

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Iwan Davies
A/Director
Energy Assessments

Sydney

15 July 2022

SCHEDULE 1

Development consent: SSD-11437498 granted by the Director, Energy Assessments on 8 September 2021

For the following: Broken Hill Battery Energy Storage System

Modification: **SSD-11437498-Mod-1: Underground transmission option**

SCHEDULE 2

1. In the TABLE OF CONTENTS, after 'APPENDIX 4: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS', insert 'APPENDIX 5: ABORIGINAL HERITAGE ITEMS'.
2. In the table of DEFINITIONS, delete the definitions for Department and Minister, and insert the following in alphabetic order:

Department	Department of Planning and Environment
Minister	Minister for Planning, or delegate
Planning Secretary	Secretary of the Department, or nominee
Site	As shown in Appendix 1 and listed in Appendix 2
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces
TfNSW	Transport for New South Wales
Upgrading	The augmentation and/or replacement of battery storage and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent
Vehicle movement	One vehicle entering and leaving the site

3. In the table of DEFINITIONS, under EIS delete the text after 'May 2021' and insert the following:

'as amended by:

- Broken Hill Battery Energy Storage System Submissions Report dated 30 July 2021;
- Broken Hill Battery Energy Storage System Modification Report dated 22 February 2022;
- Broken Hill Battery Energy Storage System Modification Submissions Report dated 6 June 2022'

4. In Schedules 1 to 4 (inclusive), delete all references to 'DPIE Water' and replace with 'DPE Water'.
5. In condition 11 of Schedule 3:
 - in Table 1: Ecosystem Credit Requirements, replace '8' with '10'.
 - In Table 2: Species Credit Requirements, replace '9' with '11'.
6. In condition 18 of Schedule 3, insert the following after 'footprint.':

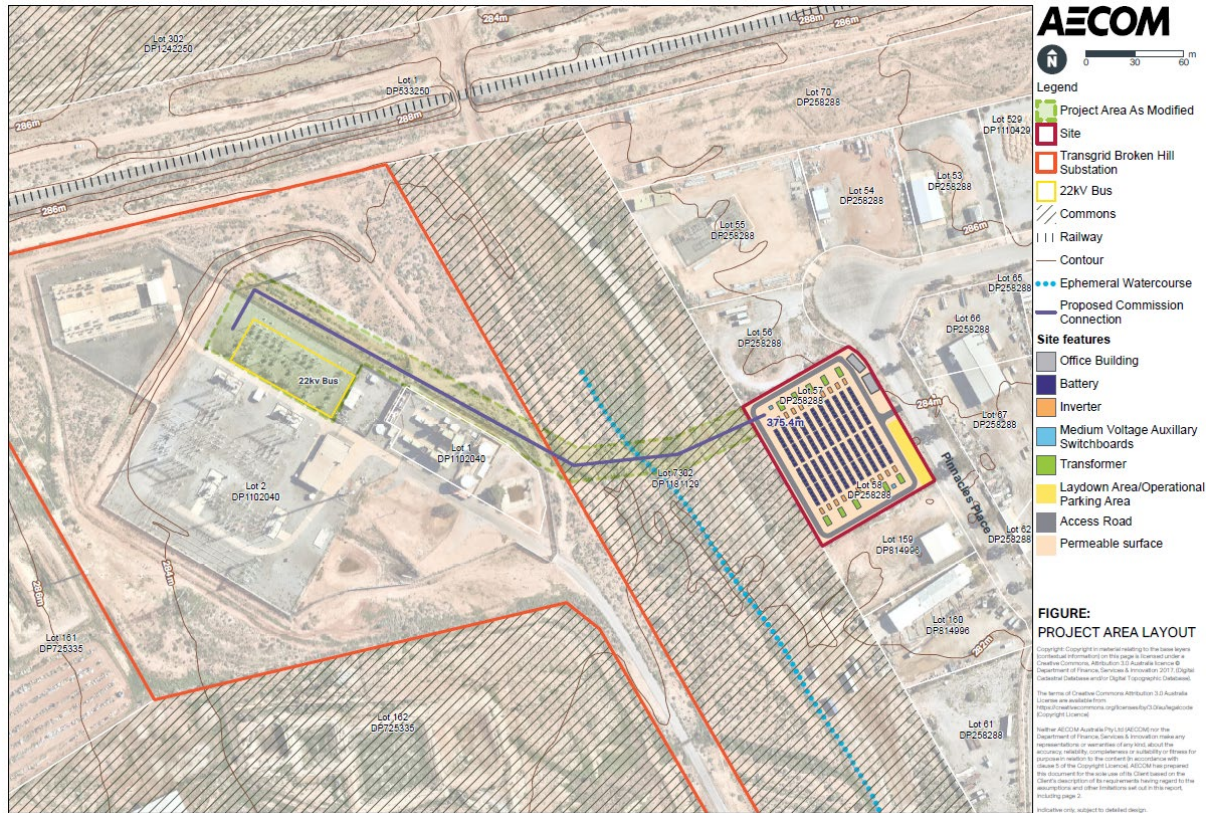
Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Table 1 of Appendix 5, the Applicant must relocate the item/s that would be impacted to a suitable alternate location, in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), or its latest version.

Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figures in Appendix 5.

7. In condition 19 of Schedule 3, after 'inductions;' delete 'and' and insert:

- relocating the Aboriginal heritage items located within the approved development footprint, as identified in Table 1 of Appendix 5; and

8. In Appendix 1, replace the figure with the following figure:



