includes the following key infrastructure:

- Installation of containerised lithium-ion batteries with a capacity of up to approximately 250 MW_{AC} and 1,100 $MW\text{-hours}_{AC}$, with associated power conversion systems, switchgear and a control building;
- An underground or overhead transmission line to connect the BESS to the Yanco substation with two options up to approximately 450 metres long for the longest option;
- Cabling and collector units, site office, storage area, internal access tracks, on-site parking, security fencing, and temporary construction laydown area;
- Development of a new site access from Hume Road; and
- Intersection upgrades at Houghton/Hume Road and Houghton Road/Irrigation Way.

This report has been prepared in accordance with the Department of Planning and Environment (DPE) Publication *State significant development guidelines – preparing a modification report – Appendix E to the State Significant Development Guidelines*, which were published in October 2022.

The report is set out in the following format:

- **Section 1**: provides a general introduction, including the applicants' details, a short summary of the approved project, a simple description of the proposed modification and a summary of the development footprint and locality.
- **Section 2**: provides a description of strategic context relevant to the project and this modification.
- **Section 3**: provides a description of the proposed modification.
- **Section 4**: details the statutory planning framework applicable to the project and this modification.
- **Section 5**: provides a summary of the engagement process that has been undertaken for this modification.
- **Section 6**: provides a summary of the findings of the further assessment that has been undertaken in relation to the changes proposed by this modification.
- **Section 7**: provides the justification for this modification and conclusion to the report.

1.2 The Applicant

The Applicant for the Yanco BESS project is defined by the Development Consent ('consent') as "ACEnergy Pty Ltd'. ACEnergy is therefore entitled to act on the consent for the purposes of s4.55(1A) of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act).

The business address of ACEnergy is Level 3, 689 Burke Road, Camberwell, 3124, VIC and its ABN is 628 883 447.

ACEnergy was founded out of the growing demand for renewable energy developments across Australia. ACEnergy's goal is to develop high quality utility-scale Solar Farm and Battery Energy Storage Systems (BESS) projects which will work towards a future of decarbonization.

ACEnergy have experience and capabilities in development of land and site acquisition, project planning and management, grid connections, design and engineering, offtake agreements and financial services.

1.3 The Approved Project

The Yanco BESS project (SSD-67478479) was approved by the Independent Planning Commission on 2 October 2025.

Details of the approved project are summarised in **Table 1** and the approved development layout is illustrated in **Figure 1**.

The development was subject to assessment via an Environmental Impact Statement (EIS) and a range of specialist assessments which form part of the approved project.

Table 1 – Project Summary

Item	Approved Project
Development footprint	11.45 ha
Storage Capacity (MW / MWh)	250 MW_{AC}, 1,100 MWh_{AC} Battery
Lifespan	~ 23 years, with the possibility of upgrades to extend the operational life
Workforce	Up to 70 construction jobs and up to 5 operational jobs
Hours of Operation	24 hours, 7 days a week
Transmission line	Overhead and/or underground
Substation	Connection to Yanco Transgrid Substation.
Other	New site access, cabling and collector units, internal access tracks, new site access from Hume Road, site office, storage area, car parking and security fencing and a temporary construction laydown area. External works include intersection upgrades at Houghton Road and Hume Road; and Houghton Road and Irrigation Way.
Schedule of Lands	Lots 516 and 521 DP 751745 (proposed site) Houghton Road, Hume Road and Irrigation Way Road Reserves Lot 1 DP931848 and Lot 1 DP1072592 (part of Houghton Road traverses these lots owned by the NSW Transport Asset Holding Entity).

INTERSECTION UPGRADE

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Legend

- Project Area
- Development Footprint
- Site Access
- Cadastre

Existing Infrastructure

- Electricity Transmission Line
- Easement
- Water Body
- Watercourse
- Road
- Railway

Proposed Infrastructure

- Landscaping
- Hardstand Areas
- Connection Asset
- BESS Area
- Car Park
- Temporary Construction Hardstand
- Construction Office
- Control Room
- Site Office
- Switching Room
- Transformer
- Firefighting Water Tank
- Fencing
- Noise Wall
- Access Road
- Intersection Upgrade

Indicative ETL Connection

- Option 1
- Option 2

Receivers

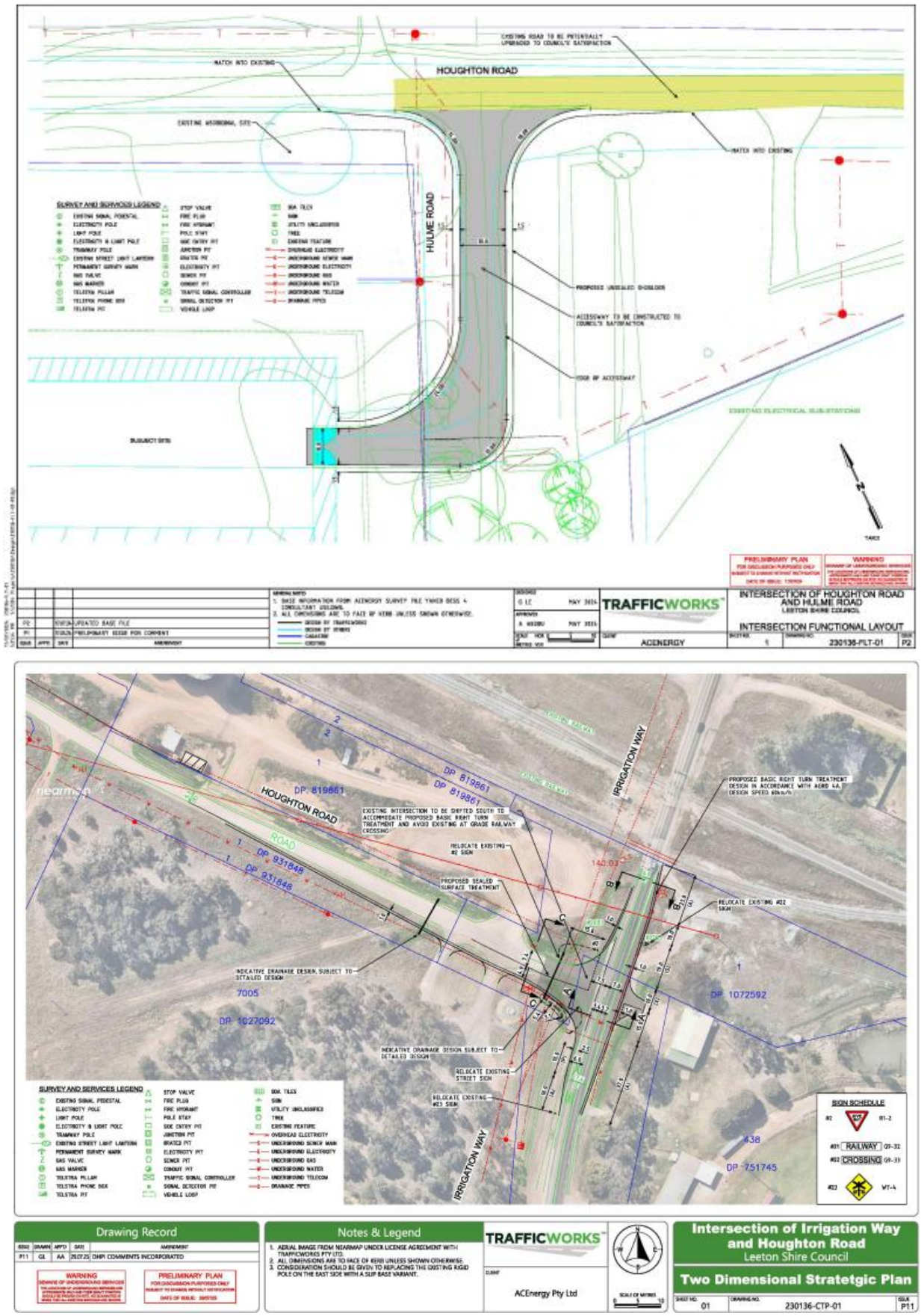
- Associated Residential
- Non-Associated Non-Residential
- Non-Associated Residential

Premise

Yanco Battery Energy Storage System

Figure 1
Project Layout

Figure 2 - Approved Road Upgrade Works (Appendix 3 of the consent)



1.4 Simple Description of the Proposed Modification

The proposed modification seeks to make a number of minor changes to the approved project, summarised as follows:

1. Changes to the approved layout plan to reflect minor changes to the Irrigation Way intersection upgrade works as a result of detailed intersection design and compliance with relevant Austroads standards;
2. Minor change to the site access and Hume Road intersection with Houghton Road to reflect detailed design;
3. Minor changes to the internal project layout to address changes to battery selection;
4. Minor changes to the alignment of the Electricity Transmission Line connecting the BESS to the Yanco Substation on Houghton Road to reflect detailed design; and
5. Inclusion of a nominated site access point to the Yanco substation and minor adjustments to the project development footprint.

The modification is required to respond to:

> the progression of project design, since consent was granted (points 1 - 4 above); and
> Ongoing discussions with the electricity authority (point 5).

As design has progressed, it has emerged that a number of assumptions made during the EIS assessment phase require review now that the detailed designs have been undertaken. In revisiting these assumptions, it has been identified that modification of the consent is required in order to ensure that the project can be delivered as intended.

Consideration of alternatives to the modification has been considered as outlined in **Table 2**.

Table 2 - Consideration of alternatives

Option summary		Assessment
1	Proceed with the application as approved	This option is not preferred as: > The approved layout requires refinement to ensure that all necessary works needed to be completed to facilitate construction can lawfully take place, including intersection upgrade works.
2	Proceed with the modification as proposed	This is the preferred option as: > It achieves the objectives of the applicant to ensure a project that can be delivered as intended and in a manner that is efficient and financially viable.

On the basis of the above, the preferred option is to proceed with the modification as proposed.

1.5 The Project Area and Locality

1.5.1 THE PROJECT AREA AND DEVELOPMENT FOOTPRINT

The project area for the Yanco BESS is located in the Leeton Local Government Area (LGA), approximately 1.5 km west-southwest of Yanco. The portion of the development footprint hosting the BESS infrastructure is located at 120 Houghton Road in Yanco, also known as Lots 516 and 521 DP 751745. The development footprint also includes portions of Houghton Road, Hume Road and Irrigation Way road reserves, hosting

necessary road upgrades, and a proposed transmission line will cross Lot 7350 DP1199551, owned by the Murrumbidgee Irrigation Authority. The development footprint is bound by Houghton Road in the north, Hume Road in the east and agricultural lands to the south and west.

Development on land owned by Leeton Shire Council and Murrumbidgee Irrigation will be managed through land tenure agreements. ACEnergy are currently in the process of securing land tenure with Leeton Shire Council, while Murrumbidgee Irrigation have given in principle consent to land tenure via a letter of consent.

The portion of the development footprint hosting the BESS infrastructure is located on land zoned as RU1 Primary Production under the *Leeton Local Environmental Plan* 2014 (LEP) and is used primarily for agricultural activities such as irrigated cropping. The portion of the development footprint hosting the BESS and substation infrastructure has an area of approximately 8 ha and is located within the northeastern extent of the host lots.

The development footprint is generally cleared of vegetation due to historic cropping activities and development of infrastructure (roads and substation). Elsewhere in the host lots is dense vegetation, located towards the centre of the landholding, together with farming infrastructure and a farm dam. This vegetation and infrastructure would not be impacted by the project. Land in the east of the development footprint features dense vegetation, including the areas lining Hume Road. Via the preliminary biodiversity assessment it is noted, due to the composition and position of vegetation, that much of this is likely to be planted.

Host Lot 516 contains two existing (associated) dwelling houses, one in the east in proximity to Hume Road and one to the south-west.

The Junee Hay Railway is located to the north of the development footprint, with railway bounded to the north and south by Ronfeldt Road and Houghton Road respectively. 60 metres north of Ronfeldt Road (north-east of the development footprint boundary) is the Gogeldrie Branch Canal, which meanders further north and towards the Main Canal in the east. The Murrumbidgee River is located approximately 3.2 km south of the development footprint at its nearest point.

The project area and development footprint includes the Yanco Transgrid substation, fronting Houghton Road, and the Yanco Sewerage Treatment Plant is located to the east. The Yanco substation is bordered by Hume Road and a line of vegetation/trees to the east.

Approximately eight (8) electricity transmission lines run from the Yanco substation to the east ranging from 33 kV to 132 kV of power.

The development footprint has a frontage to (and encroaches into) Hume Road in the east, which will be the point of access for construction and operation via a new access point.

1.5.2 THE LOCALITY

The project area is located in Yanco, which is situated approximately 7 km south of Leeton and 25 km northwest of Narrandera in southwestern New South Wales. Yanco is situated within the Leeton Local Government Area (LGA) and is a part of the Riverina region. In 2021, Yanco had a total population of 744 people (Australian Bureau of Statistics).

The Yanco CBD is located approximately 1.5 km northeast of the project area and includes residential properties, a public school, hotels, a museum, a number of business and retail properties as well as the Yanco train station.

Yanco is a major agricultural centre located in the Murrumbidgee Irrigation Area. The Yanco Agricultural Institute is located approximately 4 km southeast of the development footprint and is comprises of over 813 ha of farmland (mix of both dry and irrigation farmlands), which is researched by the agricultural institute. The

focus is on the sustainable production of crops under irrigation such as rice, cotton, canola, soybean and pulses as well as cereal.

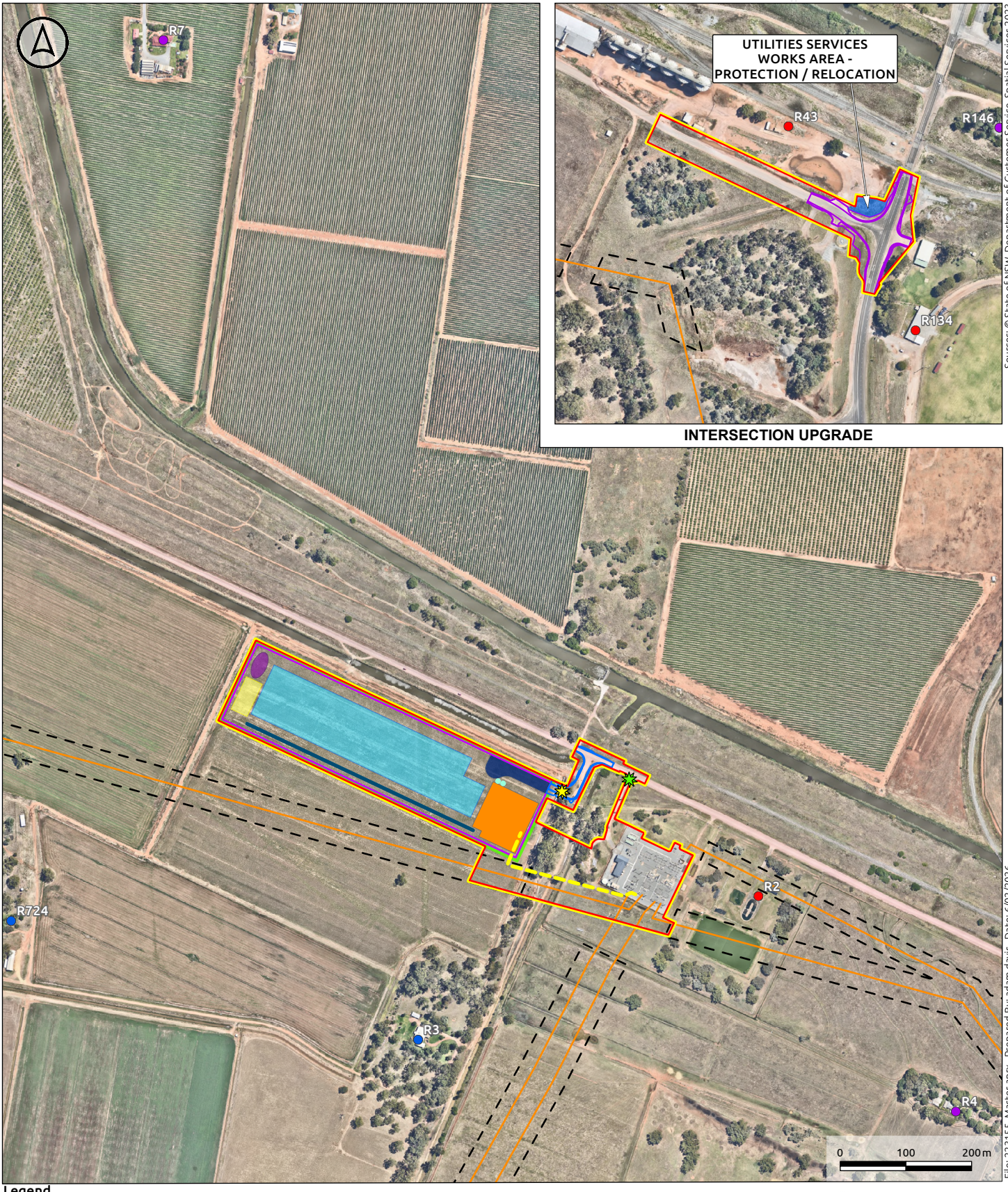
The Murrumbidgee Valley National Park is situated approximately 3.5 km south of the development footprint along the Murrumbidgee River.

The Yanco Solar Farm (approved) is located approximately 1.8 km north of the development footprint and the Leeton Solar Farm located approximately 7 km north and is operational.

The Comet Park BESS, which has received SEARs and is in the Prepare EIS phase, is located 200 m to the south of the project area.

There are two associated residential receivers to the south, one non-associated non-residential receiver located to the east (the Yanco Sewerage Treatment Plant) and approximately five (5) non-associated residential properties located within 800 m of the proposed BESS location. Seven (7) non-associated residential are located within 1km of the development footprint. The closest zoned residential land is located approximately 650 metres to the north-east of the development footprint. The land at 35-37 Cudgel Street features two dwellings (including a recently constructed dwelling – R9).

The locality of the project area is depicted in **Figure 4**.



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Legend

- Project Area
- Development Footprint
- Site Access
- Substation Access
- Cadastre

Existing Infrastructure

- Electricity Transmission Line
- Easement
- Water Body
- Watercourse
- Road
- Railway

Proposed Infrastructure

- Landscaping
- Hardstand Areas
- Connection Asset
- BESS Area
- Laydown Area
- Holding Pond
- Firefighting Water Tank
- Proposed UG Transmission Cable
- Noise Wall
- Fencing
- Access Road
- Intersection Upgrade
- Utilities Services Works Area - Protection / Relocation

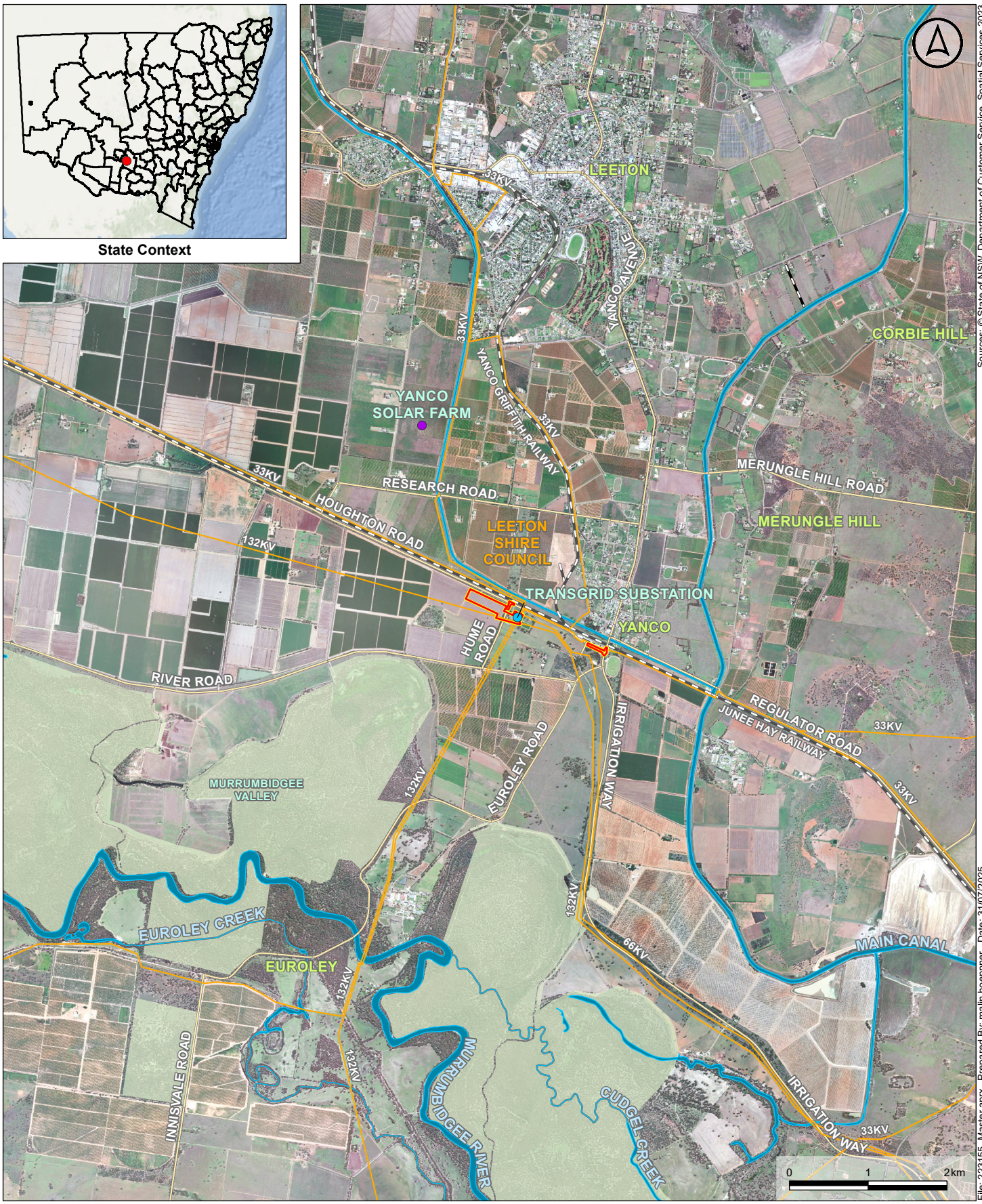
Receivers

- Associated Residential
- Non-Associated Non-Residential
- Non-Associated Residential

Premise

Yanco Battery Energy Storage System

Figure 3
Project Layout



Legend

- Project Area
- Development Site
- LGA Boundary
- Cadastre
- Road
- Railway
- Runway
- Electricity Transmission Line
- Water Body
- Watercourse
- NPWS Reserve
- Transgrid Substation

Renewable Energy Projects

- Approved

Premise

Yanco Battery Energy Storage System

Figure 4
Regional Context

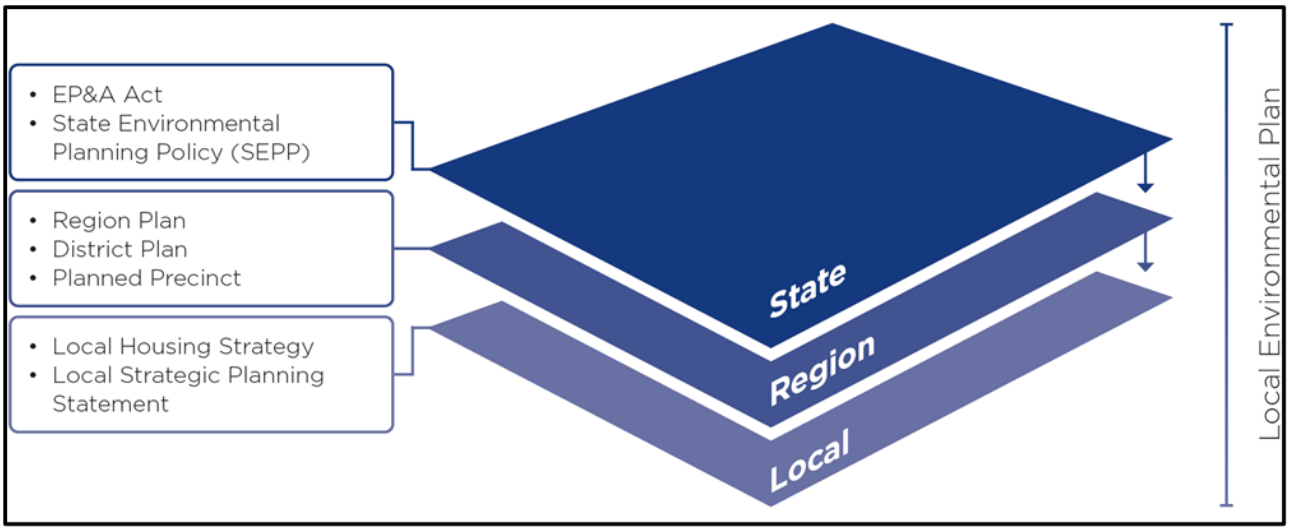
2. STRATEGIC CONTEXT

2.1 Introduction

The NSW planning system has developed a strong emphasis on integrated strategic planning at a State, regional and local scale, including the introduction of Regional Plans and Local Strategic Planning Statements (LSPS).

The integrated strategic planning framework structure is illustrated in **Figure 5**.

Figure 5 – Strategic Planning Framework



(Source: NSW DPE Strategic Planning Toolkit)

Regional Plans are State-led strategic planning documents which set the direction and establish objectives for delivering the vision for a liveable, productive, and sustainable planning framework in NSW.

An LSPS sit below Regional Plans in the strategic planning framework and sets out the strategic planning ambitions for a Local Government Area as a whole and for specific areas. The LSPS allows councils to translate their strategic planning into local priorities and actions and identifies the need for further local strategic planning work.

With regard to the Yanco BESS, the key strategic planning documents include the *Riverina Murray Regional Plan 2041* and the *Leeton Shire Local Strategic Planning Statement*.

Other strategic planning frameworks that are relevant to the development and assessment of SSD Battery projects include the *NSW Electricity Strategy & Electricity Infrastructure Roadmap*.

These plans are discussed in the following sections.

2.2 Riverina Murray Regional Plan

The *Riverina Murray Regional Plan 2041* (the Regional Plan) outlines a 20 year vision for the Riverina Murray region to facilitate sustainable growth opportunities and investments, as well as housing choice and lifestyle opportunities to retain the regions position as a leading regional economy in Australian growth.

The Regional Plan set outs the vision for the Riverina Murray region in 2041 as "*A diversified economy founded on Australia's food bowl, iconic waterways and a network of vibrant connected communities*"

This vision is underpinned by nine (9) objectives and a series of actions and strategies which are intended to outline the initiatives and pathways which are intended to achieve each objective. The Regional Plan acknowledges the following key renewable energy focussed outcomes:

> *"Capitalise on a changing regional economy and catalyst projects such as the Wagga Wagga Special Activation Precinct, Albury Regional Job Precinct, Inland Rail, South-West Renewable Energy Zone (South West REZ) and multiple Murray River bridge projects*
>
> *Support the transition to a net zero carbon emission State by 2050, including enabling the establishment of the South-West REZ"*

The proposed development footprint is outside the confines of the South West REZ, however would give effect to objective 13, being to support the transition to net zero by 2050.

The proposed BESS project supports objective 13 and intended renewable energy outcomes of the Riverina Murray Regional Plan 2041 by providing capacity to reduce the Region's reliance on fossil fuels and increase electricity storage for reuse during peak consumption periods.

2.2.1 RIVERINA AND MURRAY JOINT ORGANISATION (RAMJO) STATEMENT OF STRATEGIC REGIONAL PRIORITIES 2022-2026

RAMJO adopted the Statement of Strategic Regional Priorities 2022-2026 (SSRP) in November 2022. The SSRP identifies the key priority areas on which RAMJO will concentrate its strategies and actions plans through to the year 2026 to enable collaboration between State Government and local councils (including Leeton Shire Council) and their communities to implement significant infrastructure projects.

The SSRP identifies seven priority pillars for the RAMJO region, the second of which highlights the priority to "Improve energy security and affordability". The SSRP identifies that the region faces several energy challenges, including aging infrastructure, use of generators, and pressure to be more environmentally friendly with renewable energy generation, and identifies actions to support energy security for the region.

The development is consistent with the priorities of the SSRP.

2.2.2 RAMJO REGIONAL ENERGY STRATEGY 2022-2032

RAMJO adopted the Regional Energy Strategy (RES) in November 2022 to identify actions that can be undertaken by RAMJO to address energy challenges of the region.

The RES identifies the following goals:

- A shared Strategy and a shared Implementation and Resourcing Plan (I&R Plan) for Energy Security in the region.
- Increased funding and development of local and regional energy infrastructure
- Improved energy access and transmission (extraction and feeding into the grid)
- Increased local generation of clean energy to become more self-reliant AND improved value for money
- Lack of energy supply is no longer viewed as a barrier to industry investment and growth
- Regional energy security
- The development is considered consistent with the goals identified within the RES.

2.3 Yanco Local Strategic Planning Statement

LSC adopted the *Leeton Local Strategic Planning Statement* (LSPS) in June 2020. The LSPS sets out eight (8) planning priorities for the Leeton Shire LGA to support the Leeton LSPS Mission, which is to:

"strengthen and protect our agriculture, manufacturing, education, heritage, and environmental assets."

Via planning priority seven, the LSC are committed to embracing technologies and practices which reduce carbon emissions such as the development of BESS. This planning priority aligns with the LSC Community Strategic Plan 2030 which promotes alternative energy and renewable energy projects in the region to help tackle climate change.

Via planning priority eight, LSC are committed to recognising and respecting both historic heritage and Aboriginal cultural heritage values through the protection of Aboriginal sites and places.

The development is consistent with the vision of planning priorities seven and eight under the Leeton LSPS.

2.3.1 LIVEABLE LEETON 2035

The *Liveable Leeton 2035 Community Strategic Plan* (CSP) identifies five focus areas the Leeton community and Council want to achieve for the future. These five focus areas are:

- Focus Area 1: a connected, inclusive and enriched community.
- Focus Area 2: a safe, active and healthy community.
- Focus Area 3: a thriving regional economy.
- Focus Area 4: a quality environment.
- Focus Area 5: strong leadership and civic participation.

Outcome EN2 under Focus Area 4 is relevant to the proposed development. The community seeks to live sustainably and to use their resources responsibly and to adapt to climate change in the future. This includes a strategy to *"mitigate the impacts of climate change by reducing our carbon footprint and applying sustainable energy solutions."*.

Focus Area 1 refers to the communities desire to value and celebrate their local history and diversity including Aboriginal and historic heritage.

The development is consistent with the objectives of Focus Area 4 and 1 under the Leeton CSP.

2.4 NSW Electricity Strategy & Electricity Infrastructure Roadmap

In order to address pressing matters around reliability, affordability and the fostering of a sustainable electricity future that supports a growing economy, the NSW Government has formed the NSW Electricity Strategy.

The NSW Electricity Strategy strives to:

- Deliver Australia's first coordinated Renewable Energy Zone in the Central-West Orana region;
- Save energy, especially at times of peak demand, via the Energy Security Safeguard;
- Support the development of new electricity generators;
- Set a target to bolster the state's energy resilience; and
- Make it easier and more efficient to do energy business in NSW.

The strategy encourages new private investment in NSW's electricity system over the next decade to support an estimated 1200 jobs, primarily in regional NSW. The strategy closely aligns with the NSW Government's 'Net Zero Plan Stage 1: 2020–2030'.

In November 2020, the NSW Government released the Electricity Infrastructure Roadmap, enabled by the Electricity Infrastructure Investment Act 2020. The Roadmap builds on the foundations of the Electricity Strategy and is expected to attract up to $32 billion of private investment in regional energy infrastructure by 2030 and support over 9000 jobs, mostly in regional NSW.

The NSW Electricity Strategy acknowledges that firmed renewables are now the most cost-competitive form of new generation and cost less than the current wholesale electricity price. In 2025, the NSW Government acknowledged a predicted shortfall in firming capacity in the NSW electricity market in the summer of 2027/28. Delivery of battery storage projects will assist to respond to this predicted shortfall.

The Yanco BESS will contribute to the provision of firming capacity in NSW and facilitate private investment in the state's electricity system over the next decade and beyond, a key consideration of the NSW Electricity Strategy.

2.5 Conclusion

The NSW planning system has developed a strong emphasis on integrated strategic planning during the past decade, including the introduction of Regional Plans, Local Strategic Planning Statements

This modification does not raise any issues which are contrary to the applicable strategic planning framework.

The proposed modification, through facilitating the delivery of the Yanco BESS project, continues to align with the applicable strategic planning framework, supporting the development of electrical firming capacity in a manner that aligns with the objectives of the Regional Plan, the LSPS, and the NSW Electricity Strategy and Electricity Infrastructure Roadmap.

3. DESCRIPTION OF MODIFICATION

3.1 Simple overview of the modifications

The proposed modification can be summarised as:

1. Minor changes to the Irrigation Way intersection upgrade works as a result of detailed intersection design and compliance with relevant Austroads standards;
2. Minor change to the site access and Hume Road Intersection with Houghton Road;
3. Minor changes to the internal project layout to address changes to battery selection;
4. Minor changes to the alignment of the Electricity Transmission Line connecting the BESS to the Yanco Substation on Houghton Road;
5. Inclusion of a nominated site access point to the Yanco substation and minor adjustments to the project development footprint.

No other change is proposed via this modification.

Table 3 provides a summary of the changes proposed by modification in the context of the approved development. The table demonstrates that the proposed modification results in no significant changes, supporting the conclusion that the modification is of minimal impact.

Table 3 - Modification Summary

Item	Approved Project	Proposed Modification
Development footprint	11.45 ha	11.81 ha
Storage Capacity (MW / MWh)	250 MW_{AC}, 1,100 MWh_{AC} Battery	No change
Lifespan	~23 years, with the possibility of upgrades to extend the operational life	No change
Workforce	Up to 70 construction jobs and up to five (5) operational jobs for occasional maintenance.	No change
Hours of Operation	24 hours, 7 days a week	No change
Transmission line	Overhead and/or underground	No change
Substation	Connection to Yanco Transgrid Substation.	No change
Other	Internal access tracks, staff amenities, control room, maintenance and equipment buildings, on-site car parking and security fencing	Minimal change to layout to incorporate updates to the intersection with Hume Road and Houghton Road and the intersection of Houghton Road and Irrigation Way. The proposed changes are

Item	Approved Project	Proposed Modification
		a result of detailed design of the upgrade works to satisfy Austroads standards. Update of the development footprint to include an approved access point to the Yanco Substation, utilising the existing established access driveway. Minor updates to the internal project layout have also been included to address a change in battery selection.

3.2 Detailed description of each modification

The modification proposes four key changes.

The first change relates to changes to the Irrigation Way/Houghton Road intersection upgrade impact assessment area. As detailed design and investigations have occurred, including the process of submitting a Works Authorisation Deed (WAD) from TfNSW, necessary changes are proposed to accommodate the area of the required road upgrades at the intersection of Irrigation Way and Houghton Road. In the south of the design area, additional impacts are required with respect to accommodating drainage, adjustment to services and tie-in of the upgrades to the existing formation. These changes represent a small area of no more than 315 m^2 to the original intersection upgrade area. In the north-western extent of the upgrade area, an additional area of disturbance is proposed to accommodate potential services adjustments (approximately 330 m^2). The proposed changes are to ensure consistency between the approved development footprint and the area subject to the WAD, to satisfy TfNSW requirements. The extent of the change is reflected in **Figure 7**.

The second change is similar to the first, representing minor changes to the development footprint to reflect the progression of detailed design with respect to the Houghton Road/Hume Road intersection upgrade works and site access from Hume Road. The extent of change is very minor, around 195 m^2 in total, and results in negligible changes to the extent of the development footprint. Again, the motivation for the modification is to ensure consistency between the detailed design extents and the approved plans. The extent of the change is reflected in **Figure 7**.

The third change is similar to the first two, representing minor changes to the site access design reflect the progression of detailed design with respect to the alignment of the underground electricity transmission line connecting to the Transgrid substation. The extent of change is very minor and does not result in any changes to the extent of the development footprint. There is no change to the construction approach for the transmission line, which will continue to be underground via horizontal directional drilling. Again, the motivation for the modification is to ensure consistency between the detailed design extents and the final design plans. The extent of the change is reflected in **Figure 6**.

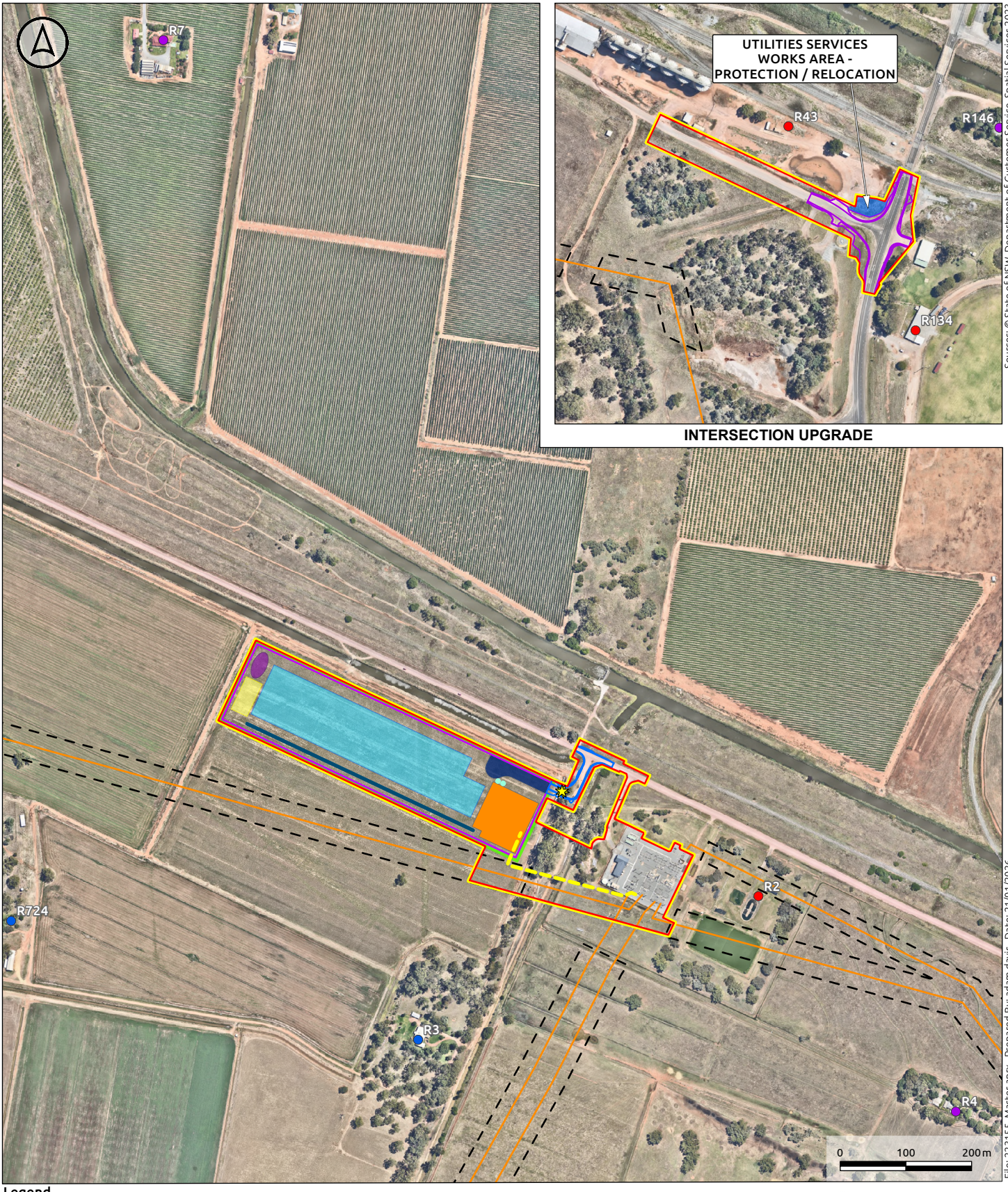
The fourth and final change is to provide an approved site access point within the development footprint to provide access to the Yanco Substation directly from Houghton Road. This additional area is approximately 2,800 m^2. The inclusion of a nominated site access point to the Yanco substation has been provided at the request of Transgrid, who will be completing the substation augmentation works necessary to connect the battery, and who will be relying on the terms of this consent to carry out these works. The site access point is the existing site access to the substation and does not require any upgrade works as it currently accommodates light vehicles and heavy vehicles up to 19 m in length. Vehicles entering the substation would be limited to up to 19 m in length. The extent of the change is reflected in **Figure 6**.

The required changes with respect to both the driveway and the road upgrades requires a minor change to the development footprint boundary. Updated technical assessments are provided in relation to these minor additional areas. This is discussed further in **Section 6**.

3.3 Conditions to be modified

As a consequence of the proposed changes, the modification requires the following changes to the Development Consent and associated conditions:

- Modify the definition of the development provided in the EIS and consent to include reference to this modification report: Yanco BESS Modification Application dated 9 February 2026.
- Update the figure provided in Appendix 1 of the consent (General Development Layout) (refer to **Figure 6**).
- Update the figure provided in Appendix 3 of the consent (Road Upgrades) to include a revised road upgrade design (refer to **Figure 7**)



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Legend

- Project Area
- Development Footprint
- Site Access
- Cadastre

Existing Infrastructure

- Electricity Transmission Line
- Easement
- Water Body
- Watercourse
- Road
- Railway

Proposed Infrastructure

- Landscaping
- Hardstand Areas
- Connection Asset
- BESS Area
- Laydown Area
- Holding Pond
- Firefighting Water Tank
- Proposed UG Transmission Cable
- Noise Wall
- Fencing
- Access Road
- Intersection Upgrade
- Utilities Services Works Area - Protection / Relocation

Receivers

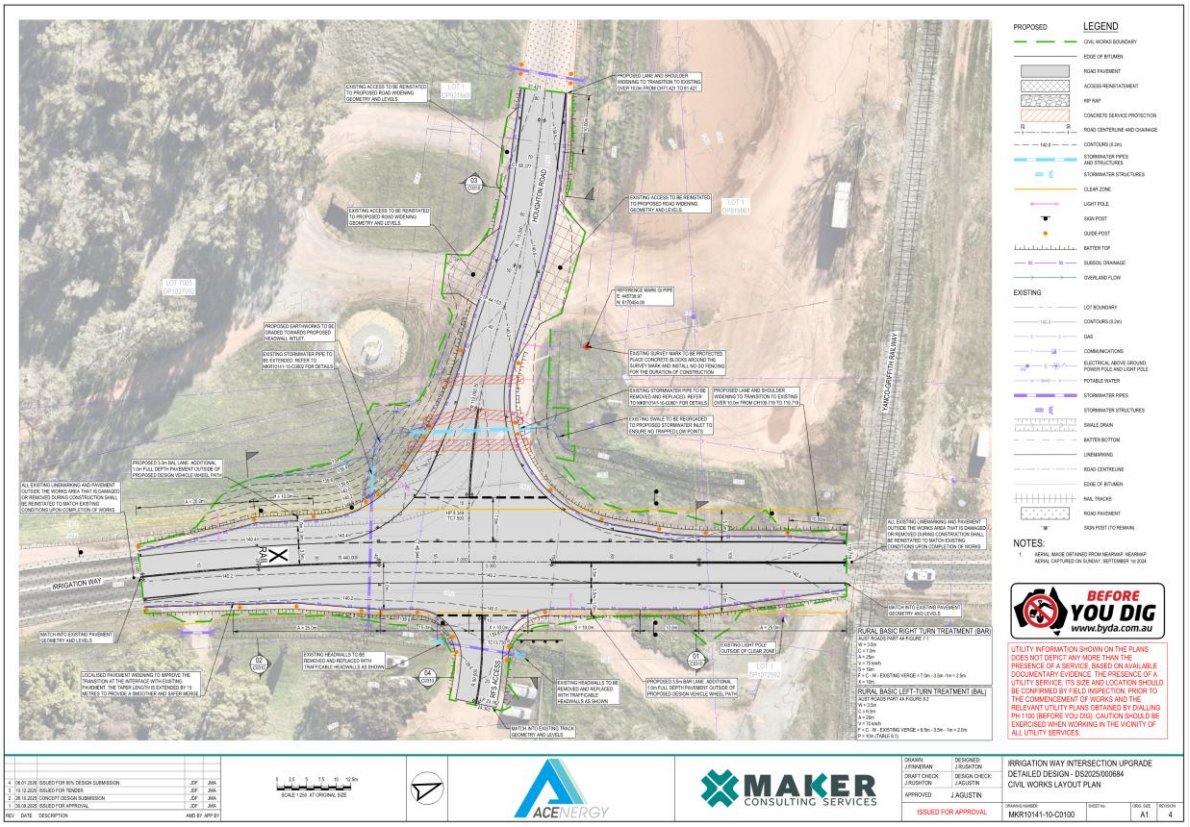
- Associated Residential
- Non-Associated Non-Residential
- Non-Associated Residential

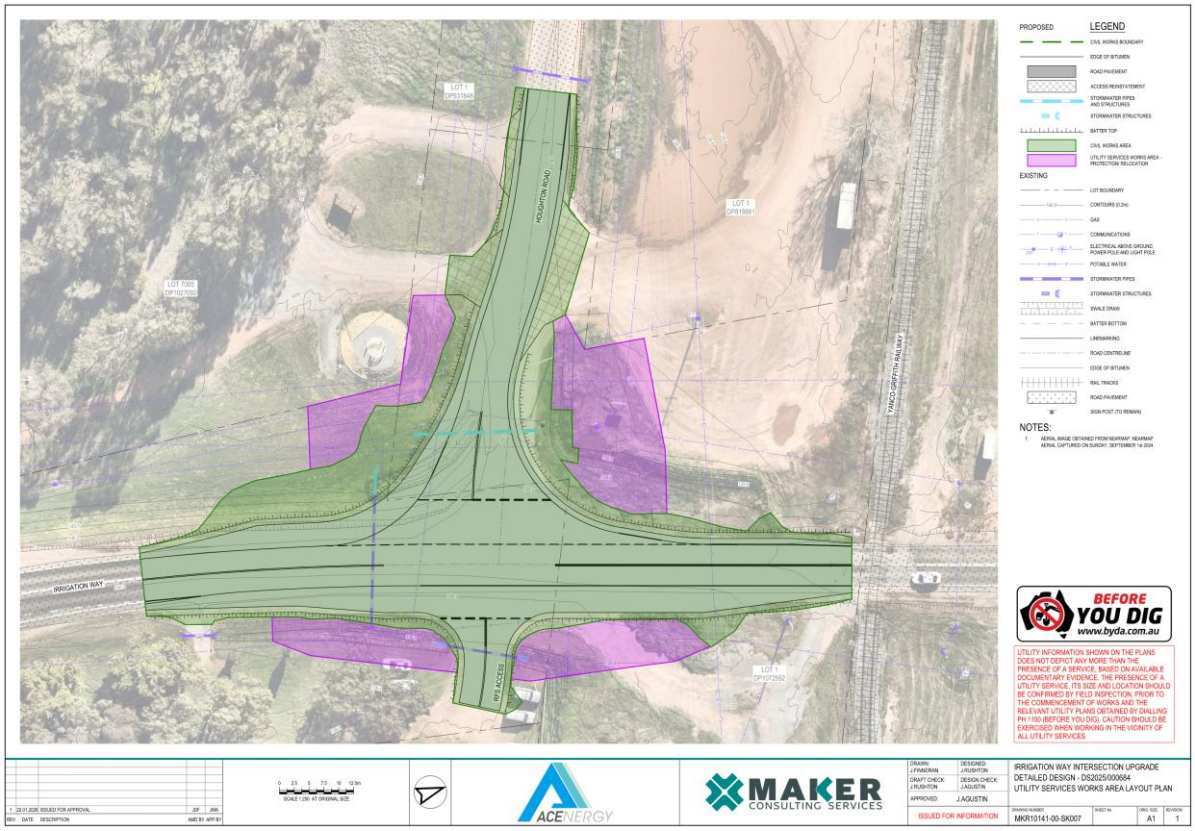
Premise

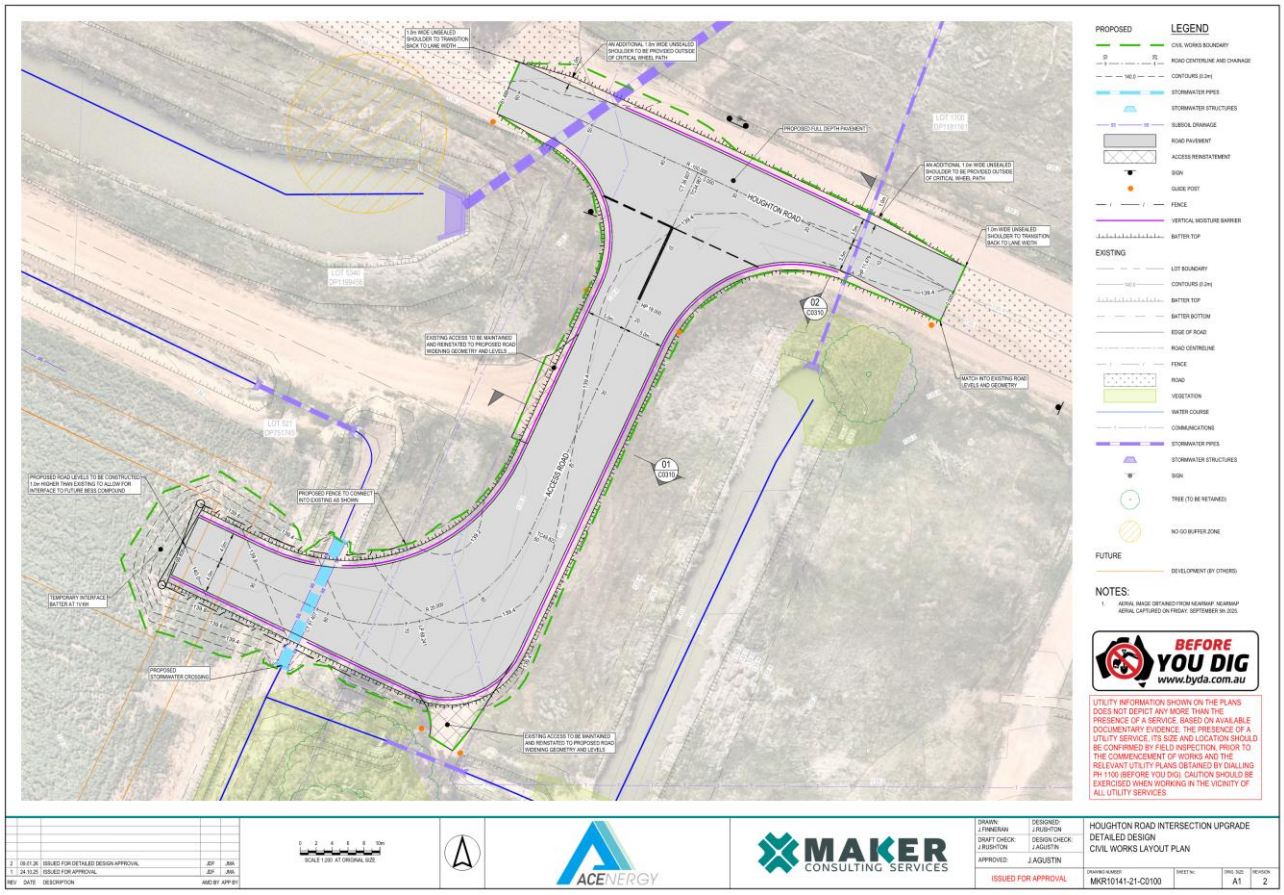
Yanco Battery Energy Storage System

Figure 6
Project Layout

Figure 7 – Update to Appendix 3 (Road Upgrades)



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MAKER CONSULTING SERVICES
HOUGHTON ROAD INTERSECTION UPGRADE
DETAILED DESIGN
CIVIL WORKS LAYOUT PLAN
ISSUED FOR APPROVAL
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3.4 Substantially the same

As discussed in detail in **Section 4.1.2.2**, the proposed modified development remains substantially the same as the originally approved development.

3.5 Modification category

The modification is sought pursuant to Section 4.55(1A) on the basis that the modification is:

- Substantially the same when compared to the originally approved application – refer **Sections 3.4 and 4.1.2.2**; and
- Would result in no or minimal impact as a consequence of the proposed changes – refer **Table 6** and **Section 6**.

4. STATUTORY PLANNING FRAMEWORK

4.1 Environmental Planning and Assessment Act

4.1.1 INTRODUCTION

In NSW, the relevant planning legislation is the EP&A Act. The EP&A Act institutes a system of environmental planning and assessment in NSW and is administered by the Department of Planning Housing and Infrastructure (DPHI).

The applicable statutory planning framework for the proposed modification is consistent with the statutory framework that applied when the project was approved.

The objects of the EP&A Act are as follows

> *(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
>
> *(b) to promote the supply, delivery and maintenance of housing, including affordable housing,*
>
> *(c) to promote productivity through the development and management of the State and its resources,*
>
> *(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,*
>
> *(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,*
>
> *(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,*
>
> *(g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,*
>
> *(h) to provide opportunities for participation in environmental planning and assessment,*
>
> *(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
>
> *(j) to promote a proportionate and risk-based approach to environmental planning and assessment,*
>
> *(k) to promote the orderly and economic use and development of land.*

The modification is generally consistent with the objects of the Act on the basis that the proposed modified development would deliver a development that, among other things, promotes the orderly and economic use of land through ensuring a viable development, together with supporting the transition of the energy framework towards the use of renewable forms of energy and away from traditional fossil fuel energy sources.

4.1.2 MODIFICATION OF CONSENTS

This application is submitted pursuant to section 4.55(1A) of the EP&A Act, being a modification involving minimal environmental impact. Section 4.55(1A) relevantly provides that (*inter alia*):

> ***Modifications involving no or minimal environmental impact*** *A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—*
>
> *(a) it is satisfied that the proposed modification is of no or minimal environmental impact, and*
>
> *(b) it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all) …*

4.1.2.1 Minimal environmental impact

In relation to the proposed modification, the proposed modification elements are considered to be of no or minimal environmental impact by reference to the assessment in **Table 4**.

Table 4 – Assessment of environmental impact

Modification element	Assessment
Changes intersection upgrades at Irrigation Way and Houghton Road	The changes to the approved layout with respect to Irrigation Way/Houghton Road intersection upgrade and the Houghton Road and Hume Road and the site access are considered of minimal environmental impact on the basis that the areas are highly disturbed and have been identified as having no sensitivity from an Aboriginal heritage or biodiversity perspective. The extent of change is relatively minor in the context of the approved project area. On this basis, the proposed change is of no or minimal environmental impact.
Changes to intersection upgrades at Houghton Road and Hume Road and the site access	
Changes to the alignment of the connecting transmission line	The change to the transmission line alignment is generally consistent with the originally approved concept alignment and remains within the extent of the development footprint. The approach to construction remains as approved, utilising horizontal direct drilling in order to minimise surface impacts. On this basis, the proposed change is of no or minimal environmental impact.
Addition of site access point at Yanco zone substation and minor changes to the development footprint	The inclusion of an approved site access point to the substation is a minor change as it adopts an already constructed and in-use access. The change is largely administrative and requested by Transgrid to ensure that they can rely on this approval for the purposes of carrying out necessary augmentation and upgrade works within substation. Currently the access point is utilised by light vehicles and heavy vehicles up to 19 m in length. The modified development limits vehicles in this area to a maximum of 19 m in length. Appendix 7 of the TIA (**Appendix F**) demonstrates that access to the substation for 19 m vehicles is achieved without the need for further physical works. This area has been the subject of both heritage and biodiversity surveys, and no sensitivity has been identified. On this basis, the proposed change is of no or minimal environmental impact.

4.1.2.2 Substantially the same

To determine whether a proposed modification remains substantially the same as the approved development, there are a number of matters that require consideration (as articulated in the recent NSW Land and Environment Court judgement *Canterbury-Bankstown Council v Realize Architecture Pty Ltd* [2024] NSWLEC 31), including:

- Comparing the quantitative differences between the proposed modified development against the original approved development;
- Comparing the qualitative differences between the proposed modified development against the original approved development;
- Comparing the critical elements of the proposed modified development against the original approved development; and
- Finally, balancing the evidence in respect of all of those factual comparisons before forming a subjective opinion as to whether the proposed modified development was 'substantially the same' as the original approved development

Quantitative differences

In quantitatively assessing the proposed modification, the following is noted:

- The changes to the approved development footprint in Appendix 1 and Appendix 3 of the consent have result in an increase in the overall development footprint of up to 3,400m^2, which results in an increase to the approved footprint of less than 3% (an increase to 11.81 ha from 11.45 ha).

Qualitative differences

- The changes to the approved development footprint have negligible qualitative impacts as the essence of the project remains consistent with the approved arrangement, and the proposed changes are simply technical amendments to ensure compliance with the relevant design standards.
- The inclusion of the site access point to the substation is largely an administrative change as it reflects the current use of the site but ensures that the consent can be implemented by Transgrid during the construction phase.

Critical elements

As outlined in **Table 3**, there is minimal change to the critical elements of the project. On this basis, the development remains substantially the same as the originally approved development.

Balancing

On a balanced comparison of the above matters, it is concluded that the modified development is substantially the same as the originally approved development.

4.1.2.3 Evaluation

In determining an application for a modification under Section 4.55(1A) of the EP&A Act, the consent authority must consider the relevant matters referred to under Section 4.15 of the EP&A Act, including:

- The provisions of—
  a. any environmental planning instrument, and
  b. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
  c. any development control plan (noting a DCP is not applicable to SSD by reference to Section 2.10 of the *State Environmental Planning Policy (Planning Systems) 2021*), and

d. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

e. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

f. that apply to the land to which the development application relates,

- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- The suitability of the site for the development,
- Any submissions made in accordance with this Act or the regulations,
- The public interest.

In addition to these matters Section 1.7 of the EP&A Act requires consideration of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act). Part 7 of the BC Act relates to an obligation to determine whether a proposal is likely to significantly affect threatened species.

An assessment of the environmental impacts is presented in **Section 6**.

5. COMMUNITY ENGAGEMENT

5.1 Introduction

During preparation of this modification application, the Applicant has built on the engagement previously undertaken for the approved project, including consultation carried out as part of the original EIS with surrounding landowners and relevant regulatory bodies.

Consistent with an agreed approach with DPHI, community engagement for the modification has focused on:

- ongoing consultation with relevant regulatory and government agencies in relation to the proposed changes; and
- maintaining transparency by publishing the SSD Modification application and supporting documentation on the project website, enabling the community to access information on the proposed changes during the assessment process.

The objectives of engagement undertaken during preparation of this modification application were to:

- provide clear and transparent information on the proposed modifications and confirm that impacts remain within the scope of the approved development;
- facilitate early and effective engagement with regulatory bodies to inform assessment of the modification; and
- ensure consistency with the approved project and DPHI's agreed consultation approach for minor modifications.

5.2 Modification Engagement

Engagement was used to gain a balanced understanding of community and stakeholder views relevant to the proposed modification.

A dedicated webpage detailing the progression of the Yanco BESS project and the nature of the proposed modification will also be made publicly available and will be accessible via the website.

Consultation has been undertaken with other stakeholders and authorities in relation to the assessment of this modification including TfNSW, Leeton Shire Council, UGL and the Leeton District Local Aboriginal Land Council.

Table 5 provides a summary of the forms of engagement undertaken for the proposed modification.

Table 5 – Modification Engagement Summary

Date	Stakeholder Category	Stakeholder	Engagement Activity	Description
	Local Government	Leeton Shire Council	By email	Proposed intersection design for the Hume Road/Houghton Road intersection provided to Council for comment. No objections noted.
	State Government	Transport for NSW	By email	Updated strategic intersection design for Houghton Road/Irrigation Way provided for comment as part of the Works Authorisation Deed (WAD) process. Received comments from TfNSW, which has been addressed in the latest version attached to the TIA.
	Commercial Entity	UGL	By email	Provided updated strategic intersection design for Houghton Road/Irrigation Way provided. UGL had no objections and advised instructions on relevant works approval to be obtained from UGL.
	Traditional Custodians group	Registered Aboriginal Parties (RAPs), including the Leeton District Local Aboriginal Land Council	By email	A draft Aboriginal Heritage Technical Memo was sent to the RAPs for a 28 day review period for comment. The 28 day review is currently underway at the time of the modification submission to DPHI.

6. ASSESSMENT OF IMPACTS

6.1 Introduction

The EIS for the Yanco BESS development application identified several potential environmental impacts.

An analysis of the previously assessed impacts and the changes associated with the proposed modification has been undertaken to consider any potential changes to these impacts arising from the proposed modification. The following sections include an explanation and assessment of the topics with the potential for additional impact in the context of the proposed modification.

The topics assessed by the EIS and considered further in this modification report are summarised in **Table 6.**

Table 6 – Comparison of Topics of Assessment

Topic	EIS	Assessment of Proposed Modification	Summary of conclusions
Transport, Traffic & Access	Traffic Impact Assessment (TIA) prepared by Trafficworks (2024).	Updated TIA prepared by (Trafficworks, 2025).	The TIA concludes that the existing access and surrounding road networks are sufficient to accommodate the proposed vehicle movements.
Biodiversity	Biodiversity Development Assessment Report (BDAR) prepared by Habitat (2024).	Review of potential impacts provided in Modification Report. Biodiversity memo prepared by Habitat (2026).	The extent of changes proposed is minor in nature and affects areas that do not contain mapped or identified native vegetation. No change to the biodiversity assessment is required
Noise & Vibration	Noise Impact Assessment (NIA) prepared by Assured Environmental (2024).	Review of potential impacts provided in Modification Report.	The proposed modification will not change the noise profile of the project. Updates have been made to technology however the NIA confirms that the project remains compliant with the approved arrangement. Notably, the final design of the noise barrier remains generally consistent with the approved arrangement.
Aboriginal Cultural Heritage	Aboriginal Cultural Heritage and Historic Heritage Assessment Report prepared by Premise (2024).	Review of potential impacts provided in Modification Report. Reference to heritage memo prepared by Premise (2025).	The extent of changes is limited to areas that are highly disturbed (including a proportionally large area that is currently actively used as either roads or access driveways) and does not result in any impacts to areas of sensitivity. The implementation of existing recommended mitigation measures ensures no impacts to matters of Aboriginal heritage significance.

Topic	EIS	Assessment of Proposed Modification	Summary of conclusions
Historic Heritage	Aboriginal Cultural Heritage and Historic Heritage Assessment Report prepared by OzArk (2022).	N/A	N/A
Hazards & Risks	Preliminary Hazard Analysis (PHA) prepared by Riskcon (2024).	N/A	N/A
Bushfire	Bushfire Assessment Report prepared by Cool Burn (2024).	N/A	N/A
Water	Flood Risk and Groundwater Assessment prepared by Water Technology (2024).	N/A	N/A
Other Land Resources and Land Uses	Land Use Conflict Risk Assessment prepared by Premise (2024).	N/A	N/A
Soils	Land and Soil Capability Assessment prepared by Cadeema (2024).	N/A	N/A
Visual	Visual Impact Assessment prepared by IRIS Visual Planning + Design (2024).	N/A	N/A
Social	Social Impact Assessment prepared by bd infrastructure (2024).	Review of potential impacts provided in Modification Report.	The extent of change via the modification is sufficiently minor that it is not predicted to result in any change to the range of social impacts assessed in the approved application.
Economic	Assessed within EIS	N/A	N/A
Air Quality	Assessed within EIS.	N/A	N/A
Waste	Assessed within EIS.	N/A	N/A

Topic	EIS	Assessment of Proposed Modification	Summary of conclusions
Cumulative Impacts	Assessed within EIS and supporting specialist assessments (where relevant).	Review of potential impacts provided in Modification Report and specialist assessments (where relevant).	Through the analysis summarised in **Section 7.4**, it is confirmed that the cumulative impacts of the project are of no or minimal environmental impact.

6.2 Biodiversity

6.2.1 EXISTING ENVIRONMENT

The site is located within the Riverina Interim Biogeographic Regionalisation for Australia (IBRA) Region and the Murrumbidgee IBRA subregion. The area assessed is situated across the Murrumbidgee Scalded Plains within the Mitchel Landscape Data Maps.

The site is characterised by historical land clearing for agricultural land uses with native vegetation typically occurring in isolated patches, surrounded by exotic vegetation.

6.2.2 APPROVED PROJECT

A Biodiversity Development Assessment Report (BDAR) was prepared to accompany the EIS by Habitat (2024) and subsequently updated for the Response to Submissions (RtS) report for the Yanco BESS project.

The BDAR identified no PCTs within the development footprint which would require clearing. Two PCTs were identified in proximity to the subject site. The mapped PCTs were located along Hume Road and to the south of the Houghton Road and Irrigation Way intersection and were identified as the following:

- PCT 74 – Yellow Box – Red River Gum tall grassy riverine woodland of NSW South Western Slopes Bioregion and Riverina Bioregion.
- PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slope Bioregion.

While there are no PCTs mapped within the development footprint, vegetation surveys concluded that vegetation within the footprint is commensurate with the two nearby PCTs.

Based on these PCTs, vegetation zones (VZ) were delineated into three zones as described below:

- VZ 01 – PCT 74 – Woodland Regrowth
- VZ 2 – PCT 74 – Planted Roadside Vegetation
- VZ 3 – PCT 26 – Woodland Regrowth

Figure 8 below shows the areas of the PCTs and non-native vegetation identified via the detailed vegetation surveys completed by Habitat.

The BDAR concludes that the vegetation identified as PCT 74 and PCT 26 are both considered to meet the criteria of a Critically Endangered Ecological Community (CEEC) and are considered Threatened Ecological Communities (TECs) under the BC Act. However, the PCTs are not considered TECs under the EPBC Act, as they do not meet the criteria for an Endangered Ecological Community (EEC) in accordance with the Commonwealth Conservation Advice.

To compensate for impacts on native vegetation and threatened species, the approved project requires a total of 9 ecosystem credits and 16 species credits.

6.2.3 PROPOSED MODIFICATION

A biodiversity memo was prepared by Habitat (2026) to accompany the modification application for the Yanco BESS project and is provided in **Appendix E**. The biodiversity memo provides an assessment of the modified development against the findings of the original BDAR prepared by Habitat (2025).

In a physical sense relevant to biodiversity, the modification involves minor changes to the layout of the approved access driveway connection to Hume Road, the approved intersection upgrade at Hume Road and Houghton Road and the intersection design at Irrigation Way and Houghton Road as shown in Appendix 3 of the consent. The proposed changes are required to ensure that the access treatment and intersection upgrades are suitably designed to satisfy the requirements of the Austroads design standards and the conditions of consent. The refined road upgrade works are further discussed in **Section 6.4.3** and depicted in **Figure 6** and **Figure 7**.

The proposed modification also relates to the inclusion of a site access to the Transgrid substation, to facilitate upgrade works within the substation area. A change to the approved development footprint is therefore required.

The proposed changes for the road widening works are contained within the study area and survey extent of the original development application. The survey extent was previously assessed by the BDAR and includes the full length of the proposed driveway together with the affected area of the Houghton Road, Hume Road and Irrigation Way road reserves.

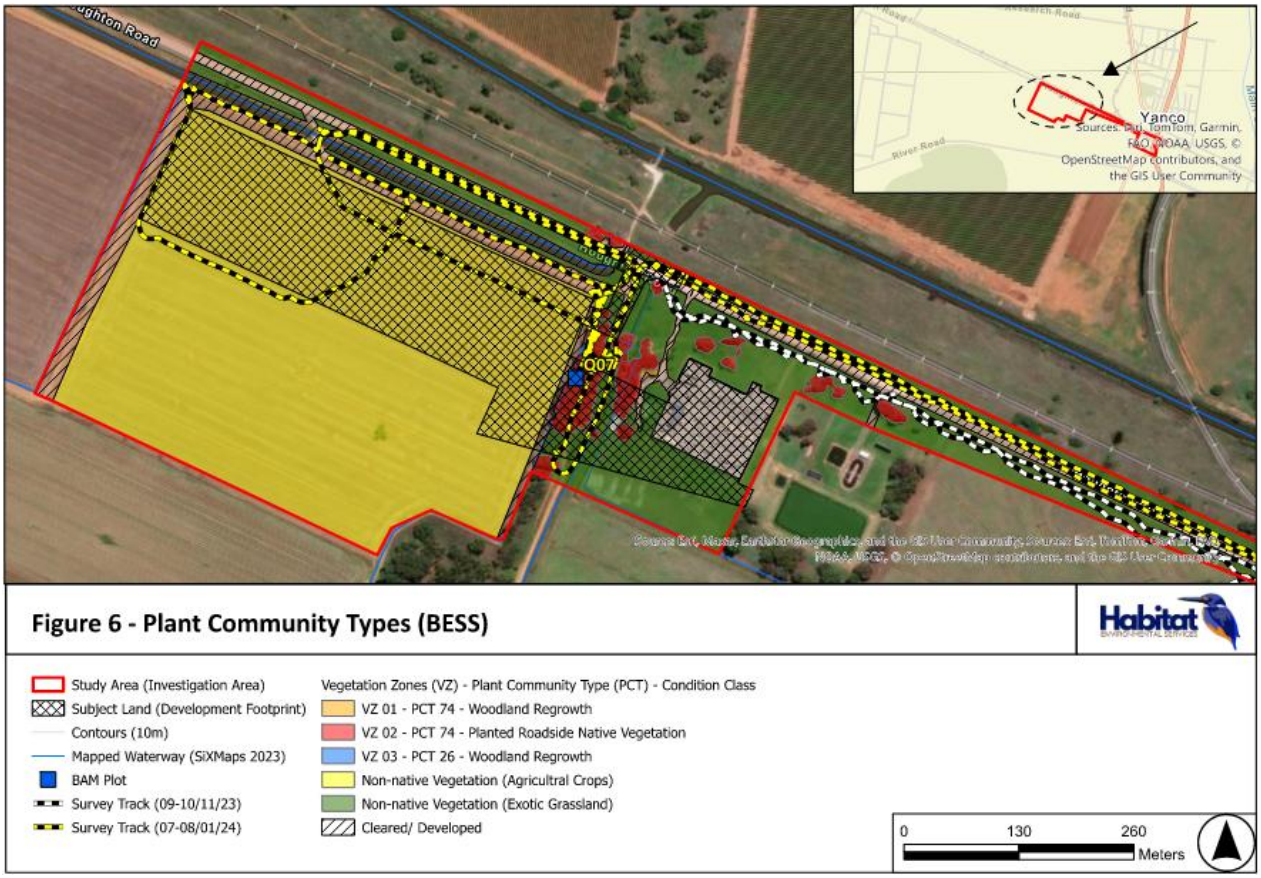
As shown in **Figure 8**, the areas affected by the modification consists of land that is highly disturbed and was the subject of assessment/survey by the original BDAR. These areas are either cleared/disturbed or feature by exotic vegetation and no impacts to native biodiversity or changes to biodiversity credits liabilities are required.

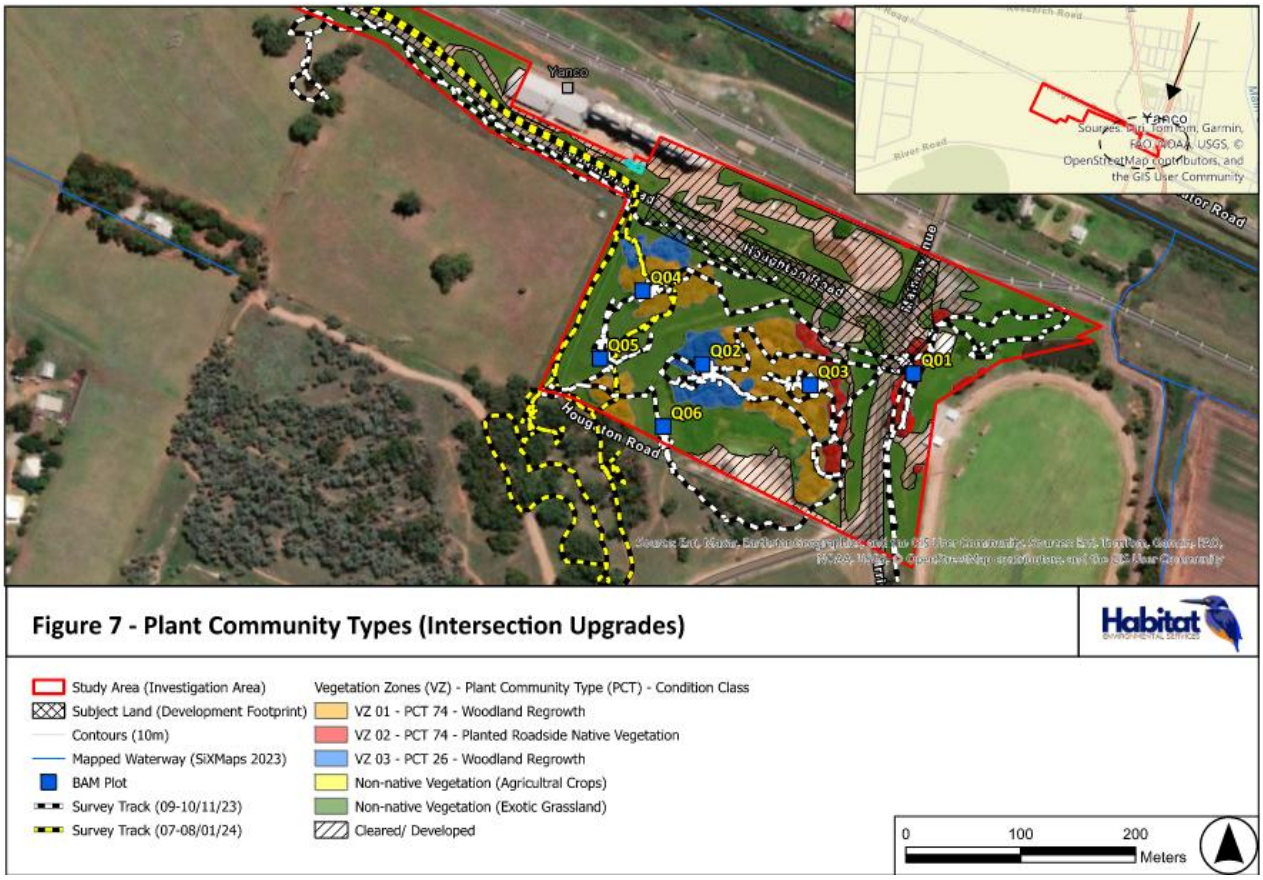
The biodiversity memo confirms that the modification will resulting in minimal biodiversity impacts, with the relevant area limited to non-native vegetation and previously cleared land.

6.2.4 MITIGATION MEASURES

No additional management or mitigation measures are required in response to the changes proposed by the modification. The mitigation measures outlined in the biodiversity memo are consistent with the original development approval and will be applied to the development as modified. Subject to approval of this modification, post approval documentation and management plans should reference the modified layout, ensuring all works are limited to the extent of the development footprint as modified.

Figure 8 – Approved BDAR, Plant Community Types (Habitat, 2025)





6.3 Aboriginal Heritage

6.3.1 EXISTING ENVIRONMENT

The development footprint is characterised by predominantly cleared land historically disturbed by agricultural and infrastructure (road and rail) land uses. The development footprint is currently used for agricultural purposes and the operation of the Yanco Substation with access via Hume Road.

6.3.2 APPROVED PROJECT

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by Premise (2024) to accompany the EIS and an updated ACHAR (2025) was provided with the submissions report. The ACHAR identified a recorded Aboriginal heritage item located to the north of the site access in the Houghton Road road reserve.

The approved project included a range of physical impacts associated with the construction of the batteries, including the carrying out of site civil works and the connection to the nearby TransGrid substation via a below ground transmission line. The approved project provided adequate protections to ensure that the identified Aboriginal heritage site would not be impacted.

6.3.3 PROPOSED MODIFICATION

The detailed design of the site access, the intersection of Hume Road/Houghton Road and the intersection of Irrigation Way/Houghton Road has been completed and identifies a number of minor impacts that extend beyond the extents of the approved development footprint.

The modification proposes to adjust the development footprint to accommodate these proposed minor changes.

In addition, the modification includes adjustments to the development footprint to accommodate access to the Transgrid substation, utilising an existing access point. No physical changes to the substation access are required to facilitate the development.

The additional areas have all been the subject of survey or are sufficiently disturbed such that additional impacts to matters of Aboriginal heritage significance are not predicted.

A draft Aboriginal heritage assessment memorandum has been prepared by Premise (2026) and this has been supplied to the Registered Aboriginal Parties (RAPs) for a 28 day period seeking comment with respect to the proposed modification. At the time of writing the 28 day period has not been completed, however the results of this consultation will be communicated to DPHI and Heritage NSW to ensure any commentary from RAPs is considered.

It is concluded that the carrying out of the above-described minor upgrade works would result in no or minimal environmental impacts with respect to Aboriginal heritage.

6.3.4 MITIGATION MEASURES

No additional management or mitigation measures are required in response to the changes proposed by the modification. The mitigation measures outlined in the original ACHAR remain appropriate and will be applied to the development as modified.

Subject to approval of this modification, post approval documentation and management plans should reference the modified layout, ensuring all works are limited to the extent of the development footprint as modified.

6.4 Traffic

6.4.1 EXISTING ENVIRONMENT

The development footprint is accessible via Irrigation Way, Houghton Road and Hume Road, with a new site access to be constructed.

Houghton Road is a local, undivided and unmarked road that connects to the Irrigation Way, a classified state road situated to the west of the development footprint. From its connection with Irrigation Way, Houghton Road extends in a general northwest alignment before terminating approximately 22 kilometres to the northwest at Whitton. Houghton Road features a sealed carriageway width of approximately 5.5 metres, accommodating a single lane of traffic in each direction with unsealed shoulders and swale drains on both sides to just beyond the Graincorp facility. Beyond the Graincorp facility, the road east of Research Road and west of Rouke Road unsealed. The unsealed portions are partially marked as dry weather roads only.

Leeton Shire Council is the roads authority for Houghton Road and Hume Road. Irrigation Way is managed TfNSW due to its classified road status as a state arterial.

An active signalised railway level crossing is located on Irrigation Way, approximately 85 metres north of the intersection with Houghton Road and approximately 1.5km east of the development footprint. The crossing transects the Hay railway line. UGL is the Rail Infrastructure Manager (RIM) responsible for managing this crossing on behalf of TfNSW.

Irrigation Way extends in a general north-south alignment between Yanco and McCaugheys Lagoon before running in a general Southeastern alignment to Narrandera. North of Yanco it runs in a generally north-westerly direction towards Whitton, before turning north to Widgelli, turning west to northwest towards Leeton. In vicinity of the project, the highway features a typical sealed carriageway width of 7.6 metres width in a 60m wide reservation. The posted speed limit is 100km/hr south of the Houghton Road intersection and reduces to 60 km/hr approaching built up areas including Houghton Road intersection. At the Yanco Village, the speed condition drops to 50 km/hr.

All roads along the nominated transport route are approved B-double routes, excluding the final leg into the site from beyond the Graincorp silos to the proposed site access at Hume Rd.

6.4.2 APPROVED PROJECT

A Traffic Impact Assessment (TIA) was prepared to accompany the EIS and was subsequently updated by Trafficworks (2025) to support the RTS report for the Yanco BESS project.

The TIA assessed traffic generation and distribution, cumulative impacts, the proposed transport route and intersection upgrade requirements. It also outlined mitigation measures to manage traffic related impacts.

Traffic generation during the construction phase was presented in Table 6 of the updated TIA and no change to these numbers is proposed by this modification application, which will remain as specified in Condition B1.

In addition to the impacts of light and heavy vehicles representing the typical traffic impact, the TIA identified that approximately two (2) heavy vehicles requiring escort would be required for the delivery of larger plant to the development footprint.

The current consent includes a length limit for heavy vehicles of 19 m (excluding over-dimensional requiring escort).

The available sight distance was assessed as exceeding the Safe Intersection Sight Distance (SISD) of 151 metres for a design speed of 70km/hr.

For the intersection of Hume/Houghton Road and the proposed access driveway, the TIA concluded that the existing access was suitably designed for the vehicles expected to access the development footprint. A swept path assessment confirmed that this intersection was able to accommodate 19-metre-long articulated vehicles (AVs) without the need for road upgrades, without crossing of the centreline of Irrigation Way. Available sight distances at this intersection were measured as exceeding the adopted SISD of 151 metres for a design speed of 70 km/hr.

The proposed site access is capable of accommodating the design vehicle together with over-dimensional movements.

The project as approved is expected to generate up to 87 heavy vehicle movements per day, 9 over-dimensional heavy vehicle movements requiring escort and 2 high risk over-dimensional heavy vehicle movements during peak construction times.

The TIA concluded that the road network is able to accommodate the traffic generated by the development during the construction, operation and decommissioning stages. Further, the cumulative impact of the development footprint traffic with nearby developments is expected to be minimal. A TMP will be prepared that include the recommendations provided within this document.

6.4.3 PROPOSED MODIFICATION

Trafficworks has prepared an updated TIA (**Appendix F**) to assess the proposed modification, including changes to the proposed intersection designs at Hume Road/Houghton Road and Irrigation Way/Houghton Road, and temporary construction access to the Yanco substation. The updated TIA considered the potential impacts of the proposed modification including on the approved transport route and access arrangements.

Construction of the BESS and associated infrastructure is anticipated to occur over a 41-week period, comprising an 8-week pre-construction phase and 33-week construction phase. The construction phase will require light vehicles to support the workforce and heavy vehicles for delivery of battery components and associated infrastructure.

The updated TIA provides updated access and intersection designs to reflect the advancement of detailed design. There are no geometric changes or changes in approach to design standards proposed by the modification. The changes are largely associated with accommodating tie-in works and potential adjustment to services.

Swept path analysis confirms that the existing Transgrid access driveway is capable of accommodating 19 m vehicles without the need for any upgrade.

There is no change to peak hourly or daily movements associated with the modification.

Future cumulative impact assessment, incorporating traffic volumes from the nearby Yanco Solar Farm and seasonal operations at the GrainCorp Silo, confirms the road network can accommodate the combined traffic movements.

6.4.4 MITIGATION MEASURES

The updated traffic report, together with a draft traffic management plan, specify the measures to be adopted to safely manage vehicles movements and ensure the ongoing efficiency and safe operation of the surrounding road network.

To ensure the safe movement of the transformer delivery, the TIA recommends undertaking the transport with appropriate pilot and escort vehicles in accordance with relevant National Heavy Vehicle Regulator (NHVR) permit requirements.

Subject to approval of this modification, post approval documentation and management plans should reference the modified layout, ensuring all works are limited to the extent of the development footprint as modified.

6.5 Noise

6.5.1 EXISTING ENVIRONMENT

The development footprint is located within a rural environment characterized by infrastructure (road, rail, sewer treatment and electricity) together with scattered residential dwellings.

Within proximity to the project there are 11 receivers, of which one (R01) is associated, and one is an industrial facility (sewer treatment plant – R02) and the remainder are non-associated sensitive residential receivers. The closest of these residential receivers is R03, which is located 290 metres from the development footprint.

6.5.2 APPROVED PROJECT

The NIA provided with the application and forming part of the approval assessed construction and operational noise impact. This modification does not change any aspects of the proposed approved approach to construction and further assessment of this aspect is therefore not required.

From an operational perspective, the approved NIA assessed a range of nominal infrastructure, including the number of battery units and inverters proposed, together with the details of the project transformer.

Specific model information was not provided in the original NIA, and the assessment was completed adopting representative data for appropriate equipment.

In order to ensure compliance at all receivers, the approved NIA recommended development of an approximately 388 metre long, 4.3-metre-high acoustic barrier, achieving a density of 12.5 kg/m^3. The barrier was designed with a 150mm gap at the bottom to allow for flood design. In addition, a 4 m high barrier was to be installed around the 175 MVA transformer (noting it could be open on the northern side).

6.5.3 PROPOSED MODIFICATION

As detailed design has progressed, more information is now about the equipment technology to be used.

The updated NIA provides details of the following adopted equipment:

- Use of the CATL EnerX BESS units;
- Medium Voltage Power Stations each consisting of one SMA-4600-UP-S inverter and one 5 MVA transformer;
- Harmonic filters;
- Large scale connection asset (including HV transformer).

The updated equipment has been modelled via the updated NIA. Table 20 of the updated NIA (reproduced below as **Table 7**) demonstrates that compliance can be achieved at all sensitive receivers.

Table 7 - Predicted receptor noise levels - operational phase (with mitigation)

Receptor	Predicted operational noise levels ($LA_{eq,15min}$)			Intrusive Noise Criteria (dB(A)) [adopted project trigger level)			Comply Y/N
	Day	Eve	Night	Day	Evening	Night	
R01[(a)]	39	39	39	-	-	-	-
R02[(b)]	32	32	32	68	68	68	Y | Y | Y
R03	35	35	35	45	35	35	Y | Y | Y
RO4	24	24	24	40	35	35	Y | Y | Y
RO5	23	23	23	40	35	35	Y | Y | Y
RO6	24	24	24	40	35	35	Y | Y | Y
RO7	22	22	22	40	35	35	Y | Y | Y
RO8	23	23	23	40	35	35	Y | Y | Y
RO9	21	21	21	40	35	35	Y | Y | Y
R723	28	28	28	40	35	35	Y | Y | Y
R724	28	28	28	40	35	35	Y | Y | Y
R725	22	22	22	40	35	35	Y | Y | Y
a) R01 is an electrical substation and is considered an associated premises to the Subject Site							
b) R02 is a wastewater treatment facility and is considered an industrial premises.							

The updated NIA slightly adjusts the recommendations for the required acoustic barrier, with the revised configuration of 242 metre long, 4.3 metre high, achieving a density of 12.5 kg/m^3. The barrier features with a 150mm gap at the bottom to allow for flood design. Through the updated modelling, there is no acoustic barrier required around the transformer.

There is no change to the noise profile of the project as a consequence of the proposed modification and the requirements for mitigation are reduced by comparison to the approved project.

6.5.4 MITIGATION MEASURES

Mitigation measures outlined in the EIS and associated documents remain valid for the project. – refer **Appendix B**.

The updated noise report specifies the measures to be adopted to ensure the effective management and minimisation of potential noise impacts. NIA has provided recommendations to install approximately 4.3 m high noise barriers, incorporating sound absorbing panels, on the southern side of the development footprint.

6.6 Socio-economic impact

6.6.1 EXISTING ENVIRONMENT

The SIA identifies the social locality as the Yanco Suburb and locality (SAL) and Leeton SAL. When determining the social locality several factors were considered. Some of the key considerations included the following:

- The project is located in a rural area and is considered to be small scale in comparison to other major projects such as transport and extractive industry projects.
- The development footprint is located 1.5 km from Yanco and is therefore distanced from direct social impacts.
- No vulnerable or marginalised people were identified during engagement activities that would influence the social locality.
- A main social trend relevant to the project is the lack of affordable housing, which is a consistent issue nation-wide.
- The SIA acknowledges the Wiradjuri People as the first inhabitants of the land on which the development footprint is located. The social locality incorporates part of the land identified as Wiradjuri Land.

Within the nominated social locality, the following characteristics are relevant:

- A population of approximately 10,330 people
- The median age within the Yanco SAL (25 years) is significantly lower than Leeton SAL (38 years) and NSW (39 years).
- A greater percentage of Aboriginal and/or Torres Strait Islander residents (Yanco (6.3%) and Leeton (7.2%)) compared to NSW (3.4%).
- Yanco SAL generally has a higher percentage of lone person households, whereas Leeton SAL comprises a higher proportion of couple families with children.
- Yanco SAL (77.8%) has a higher proportion of owned and mortgaged dwellings compared to Leeton (66.1%) and NSW (64%).
- Yanco SAL (14.6%) has a lower proportion of rented dwellings compared to Leeton (30.5%) and NSW (32.6%).
- Yanco SAL has a 100% occupancy of private dwellings which is significantly higher than the Leeton SAL (91.7%) and NSW (90.6%) occupancy rates.
- The Socio-economic Index for Areas (SEIFA) score indicates a relatively high level of socio-economic disadvantage for Leeton SA2.
- Yanco SAL (2.3%) and Leeton SAL (2.4%) generally have a lower unemployment rate than NSW (3%).

6.6.2 APPROVED PROJECT

The relevant components of the approved project are outlined in **Table 1.**

6.6.3 PROPOSED MODIFICATION

A desktop social impact analysis has been conducted to consider a range of potential socio-economic impacts associated with the proposed modification. Potential impacts are identified and summarised in **Table 8**.

Table 8 - Social Impact Summary

Social Impact	Nature	Social Impact Category	Project Phase	Social impact significance
Business revenue and employment - 70 new jobs - Stimulate local businesses	Positive	Livelihood	Construction	Medium (likely, moderate magnitude)

Social Impact	Nature	Social Impact Category	Project Phase	Social impact significance
Business revenue and employment > 5 full-time long term > Cumulative industry investment in renewable energy	Positive	Livelihood	Operation and Cumulative	Medium (likely, moderate magnitude)
Community benefit and energy transition > Benefit-sharing programs > Active community engagement	Positive	Community	Operation and cumulative	Medium (likely, moderate magnitude)
Amenity > Potential noise, vibration, visual changes and traffic congestion	Negative	Way of life	Construction and cumulative	Low (possible, minimal magnitude)
Amenity > Operational noise	Negative	Way of life	Operation	Low (possible, minimal magnitude)
Workforce accommodation > Influx of temporary construction workers	Negative	Community	Construction and cumulative	Medium (possible, minor magnitude)
Local road network access and transport services > Potential temporary road access and parking disruptions > Access to transport services	Negative	Accessibility	Construction and cumulative	Low (unlikely, minor magnitude)
Aboriginal cultural heritage > Disturbances to archaeological items or other culturally significant locations	Negative	Culture	Construction	Low (unlikely, minor magnitude)
Potential operational fire risks and EMF	Negative	Health and Wellbeing	Operation	Low (unlikely, minor magnitude)
Visual Impacts > Potential for projects to transition area character from rural to energy generation activities	Negative	Surrounds	Cumulative	Low (unlikely, minor magnitude)

The SIA recommends the following mitigation measures to improve non-enhanced positive impacts and mitigate negative impacts:

> Target local economic benefits through procurement of local goods and services.
> Track and report on local content used for the project.
> Prioritise hiring local workers with requisite skills and experience.
> Use online and offline methods to share and register interest in project opportunities.

- Engage regularly with local businesses about construction periods and potential increases in trade.
- Encourage project workforce to support local businesses through local spending initiatives (e.g., vouchers).
- Develop and implement an Industry Participation Plan addressing:
  - Opportunities for supply of goods and services, employment, training (including Aboriginal participation), and sustainable procurement.
  - Metrics to track goals for each opportunity.
  - Engagement with Leeton Shire Council, local businesses, and the Leeton Chamber of Commerce to understand procurement limitations and aspirations.
- Partner with LGAs and organisations to inform prospective workers about participation in the project.
- Use a project-specific website and existing LGA communication channels.
- Collaborate with local employment, apprenticeship, and training providers to enhance local hiring potential.
- Develop and implement local content initiatives with procurement goals for the operation phase.
- Identify community funding opportunities.
- Engage in community involvement initiatives, potentially in partnership with nearby renewable energy SSD proponents.
- Promote and use the Community Stakeholder Engagement Plan (CSEP) to continue collaborating with stakeholders and the community to identify opportunities.
- Maintain ongoing communication with local residents throughout the project to ensure transparency and during work that produces impulsive, intermittent, or low-frequency noise, regular consultation with sensitive receptors is advised.
- Staff training on noise management is recommended.
- Shuttle bus service - organising shuttle buses from Griffith and Narrandera for a portion of the workforce. This will reduce the demand for local accommodation and help mitigate worker travel fatigue.
- Accommodation provider coordination - continue discussions with accommodation providers, ensuring proactive planning to secure availability in Yanco, however unlikely this may be due to accommodation stock levels.
- Maintain ongoing dialogue with the Yanco Solar Farm team and accommodation suppliers to address potential cumulative impacts and ensure coordination and if possible, sequencing of workforce.
- Develop an Accommodation, Employment, and Procurement Strategy/Plan to support local businesses in becoming competitive and sustainably servicing the construction workforce over the 8-month project period.
- Designed and operated in accordance with AS4282-2019 to minimise obtrusive effects.
- Noise walls and buildings will be painted in colours that blend with the local landscape.

6.7 Visual

There is no significant change to visual appearance of the project as a consequence of the proposed modification and further assessment in this regard is not required. The extent of minor change is limited to reductions in the height and length of the noise barrier, resulting in a reduction in assessed visual impacts.

Mitigation measures outlined in the EIS and associated documents remain valid for the project – refer **Appendix B**.

7. JUSTIFICATION AND CONCLUSION

7.1 Need for the Project

The modification relates to the approved development to reflect the outcome of updated design together with changes to battery technology since approval was granted.

The proposed modifications would facilitate the delivery of the project while ensuring that impacts are effectively managed throughout construction and operation. The proposed works include minor changes to approved road upgrades and the addition of a nominated access point to enable access to the Transgrid substation.

Implementing the proposed changes ensures the effective and efficient delivery of the consent. The proposed modification would ensure that the access is appropriately designed in consideration of required vehicle sizes and the local traffic environment.

Delivery of the project is expected to generate employment, diversify income, and increase revenue to ancillary services such as food, lodging and tourism within the local region.

It has been estimated that approximately 70 full time equivalent (FTE) construction jobs would be generated at peak construction with approximately 2-3 FTE operational roles.

7.2 Consistency of the Project with the Strategic Context

The NSW Government has recognised that the NSW electricity system needs to change, acknowledging that traditional generators are ageing, and the State's transmission system is congested. Further, electricity prices are putting pressure on households and businesses. This realisation has informed the preparation of Government policies and documents, the provisions of which have filtered to the local scale and assisted in informing local plan making.

The project will contribute to the provision of firming capacity to support the transition to renewable energy in NSW and assist in facilitating private investment in the state's electricity system over the next decade and beyond, a key consideration of the NSW Electricity Strategy.

The project has an anticipated operational life in the order of 23 years and will contribute to the NSW Government's three objectives for the electricity system: reliability, affordability and sustainability.

Refer to the detailed discussion at **Section 2** of this report.

7.3 Compliance with Relevant Statutory Requirements

The development is characterised as SSD as it is for the purpose of electricity generating works with an estimated development cost (EDC) in excess of $30 million, pursuant to Section 20 of Schedule 1 of the Planning Systems SEPP.

Pursuant to the *Leeton Local Environmental Plan 2014*, the development footprint is zoned part RU1 – Primary Production, with the portion of the site in the Yanco Substation and in the Irrigation Way road reserve zoned SP2 - Infrastructure.

Electricity generating works are permitted with consent in the RU1 and SP2 zones pursuant to Section 2.36 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Infrastructure SEPP).

Refer to **Section 3.2** of this report for a detailed assessment of the modification framework.

7.4 Economic, Social, Environmental and Cumulative impacts of the Project

The Yanco BESS project is situated within the Riverina Region. Given the strategic importance of this region for the NSW Electricity Strategy and the Electricity Infrastructure Roadmap, there is potential for cumulative impacts to arise through interactions with other renewable energy projects.

An updated review of the major project's website has been completed to identify oner state significant projects in proximity to the Yanco BESS project, the Yanco Solar Farm, 3.3 km southeast of the site. The Yanco Solar Farm was approved by on 16 February 2020. The Comet Park BESS is located to the south-west of the site and is the Prepare EIS phase. There is limited information in the public domain to enable assessment of the potential for cumulative impacts. Given the status of that project, and the likely construction timing for Yanco BESS of mid-2026, it is unlikely that cumulative construction impacts are likely.

As the newer development, it will be the responsibility of the Comet Park BESS to complete a cumulative operational assessment taking account of the assessed impacts of the Yanco BESS.

Mitigation measures in relation to cumulative impacts have been included in the relevant impact assessments. The following mitigation measure is recommended in addition to the previously addressed matters:

- Maintain ongoing dialogue with surrounding renewable developers and accommodation suppliers to address potential cumulative impacts and ensure coordination and if possible, sequencing of workforce.

7.5 Compliance Monitoring and Communication

Throughout construction, operation and decommissioning, management measures will be implemented through a range of management plans and strategies.

Operation and monitoring of the facility would be governed by an adopted operational Environmental Management Strategy which is required by the existing conditions of consent.

7.6 Key Uncertainties

Due to the extent of technical input provided to inform the modification, there are only minor uncertainties with the project, primarily associated with projects in the locality that have the potential to result in cumulative impacts, but which are not sufficiently advanced that potential cumulative impacts can be quantified. As these other projects progress through the assessment stage, they will be required to consider cumulative impacts, including in relation to known and approved projects, including the Yanco BESS project. This ensure that assessments are fully understood and assessed, and uncertainties are minimised.

All known impacts can be adequately mitigated through the implementation of standard mitigation measures as outlined in the various technical reports.

7.7 Public interest

The public interest may be determined by consideration of relevant national, state and local government goals, as well as community priorities, which are expressed through a range of documentation. Relevant strategic documents are considered in **Section 2**.

It also requires the consideration of the principles of ecologically sustainable development, discussed in **Section 7.9**. It has been consistently held through a range of determinations in the NSW Land and Environment Court (LEC) that the ESD precautionary intergenerational equity principles include considerations associated

with climate change (impact of the development on climate change and impacts of climate change on development).

Most recently, the LEC held that the downstream impacts of mining projects, including the burning of fossil fuels for energy production, is a public interest consideration. Namely, in Gloucester Resources Limited v Minister for Planning [2019] NSWLEC 7, Preston J stated at 499:

> *"Many courts have held that indirect, downstream GHG (greenhouse gas) emissions are a relevant consideration to take into account in determining applications for activities involving fossil fuel extraction or combustion or electricity generated by fossil fuel combustion."*

In summing up, Preston noted that the impacts associated with climate change, among others, were sufficient to justify refusal of the project.

It follows that a project supporting the transition to renewable energy is in the public interest as it reduces the reliance on forms of electricity generation that rely on the consumption and burning of fossil fuels and that negatively contribute to the impacts of climate change as a result. Adoption of forms of development that counter the need for these high impact uses is therefore positive in the context of the ESD principles and in the public interest.

The proposed development is considered to be in the public interest on the basis that it:

- Offers an opportunity for productive and sustainable economic activity within the area;
- Presents an excellent opportunity to the local region to provide local employment opportunities;
- Aims to reduce impacts to natural resources through minimising the land required to support energy supply;
- Assists to reduce reliance on traditional, fossil fuel burning forms of electricity generation, thereby assisting in minimising any longer-term impacts of climate change.

7.8 Ecologically Sustainable Development

The National Strategy for Ecological Sustainable Development (NSESD) (Department of Environment and Heritage 1992) defines Ecologically Sustainable Development (ESD) as:

> *"using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased"*

The concept of ESD gives formal recognition to environmental and social considerations in decision making to ensure current and future generations can enjoy an environment that functions as well as or better than the environment they inherit.

The core objectives of the NSESD are:

- To enhance individual and community well-being and welfare by following a path of economic development that safeguards the welfare of future generations;
- To provide for equity within and between generations; and
- To protect biological diversity and maintain essential ecological processes and life-support systems.

As outlined in Section 193 of *the Environmental Planning and Assessment Regulation 2021*, the four principles of ESC are listed below. These are discussed in the following sections.

- Precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity; and
- Improved valuation and pricing of environmental resources.

7.8.1 PRECAUTIONARY PRINCIPLE

The precautionary principle states where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a justification for not implementing mitigation measures or strategies to avoid potential impact. This has been held in various decisions in the NSW LEC to include considerations associated with climate change (impact of the development on climate change and impacts of climate change on development).

The potential impact of the modification has been identified in the environmental assessment in **Section 6** of this report and all recommended mitigation measures for the project are summarised in Appendix B

The project as modified provides for the efficient delivery of renewable energy, which assists in reducing the long-term impacts of climate change and is therefore in the public interest. The potential outcome of climate change, being higher temperatures and greater periods of sunlight, also suggests that increasing reliance of renewable forms of energy generation is sustainable. The strategic context of the project, including its relationship to regional and strategic planning and the transition to renewable energy, is detailed in **Section 2**

7.8.2 INTERGENERATIONAL EQUITY

The second principle of ESD is intergenerational equity, such that the present generation should ensure the health, diversity and productivity of the environment are equal to or better for future generations.

All work would be carried out in accordance with the environmental safeguards summarised in **Appendix B** to mitigate potential impact associated with noise and vibration, socio-economic considerations, traffic and transport, drainage and water quality, air quality, greenhouse gas emissions, climate change, Aboriginal and non-Aboriginal heritage, topography, soils, waste and hazardous materials.

The project provides for the efficient delivery of renewable energy, and in doing so reduces reliance on traditional forms of electricity generation, including the burning of fossil fuels. This assists in reducing the impacts of climate change and therefore assists in ensuring the health of future generations is protected; the development is therefore in the public interest. This is discussed in further detail in **Section 7.7**

7.8.3 CONSERVATION OF BIOLOGICAL DIVERSITY AND ECOLOGICAL INTEGRITY

The third principle of ESD is conservation of biological diversity and ecological integrity such that ecosystems, species and genetic diversity within species are maintained.

The BDAR prepared by Habitat to support the original development application demonstrates a thorough and adequate assessment of impacts to native systems and demonstrates that the development is acceptable in the context of established state and federal law.

The proposed modification is not considered to result in any significant change to biodiversity impacts or to require a change to mitigation measures in response to the works proposed by the modification.

The mitigating measures for protecting biodiversity at the development footprint are provided in **Appendix B**.

7.8.4 IMPROVED VALUATION, PRICING AND INCENTIVE MECHANISMS

The final principle of ESD is improved valuation and pricing of environmental resources which establishes the need to determine economic values for services provided by the natural environment such as the atmosphere's ability to receive gaseous emissions, cultural values and visual amenity. The principle is designed to improve methods of carrying out valuation of environmental costs and benefits and use this information when making decisions.

The development of policy to guide pricing and incentive mechanisms in delivering ecologically sustainable development is the responsibility of governments and regulatory stakeholders.

7.9 Site Suitability

This report has been prepared pursuant to Part 4, Division 4.9 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), Part 5, Division 1 of the *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation), *State Significant Development Guidelines – Preparing a modification report* (DPIE 2022).

An assessment of potential environmental impacts has identified that the proposed modification would not lead to any significant or detrimental impacts to the environment and that residual impacts are manageable through the implementation of standard measures. Measures are proposed during both construction and operation to ensure impacts are appropriately managed. These measures would ensure compliance with relevant legislation and any conditions of approval.

APPENDIX A

UPDATED PROJECT DESCRIPTION

A.1 PROJECT DESCRIPTION

Note

The following content includes the approved development description as provided in the EIS (dated 25 August 2022).

Amendments to the project description, required in response to the approved RTS report and the proposed modification are identified:

- Blue text reflects a change by comparison to the project description (as per the approved EIS).
- Deleted text from the original description is ~~*struck through.*~~

A.2 PROJECT DESCRIPTION

PROJECT SUMMARY

The Yanco BESS project comprises a BESS with a delivery capacity of approximately 250 MW_{AC}/1,100 MWh_{AC}, incorporating on-site energy storage containers (CATL EnerX+), MVPS containers (SMA SCS-4600-UP-S and one 5-MVA transformer), and a connection station including control rooms. The BESS will connect to the Yanco Transgrid substation located adjacent to the development footprint (in the east) via an underground ~~or overhead~~ transmission line of up to approximately 450 metres long. The development footprint will have an area of approximately 11.81 hectares.

The Yanco BESS will comprise of the following key components:

- Enclosed lithium-ion batteries;
- Power conversion systems including associated transformers;
- Underground power and fibre optic cabling interconnecting the equipment;
- Grid connection equipment including switchgear, protection and control equipment, metering, reactive power equipment, filtering equipment, auxiliary transformers and enclosures/buildings for housing equipment;
- An underground or overhead transmission line of up to approximately 450 metres long to connect the BESS to the Yanco substation;
- Earthing and lightning protection systems;
- Site office, storage area/enclosure, internal access tracks, on-site parking, security fencing, CCTV, and temporary construction laydown area;
- Vegetation screening;
- Provision of a new site access from Hume Road to the east; and
- Intersection upgrades at Irrigation Way/Houghton Road and Houghton Road/Hume Road.

The primary components associated with the installation of the BESS are as follows:

- Site investigations, vegetation clearing, levelling, access way construction, drainage system installation and installation of foundations/supports to install equipment on;
- Transport to site and installation of equipment;
- Testing and commissioning of the equipment;
- Operation and maintenance.

Key features of the project are summarised in **Table A1** and shown in Figure A1.

As the proposed development comprises a BESS with a capacity of greater than 30 MW, the development represents designated development by reference to Section 7 of Schedule 3 of the EP&A Regulations. However, Section 4.10(2) of the EP&A Act provides that state significant development is not designated development.

Table A1 – Project summary

Project Element	Summary of the Project
Site and development footprint	~~11.45~~ 11.81 ha (BESS compound has an area of approximately 10 ha)
Site details	120 Houghton Road, Yanco (Lots 516 and 521 DP751745) Lot 7350 DP119951 Lot 10 DP8449631 Road reserves of Irrigation Way, Houghton Road and Hume Road
Development footprint	The development footprint of the BESS and associated operational and construction infrastructure.
Battery storage capacity	250 MW_{AC}/1,100 MWh_{AC}
BESS Lifespan	Up to 23 years, with the possibility of upgrades to extend the operational life
Infrastructure	> An approximately 250 MW_{AC}, 1,100 MWh_{AC} (4-hour duration) BESS occupies the majority of the development footprint; > Underground cabling connecting BESS and MVPS; > A 33/132kV substation; > An underground transmission line of up to approximately 450 metres long connecting the BESS substation to the Yanco Transgrid substation; > Temporary construction compound including material laydown areas, site offices, vehicle parking, and amenities; > Construction of a new property access from Hume Road; > Chain-link/barbed-wire security fence up to 1.8 metres in height; and > Specific native vegetation screening from identified visual impact locations if required.
Site Access	Access to Hume Road via construction of a new site access.
Access route	> Vehicles would access the site via Hume Highway, Irrigation Way, Houghton Road and Hume Road, utilising a proposed access location. > It is anticipated that project infrastructure would be delivered from Port Kembla and transported to the site via roads approved for heavy vehicle use and then the existing access driveway
Construction	> Construction is expected to commence in ~~late-2025~~ mid 2026 and occur over an 8-month period, including a peak period of 4.5 months. > Construction would occur during standard construction hours. However, it is anticipated that some activities that are inaudible and would not result in amenity impacts to surrounding receivers, may be required to occur outside of standard hours in accordance with an Out-of-Hours Construction Protocol.

Project Element	Summary of the Project
Operations and maintenance	The project would be operated remotely with occasional maintenance activities generally be undertaken by up to five (5) personnel.
Decommissioning and rehabilitation	> The development footprint would be progressively rehabilitated during the decommissioning period, including removal of the temporary construction facilities. Temporary construction facilities include temporary buildings installed on site to provide for workers associated with decommissioning. > At the end of operational life, components above ground and below ground (with depth subject to agreement with landowner) would be removed and land rehabilitated to pre-development conditions.
Workforce	Up to 70 construction jobs and 5 operational jobs
Hours of Operation	24 hours, 7 days a week

Figure A1 – Development footprint

Figure A2 – Development layout

Figure A3 – Land zoning

Figure A4 – Receivers

USES AND ACTIVITIES

The project comprises the development of electricity generating works, meaning a building or place used for the purpose of making or generating electricity, or electricity storage.

The Yanco BESS will operate in conjunction with the existing Yanco Substation on the adjoining site to manage and store electricity generated by the substation. This will positively contribute to the system security needs of the NEM.

Upon the commencement of operation, the only time personnel will be required on the site is for maintenance works. Personnel will access the site via the proposed site access from Hume Road in standard sized vehicles and occasionally a heavy vehicle may need to access the site for maintenance.

Specific project elements are discussed in the following sections.

Batteries

The proposed BESS contains enclosed lithium-ion type batteries (CATL EnerX+) which will be manufactured offsite and delivered to the site for installation. The number and exact layout of battery modules would be confirmed during detailed design. However, the location of this equipment would be limited to the areas shown on **Figure** and the siting of this equipment has formed the basis of the technical assessments that support this EIS.

For the purposes of the assessment of the BESS, a conservative approach was taken, whereby the maximum area and quantities of this infrastructure was considered, subject to this infrastructure being located wholly within the identified areas.

Underground Cabling

Underground cabling and fibre optic cabling interconnecting equipment would be designed in accordance with the relevant Australian and international standards and manufacturer's specifications and installed in trenches. The cabling would be installed surrounded by thermally controlled bedding mix (such as sand, cement or similar) and backfilled with fill obtained on site.

Transmission Line

The electrical connection from the BESS to the adjacent Yanco Substation would be via an approximately 450 metre long 132 kV powerline (~~overhead/~~underground) crossing Hume Road and Lot 7350 DP1199551.

The ~~approximate~~ location of the sub-transmission line has been identified in **Figure A2** ~~but would be subject to detailed design considerations in consultation with Transgrid~~.

Land within the Hume Road reserve is identified as 'biodiversity' under the Leeton LEP and predominantly comprises native vegetation along the roadside. Should the transmission line be above ground, the balance of the easement hosting the proposed transmission line would be maintained clear of vegetation. Should the transmission line be below ground, it would be under bored to minimise impacts to terrestrial vegetation. The impacts of both options have been considered in the project BDAR and via this EIS.

TRANSGRID TRANSMISSION SUBSTATION AND GRID CONNECTION

The existing substation would require some minor augmentation to accommodate the BESS infrastructure. The grid connection will involve equipment including switchgear, protection and control equipment, metering,

reactive power equipment, filtering equipment, auxiliary transformers and enclosures/buildings for housing equipment.

The new feeder connection to the existing Yanco Substation is expected to comprise a single dedicated feeder bay and suitable overhead or underground conductor to which the required throughput meets Transgrid thermal rating standards. Transgrid standard design 132 kV feeder protection shall be installed for the new feeder.

Access to the substation to complete these works would be via the existing substation site access driveway as reflected in **Figure A2**.

Inverters, Transformers and Switchgear

Inverter stations would be installed adjacent to the batteries. Each would contain an inverter, switchgear and a step-up transformer. The inverter stations would resemble 20-foot containers.

Access and Internal Tracks

Within the site, access tracks are limited to a gravel, all weather connection from the property entrance to the site compound/operations and maintenance buildings.

Ancillary temporary facilities and construction Compound

Ancillary facilities include:

- Material laydown areas, storage areas/enclosures;
- Site office;
- Internal access tracks
- Car parking areas for construction workers' transportation;
- Parking for staff and visitors.

Security

The development footprint will be secured by security fencing surrounding the perimeter, with a height of up to 1.8 metres and access via security access gates. A CCTV system will also be installed throughout the site.

Acoustic barrier

Permanent acoustic barriers would be installed within the site to mitigate acoustic impacts of the operational BESS. ~~The barriers are proposed around the east, south and western sides of the transformers, with a total length of approximately 40 metres, and a height of approximately 4 metres.~~ A barrier is ~~also~~ proposed along the southern elevation of the BESS equipment for a length of approximately 242 ~~388~~ metres, and a height of approximately 4.5 metres. Acoustic barriers will allow up to 150mm gap above ground to avoid increasing flood risks within project compound. Detailed design will confirm the final location, length and height of the acoustic barriers to meet the project criteria.

Vegetation Screening

Native vegetation screening will be established along the outer side of the perimeter fence. The screening will be installed to satisfy the recommendations of the visual impact assessment to ensure any residual visual impacts are mitigated.

PROJECT PHASES

Construction

The construction period is estimated to be 8 months and is expected to commence ~~late-2025~~ mid-2026. Duration of peak construction period is approximately 4.5 months.

Construction or upgrading activities would occur during standard construction hours (7 am to 6 pm Monday to Friday, 8 am to 1 pm Saturdays; and at no time on Sundays and NSW public holidays.)

Some construction and upgrading activities that are inaudible and would not result in amenity impacts to surrounding receivers may be undertaken outside of standard hours in accordance with construction noise protocol.

A security fence will be installed on the development footprint boundary and access tracks will be constructed. Construction will require the use of water trucks, graders, flatbed trucks, skid steers, front end loaders, roller compactors, trenchers, backhoes, gravel trucks and aerial lifts.

Batteries required for the development would be manufactured offsite and delivered for installation following completion of concrete footing installation. Deliveries of other equipment will be made via flatbed trucks on the approved route and via the approved site entrances. The nominated route for over-dimensional movements is as follows:

- Port Kembla > Tom Thumb Road > Spring Hill Road > Masters Road > Princes Motorway > Mt Ousley Road > Picton-Wilton Road > Hume Highway > Sturt Highway > Newell Highway > Audley Street > Irrigation Road > Houghton Road > Hume Road > Site Entry

Standard movements (i.e., non-over-dimensional) are likely to take a route from the Port of Sydney, as follows:

- Access from the Hume Highway (M31) via the Sturt Highway (A20) through Wagga Wagga to Narrandera, to Irrigation Way towards Yanco, left onto Houghton Road, left onto Hume Road, and then into the development footprint.

Given the generally flat nature of the development footprint and lack of vegetation, minimal preparation is required in advance of installing the BESS.

The construction phase will comprise seven key stages (stages 3, 4, 5, 6 overlap during the 4.5-month peak construction period):

1. Establishment, drainage, roads & fencing
2. Footing installation
3. Delivery and installation of cabling
4. Steel platform installation
5. MVPS & BESS delivery & installation, including electrical installation
6. Control room, transformer & switchgear delivery & installation
7. Commissioning & demobilisation

The primary components associated with the installation of the BESS are as follows:

- Off-site manufacture of the BESS equipment.

- Vegetation clearing to provide a constructable site.
- Installation of fencing and gates to secure the development footprint, connection station and BESS.
- Levelling the development footprint as needed.
- Installation of concrete footings and steel platforms on which to install the BESS and MVPS containers.
- Delivery and installation of approximately 250 MW_{AC}/1,100 MWh_{AC} BESS.
- Underground cabling and construction of earthing system.
- Auxiliary power protection, indication and control systems.
- Lighting inside BESS and MVPS containers to provide illumination for operation and/or maintenance, when needed, at night.
- Control rooms and connection station.
- Ancillary high voltage equipment, such as circuit breakers, switching equipment, filters, transformers and other electrical protection equipment.
- Connection of the BESS to the Yanco Substation to east on Hume Road.
- Testing and commissioning.

The project is expected to generate up to 70 Full Time Equivalent (FTE) jobs during construction. This number has been derived by considering actual employment rates associated with similar scale projects completed by the proponent.

Operation

The BESS will be operational for a period of up to 23 years, operating 24 hours and day, seven days a week. The area of the BESS would be leased for the duration of the development from the associated landowners.

Once operational, the BESS will be operated by site-based staff whose routine work generally involves:

- Monitoring, testing and maintenance of onsite equipment;
- Receipt of goods;
- Removal of waste; and
- Other general site maintenance (e.g. vegetation management).

The above activities are expected to generate up to five (5) FTE jobs during operation, associated with operation, maintenance, and vegetation management.

The remainder of the development footprint could continue to be used for agricultural purposes surrounding the BESS development footprint, such as livestock grazing or cropping. This would assist to control fuel loads surrounding the development and maximise economic output from the subject land.

Decommissioning

It is anticipated that the BESS would be operational for a period of up to 23 years after which time the existing BESS would be removed and the development footprint would be decommissioned. Upon decommissioning, the following indicative steps would occur:

- BESS and associated infrastructure would be unbolted from concrete slabs and removed by crane onto transporters. All site infrastructure would be taken away from the development footprint for resale or to an appropriate recycling or waste facility;

- Underground services would be cut back to below ground level and capped, with the agreement of landowners; and
- The development footprint would then be landscaped to a safe, clean and stable state enabling it to return to an unhindered use for agricultural of other permissible purpose.

It is possible that the infrastructure may be upgraded rather than decommissioned and the lifespan extended, subject to necessary approvals and agreements with landowners. It is also possible that the site may be decommissioned sooner, subject to technology and project viability.

APPENDIX B

UPDATED MITIGATION MEASURES AND CONDITIONS OF CONSENT

MITIGATION MEASURES

Note

The following table includes the approved mitigation measures as provided in the RtS report (dated 3 February 2023).

- *Blue text* reflects previous changes to the EIS mitigation measures provided by the RtS report.

Amendments to the mitigation measures, required in response to the proposed modification are identified:

- Red text reflects a change by comparison to the mitigation measures (as per the approved project).
- Deleted text from the original measures is ~~*struck through.*~~

Impact	Phase	Mitigation Measures
Biodiversity	Construction	To compensate for impacts on native vegetation, eight ecosystem credits of PCT 74 and one ecosystem credit for PCT 26 are required. > Avoid and minimise clearing impacts to native vegetation, particularly hollow-bearing trees where possible. > Clearly delineate the boundaries of the project footprint to prevent any unnecessary clearing beyond its extent. This includes the installation of appropriate fencing along the eastern extent of the Subject Land. Fencing should prohibit entry into the retained vegetation area and minimise indirect impacts during construction such as the movement of dust and rubbish into the forest and wetland. > Ensure vehicle and equipment parking areas and stockpile areas are identified and positioned to avoid areas containing ecological value. Stockpiling must not occur within, or in proximity (5m) to, areas of native vegetation retained under the proposed development. > Appropriate signage such as 'no go zone' or 'environmental protection area' should be installed surrounding the area of retained native vegetation and wetlands. > Clearly identify and communicate the location of any 'no go zones' in site inductions. > Tree protection measures will be implemented to protect retained trees surrounding the Subject Land. Tree protection measures should consider allowances for Tree Protection Zones in accordance with AS4970 (Standards Australia, 2009). > Limit removal of trees, particularly hollow bearing trees, to that required within the project footprint. No trees outside of the development footprint are to be removed. > Pre-clearance surveys should be conducted at most 24 hours prior to clearing to prevent accidental injury/mortality to species moving into the area between pre-clearance surveys and clearing activities. > Pre-clearance surveys will be undertaken by a suitably qualified ecologist > As stated previously, the suitably qualified Ecologist undertaking the surveys should identify any opportunities to avoid and minimise clearing of vegetation, particularly hollow-bearing trees, where possible. This advice is to be communicated to the Construction Site Manager prior to commencing vegetation clearing works. > A staged approach is required to the removal of vegetation (trees and shrubs) to minimise the potential for impacts to fauna by providing them with an opportunity to vacate hollows and relocate naturally. > Ensure a licensed wildlife carer and/or ecologist is present during vegetation clearing/habitat removal. > Source controls such as sediment fences, mulching and jute matting will be utilized where appropriate, especially along the eastern boundary of the proposed development area that runs adjacent to a first-order stream.

Impact	Phase	Mitigation Measures
		> Site-based vehicles will carry spill kits. > Erosion and sediment control will be required for the development in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) prior to commencement of construction. > Limit the use of pesticides in the project footprint where possible to avoid contamination of nearby watercourses/wetland areas. > Speed limits within the Subject Land should be limited to 40 km/hr. > This limit should be clearly signed at all entry points to site. > The Subject Land should be separated from vegetated areas throughout the construction and operational phases of the development. This separation should be achieved through physical barriers including fencing and appropriate signage. > The fungal pathogens Phytophora cinnamomi and Myrtle Rust (Puccinia psidii) are likely to occur within the LGA, however, it is unknown if they occur within the Subject Land. These pathogens can have devastating impacts on native plant communities and inhabiting fauna if not properly managed. > Appropriate washdown facilities will be available to clean vehicles and equipment prior to arrival on-site and prior to departure. > Ensure soil and seed material is not transferred > Increased human activity (from workers and traffic levels) directly adjacent to sensitive habitat areas may cause disturbance to flora and fauna species in adjoining habitat. > Impacts from construction and operational activities, such as disturbance to an animal's normal behaviour patterns due to noise, vibration, lighting or dust may cause areas of previously suitable habitat to become sub-optimal and may cause fauna species to vacate areas of previously suitable habitat. > Measures to mitigate impacts on flora and fauna from noise, vibration, waste, light and air pollution such as: • Restriction of public access and associated impacts from domestic pets, waste dumping and damage to adjoining vegetation must be enforced pre, during and post construction. • Fence sensitive areas to delineate 'no go' zones. • Levels of lighting associated with the proposed development (during construction and operation) will be reduced to a minimal level and directed away from retained vegetation areas to reduce any adverse effects upon the essential behavioural patterns of light-sensitive fauna. Lighting design and utilization during construction and operational phases of the development should be based on principles detailed in Appendix A of the National Light Pollution Guidelines for Wildlife (DEE 2020). This includes consideration of adaptive controls, and measures to reduce light intensity and inappropriate light spill into retained vegetation and fauna habitat.

Impact	Phase	Mitigation Measures
		• Lighting should also comply with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting. • Noise minimization practices in accordance with standard practises. • Dust control measures such as covering loads where required; amending operations under excessive wind conditions including ceasing operations if required; use of water tankers as required, to control dust; rehabilitation through vegetation of surfaces to be left unsealed; and truck wheel washes or other dust removal measures.
Aboriginal heritage	Construction	> A proposed 10m buffer is to be implemented around the previously identified AHIMS #49-5-0211 site so as to avoid any impacts to this item. > Prior to works commencing a Chance Finds Protocol (CFP) is to be developed for the site. The CFP must include the procedure and management of unexpected finds relevant to Aboriginal cultural heritage. > The CFP must include procedures for: • notifying Heritage NSW, a heritage consultant and RAPs or the Local Aboriginal Land Council (LALC) where unexpected finds are identified. • If suspected human remains are located during any stage of the proposed works, work must stop immediately, and the NSW Police notified. An Archaeologist or Physical Anthropologist should be contacted in the first instance where there is uncertainty whether the remains are human. > All impacts must remain within the assessed study area or further archaeological investigation may be required.
Historic heritage	Construction	> If any object having interest due to its age or association with the past is uncovered during the course of work: • All work must stop immediately in that area. • Work may recommence in the affected area(s) if Heritage NSW advises that additional assessment and/or approval is not required (or once any required assessment has taken place or any required approval has been given). • In accordance with the Heritage Act 1997, the Heritage NSW must be advised of the discovery.
Land	Throughout	> Compliance with mitigation measures specified in the EIS is anticipated to reduce the risk of land use conflicts. > The reversibility of the project would allow the site to be returned to its existing land use, therefore minimising potential for long term conflict and impacts to future agricultural activities. > Compliance with the following crime management measures is anticipated to reduce the risk of conflict related to the increased risk of vandalism and theft for surrounding residents:

Impact	Phase	Mitigation Measures
		• Maintenance of the existing key access point to ensure the delineation between private and public is clear; • Existing boundary fencing is to be maintained and/or installed to ensure site access is controlled; • Appropriate signage should be installed; • Landscaping is to be maintained to remove opportunities for concealment. > Ongoing consultation with stakeholders will identify and address concerns if they arise. > Implement all measures specified in management plans identified in the EIS and/or consent conditions (if approved).
Visual	Construction	> Noise walls and buildings to be painted a colour that blends with the local landscape (such as Colorbond Cottage Green, Woodland grey, Pale Eucalypt or similar) to reduce their prominence of these structures in views to the proposal.
	Throughout	> Lighting during construction and operation would be designed and operated in accordance with AS4282-2019 Control of the obtrusive effects of outdoor lighting.
Noise	Construction	> Noise barriers are proposed as shown in Figure 4 of the NIA. In order to be effective, the acoustic barrier would need to be free of gaps and be constructed of material with a mass density greater than or equal to 12 kg/m2 excluding structural components. > The southern noise barrier is approximately 242 ~~388~~ m length and 4.5~~5~~3 m in height, the barrier also has been modelled to include 150 mm gap between the ground and bottom of the barrier. (Barrier construction to allow for flood design). > ~~Southern~~ The acoustic barrier is ~~are~~ to be constructed such that there is a > 10 m spacing between the acoustic barriers and BESS equipment to allow for fire safety. ~~> The barriers around the large scale 175 MVA transformers are 4 m in height. The barrier may be open on the northern face~~ ~~> Placement of the MVPS equipment as discussed in ACEnergy, MVPS front face of all units to be facing north to help with directionality or loudest side away from closest sensitive receivers~~ ~~> Similarly, placement of BESS equipment as discussed with ACEnergy, BESS front side (loudest) facing towards the north for all BESS units to help with the noise directionality away from closest sensitive receivers to the south~~
Transport, traffic and access	Construction	~~> Update the subject site plan to include a designated parking area to satisfy the parking demand of 25 vehicles during the development's construction phase.~~ > Implement a traffic management plan for the construction phase to ensure consultation with council is maintained concerning the operation of the Yanco Sportsground.

Impact	Phase	Mitigation Measures
		> The intersection of Irrigation Way and Houghton Road should be upgraded in accordance with the prepared Strategic Design plan. > Install signage and line marking north of the railway line to advise drivers not to store between the railway lines. > Implement a traffic management plan during construction to ensure all staff are instructed not to store across the railway lines > The intersection of Houghton Road, Hume Road and the subject site access should be upgraded in accordance with the prepared ~~Functional Layout plan~~ Strategic Design Plans. > Implement a traffic management plan to ensure no heavy vehicles arrive and depart simultaneously along Houghton Road.
Water		> Self-bunded battery storage units > Self-bunded fuel storage areas > Regular maintenance and inspection of fuel bund, oil bund and battery storage units > Development of site management plans that detail responses to leaks such as spill kits, removal and appropriate testing and disposal of impacted soils and options for installing groundwater monitoring bores in the case of a significant fire or unexpected leak. > Any sensitive infrastructure such as inverters and battery storage etc, should be located 450mm above finished ground level. This would ensure infrastructure is located above the 1% AEP flood level with a minimum of 230mm freeboard. > The footings should be designed to withstand the flood velocities described in this report, which are mostly low within the Site. > It is recommended that best practice principles to stormwater and sediment control be incorporated into the design, construction and operation phases of the BESS site. > It is anticipated that vehicles can safely access and egress from the Site, however consideration should be given to not restrict the movement of emergency vehicles on Houghton Road with any scheduled roadworks associated with construction
Hazards	Construction	> End-to-end spacing (short side) of BESS containerised units shall be a minimum of 3 m > Back-to-back spacing (long side) of BESS containerised units shall be a minimum of 3 m > Distance from electrical compartment surface to the wall of other containers 1.1 m. > Spacing between BESS container accumulations (i.e. 4 containerised units) shall be a minimum of 3 m. > The BESS containerised units shall be provided with the fire protection system specified by the BESS manufacturer. > Prior to construction, the total area required for the BESS units shall be verified against the available space to demonstrate there is adequate area to achieve the required spacing.

Impact	Phase	Mitigation Measures
		> The vents shall not be located above battery packs within the BESS container. > The vent covers of the BESS shall be constructed of non-combustible material. > Prior to commissioning, the UL test data for the selected battery units shall be made available to the DPHI.
Bushfire	Throughout	> Asset Protection zone (APZ) buffers will be a minimum 10m width provided around project-related infrastructure and to the outer perimeter (vegetation screen and south wall define limit). Temporary construction and laydown areas, site access and associated fencing do not require specific APZ. > APZ to be managed as Inner Protection Area (IPA) for the life of development. The following vegetation management requirements apply in the APZ: • Trees (there would be no trees within the APZ). • Shrubs (there would be no shrubs within the APZ). • Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and leaves and vegetation debris should be removed. • Roads and paved/cleared areas are suitable within the APZ > Landscape maintenance includes APZ around infrastructure, the proposed vegetation screening and land management across the surrounding Project area to reduce fire intensity and rate of spread as it may approach a structure or structures. • APZ management to maintain fuel loads as required as per Section 5.2 of this report. • Vegetation screening greater than 10m from infrastructure (APZ), maintained to remove dead/dry vegetation and fuel build-up. • The vegetation screens will be managed under a landscape or vegetation management plan so that they are managed in perpetuity as a low threat and do not increase the threat toward the structures. • Landscape management requires ongoing monitoring and maintenance. • Bushfire fuel management surrounding development can be achieved in ongoing agricultural practices such as grazing, cropping, slashing etc. • A BEMOP to guide landscape and APZ management, monitor and manage potential fuel loads surrounding the Project area. > The noise wall design and material will be non-combustible outer layer (e.g. sheet metal or cementitious layer) front and back and a fire-retardant core, and not increase the risk of fire toward the BESS infrastructure. > On-site water supply (minimum 10,000L) to be strategically positioned, as per Fire Safety Study specifications.

Impact	Phase	Mitigation Measures
		• Water supply to be accessible and have appropriate firefighting appliance connections. • Water supplies to be detailed in a Bushfire and Emergency Management Operation Plan (BEMOP) or similar planning strategy. > Main access, internal roads and alternate egress provide for safe, reliable, and unobstructed passage by a Cat 1 firefighting vehicle as per Section 5.5 of this report and maintained for the life of the development. > The width and capacity of the access provides for safe, reliable, and unobstructed passage by a Cat 1 firefighting vehicle within acceptable operational limits: • The trafficable surface has a minimum width of 4m. • The access has a minimum 4m height clearance overhead, free from any obstructions. • Curves inner radius 6m. • Crossfall less than 6 degrees. • Surfaces and crossing structures are capable of carrying vehicles with a gross vehicle mass of 15 tonnes and an axle load of 9 tonnes. • Turnaround provisions of 12m radius or T junction at the termination of each access track and in position of any dedicated water supply tanks. • All access will be detailed in the BEMOP > A BEMOP should be prepared to support emergency management for the Project and ensure bushfire protection actions are maintained. The Plan should be developed in consultation with the local NSW RFS District Office and the Emergency Management Plan and be communicated to relevant stakeholders. > A BEMOP will guide annual monitoring of the fire mitigation works for the Project operations and surrounding landholding: • APZ and landscape fuel load management. • Access provisions. • Water supplies. > Emergency Response in coordination with the Fire Safety Study and Emergency Management Plan.
Waste	Throughout	> A Waste Management Plan for all phases of the project would be prepared and implemented prior to the commencement of any works on the site.
Social	Throughout	> Target local economic benefits through procurement of local goods and services. > Track and report on local content used for the project. > Prioritise hiring local workers with requisite skills and experience.

Impact	Phase	Mitigation Measures
		> Use online and offline methods to share and register interest in project opportunities. > Engage regularly with local businesses about construction periods and potential increases in trade. > Encourage project workforce to support local businesses through local spending initiatives (e.g., vouchers). > Develop and implement an Industry Participation Plan addressing: • Opportunities for supply of goods and services, employment, training (including Aboriginal participation), and sustainable procurement. • Metrics to track goals for each opportunity. • Engagement with Leeton Shire Council, local businesses, and the Leeton Chamber of Commerce to understand procurement limitations and aspirations. > Partner with LGAs and organisations to inform prospective workers about participation in the project. > Use a project-specific website and existing LGA communication channels. > Collaborate with local employment, apprenticeship, and training providers to enhance local hiring potential. > Develop and implement local content initiatives with procurement goals for the operation phase. > Identify community funding opportunities. > Engage in community involvement initiatives, potentially in partnership with nearby renewable energy SSD proponents. > Promote and use the Community Stakeholder Engagement Plan (CSEP) to continue collaborating with stakeholders and the community to identify opportunities. > Maintain ongoing communication with local residents throughout the project to ensure transparency and during work that produces impulsive, intermittent, or low-frequency noise, regular consultation with sensitive receptors is advised. > Staff training on noise management is recommended. > Shuttle bus service - organising shuttle buses from Griffith and Narrandera for a portion of the workforce. This will reduce the demand for local accommodation and help mitigate worker travel fatigue. > Accommodation provider coordination - continue discussions with accommodation providers, ensuring proactive planning to secure availability in Yanco, however unlikely this may be due to accommodation stock levels. > Maintain ongoing dialogue with the Yanco Solar Farm team and accommodation suppliers to address potential cumulative impacts and ensure coordination and, if possible, sequencing of workforce. > Develop an Accommodation, Employment, and Procurement Strategy/Plan to support local businesses in becoming competitive

Impact	Phase	Mitigation Measures
		and sustainably servicing the construction workforce over the 8-month project period. > Designed and operated in accordance with AS4282-2019 to minimise obtrusive effects. > Noise walls and buildings will be painted in colours that blend with the local landscape.
Economic		> Prepare AES incorporating ongoing liaison with local industry representatives to ensure the maximisation of the use of local contractors, manufacturing facilities, materials. > Liaison with local representatives regarding accommodation options for staff, to minimise adverse impacts on local services. > Liaison with local tourism industry representatives to manage potential timing conflicts with local events > ACEnergy or the developer will consult with local employment agencies and training organisations and, where practicable, will consider supporting training and apprenticeships.
Cumulative		> Maintain ongoing dialogue with surrounding renewable developers and accommodation suppliers to address potential cumulative impacts and ensure coordination and, if possible, sequencing of workforce.

DEVELOPMENT CONSENT

Definitions

EIS	The Environmental Impact Statement for Yanco BESS Energy Storage System, dated 25 August 2022, Submissions Report dated 3 February 2023 and the additional information dated 25 May and 14 June 2023 and the modification report dated 5 May 2026

APPENDIX C
STATUTORY COMPLIANCE TABLE

Table 2 – Commonwealth Legislation

Statutory Reference	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
Environment Protection and Biodiversity Conservation Act 1999	Direct or indirect impacts to a Matter of National Environmental Significance (MNES)	*The project is unlikely to have a significant impact on a biodiversity MNES and therefore is unlikely to be deemed a controlled action based on impacts to biodiversity.*	***Section 6.2***	The proposed modification is unlikely to have a significant impact on a biodiversity MNES and therefore is unlikely to be deemed a controlled action based on impacts to biodiversity.	**N/A**

Table 3 - NSW Legislation

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
Aboriginal Land Rights Act 1983	Section 36	The NSW Aboriginal Land Council may make a claim for land on its own behalf or on behalf of one or more Local Aboriginal Land Council.	No impacts to land subject to an Aboriginal land claim	***N/A***	N/A	**N/A**
Biodiversity Conservation Act 2016	Section 7.9	Any SSD or SSI application is required to be accompanied by a BDAR unless the Planning and Environment Agency Heads determine that the proposed development is not likely to have any significant impact on biodiversity values.	*The proposed development is SSD and has not been assessed by the Planning and Environment Agency Heads. A BDAR is required.*	***Section 6.2***	A BDAR accompanied the original development application for the project. No significant impacts to biodiversity are expected as a result of the proposed modification.	**Section 6.2**
Contaminated Land Management Act 1997	Section 11	The EPA may declare any land it believes to significantly contaminated as significantly contaminated land.	*The site is not identified as significantly contaminated land.*	***Section 6.6.2***	-	N/A
	Section 1.3	Objects of the Act	*The proposed development is consistent with each of the Objects of the Act, with the exception of Object (d) which relates to the delivery and maintenance of affordable housing which is not relevant to this proposal.*	***N/A***	The proposed development as modified is consistent with each of the Objects of the Act, with the exception of Object (d) which relates to the delivery and maintenance of affordable housing which is not relevant to this proposal.	**Section 4.1**

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
	Section 4.15(1)	Consideration of the relevant provisions of any environmental planning instruments	• *State Environmental Planning Policy (Resilience and Hazards) 2021;* • *State Environmental Planning Policy (Transport and Infrastructure) 2021;* • *State Environmental Planning Policy (Planning Systems) 2021;* • *State Environmental Planning Policy (Biodiversity and Conservation) 2021; and* *Yanco Local Environmental Plan 2009.*	***Section 4***	-	**Section 7.3**
		Consideration of the relevant provisions of any proposed environmental planning instruments	*No draft environmental planning instruments apply.*	***N/A***	No draft environmental planning instruments apply.	**N/A**
		Consideration of the relevant provisions of any development control plans	*Development control plans do not apply to SSD by way of clause 2.10 of the Planning Systems SEPP.*	***Section 4***	Development control plans do not apply to SSD by way of clause 2.10 of the Planning Systems SEPP.	**N/A**

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
		Consideration of the relevant provisions of any planning agreements or draft planning agreements	*No planning agreements or draft planning agreements apply.*	***N/A***	No planning agreements or draft planning agreements apply.	**N/A**
		Consideration of the relevant provisions of the regulations	*Refer next section of this table*	***This table***	Refer next section of this table.	**This table.**
		Consideration of the likely impacts of the development		**Section 6**	-	**Section 6**
		Consideration of the suitability of the site for the development		***Section 7.10***	-	**Section 7.9**
		Consideration of any submissions made in accordance with this Act or the regulations	*The proponent will be required to prepare a Submissions Report in accordance with Appendix C to the SSD Guidelines following the completion of the mandatory public exhibition period.*	***N/A***	The proponent will address these as required through discussions with DPHI.	**N/A**
		Consideration of the public interest		**Section 7.8**	-	**Section 7.7**
Environmental Planning and Assessment	Section 23	Requires the consent of all landowners to be obtained for the making of a Development Application.	Lots 11 and 12 are owned by Transgrid and Lot 15 is owned by the Crown.	**Attached to the EIS submission**	-	**Attached to Modification Report submission**

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
Regulation 2021	Section 100	(1) A modification application must contain the following information— (a) the name and address of the applicant,	-	-		**Section 1.2**
		(b) a description of the development that will be carried out under the development consent,	-	-	-	**Section 1.3**
		(c) the address and folio identifier of the land on which the development will be carried out,	-	-	-	**Section 1.3**
		(d) a description of the modification to the development consent, including the name, number and date of plans that have changed, to enable the consent authority to compare the development with the development originally approved,	-	-	A description of the proposed modification and changes to the development is included within the modification report. Changes to the approved plans are detailed throughout the assessment of key impacts.	**Section 3 and Section 6**
		(e) whether the modification is intended to— (i) merely correct a minor error, misdescription or miscalculation, or	-	-	The proposed modification seeks a number of amendments to the development consent and is considered to involve minimal environmental impact.	**Section 3.1 and Section 6**

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
		(ii) have another effect specified in the modification application,				
		(f) a description of the expected impacts of the modification,	-	-	-	**Section 6**
		(g) an undertaking that the modified development will remain the same or substantially the same as the development originally approved,	-	-	-	**Section 4.1.2.2**
		(h) for a modification application that is accompanied by a biodiversity development assessment report—the biodiversity credits information,	-	-	-	**N/A**
		(i) if the applicant is not the owner of the land—a statement that the owner consents to the making of the modification application,	-	-	Consent has been received from the owners of the land to support lodgement of this modification application.	**Attached to Modification Report submission**
		(j) whether the modification application is being made to—	-	-	This application is submitted to the consent authority (DPHI) pursuant to Section 4.55(1A) of the EP&A Act, being	**Section 4.1.2**

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
		(i) the Court under the Act, section 4.55, or (ii) the consent authority under the Act, section 4.56.			a modification involving minimal environmental impact.	
Heritage Act 1977	Section 58	Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57(1)	No interim heritage order/s or listing/s apply to the site under the State Heritage Register. The proponent will develop an Aboriginal Cultural Heritage Management Plan (ACHMP) following receipt of development consent in consultation with the Registered Aboriginal Parties (RAPs) and DPHI (with input from Heritage NSW)	**Section 6.5**	N/A	**N/A**
Local Land Services Act 2013			No Crown land under the management of LLS affected by the project.	**N/A**	N/A	**N/A**
National Parks and Wildlife Act 1974	Section 90	Grant of Aboriginal heritage impact permit	The results of the surface survey and previous test excavation completed at the site indicate that significant Aboriginal cultural heritage values	**Section 6.4**	The proposed modification does not result in any additional impacts to areas of sensitivity or significance.	**Section 6.3**

Statutory Reference	Section / Clause	Pre-condition	EIS Relevance	Section in EIS	Modification Relevance	Section in Mod Report
			will not be harmed within the study area.			
Protection of the Environment Operations Act 1997	Sections 43(a), 43(b), 43(d), 47, 55 and 122	Various environmental protection licences	The project does not require an environment protection licence under this Act.	**N/A**	-	**N/A**
Roads Act 1993	Section 138	Various activities within road reserves	The project will utilise the existing access to Hume Road. Road upgrades are anticipated to Hume Road/Houghton Road intersection and Houghton Road/Irrigation Way intersection. Approval is required under the Roads Act	**N/A**	Minor changes are proposed by this modification to ensure that road development footprint reflects proposed detailed upgrade plans, thereby ensuring compliance with relevant standards. Approach to approvals in this regard is unchanged.	**Section 6.4**
Water Management Act 2000	Sections 89, 90 and 91	Water use approval, water management work approval or activity approval under Part 3 of Chapter 3	Dewatering activities during construction of footings may be required. If works are necessary, approval under the Water Management Act 2000 will be required.	**Section 6.8**	-	**N/A**

APPENDIX D

REVISED PLANS

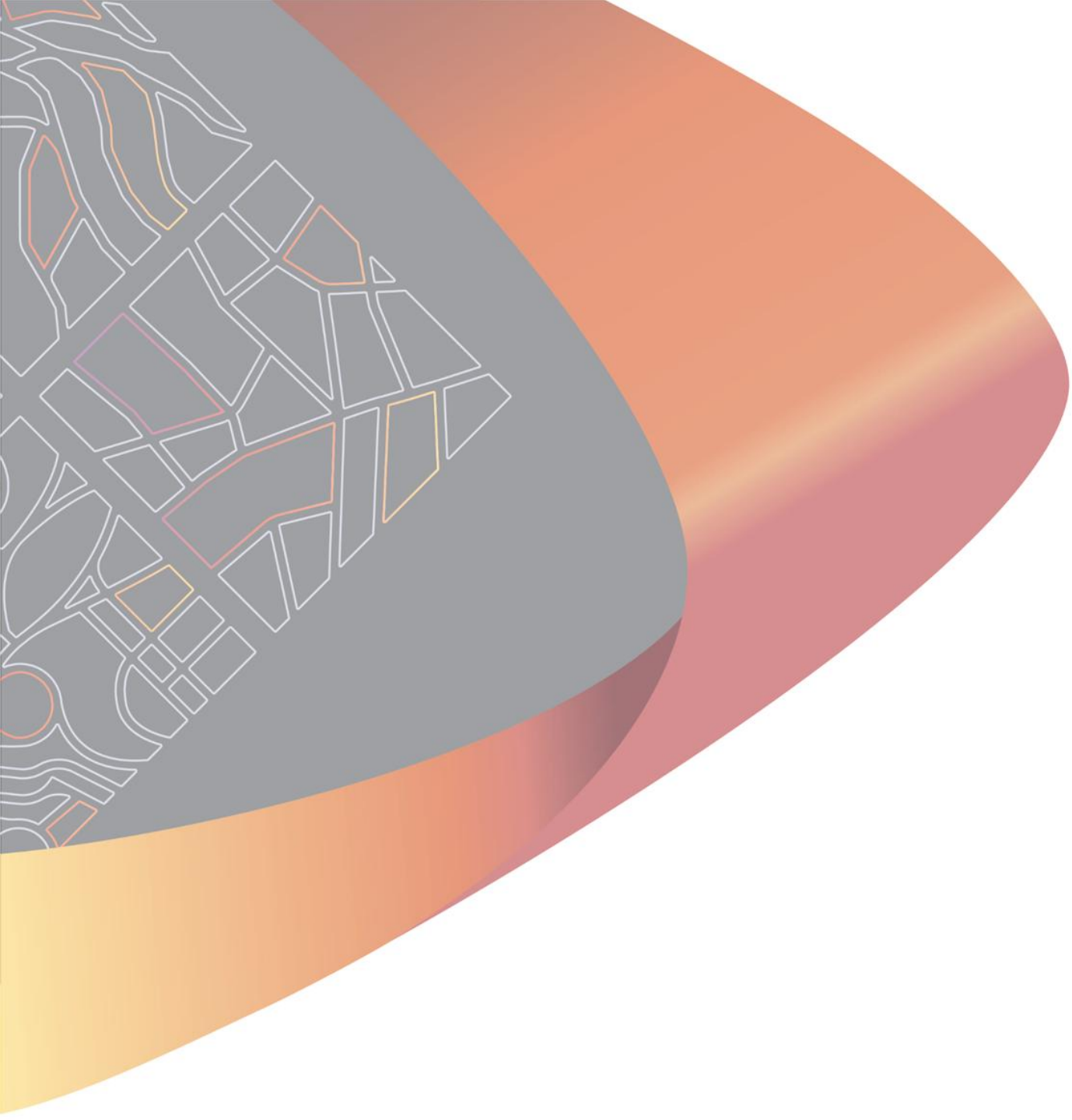
APPENDIX E
BIODIVERSITY MEMO

APPENDIX F

TRAFFIC IMPACT ASSESSMENT

APPENDIX G

NOISE IMPACT ASSESSMENT



Premise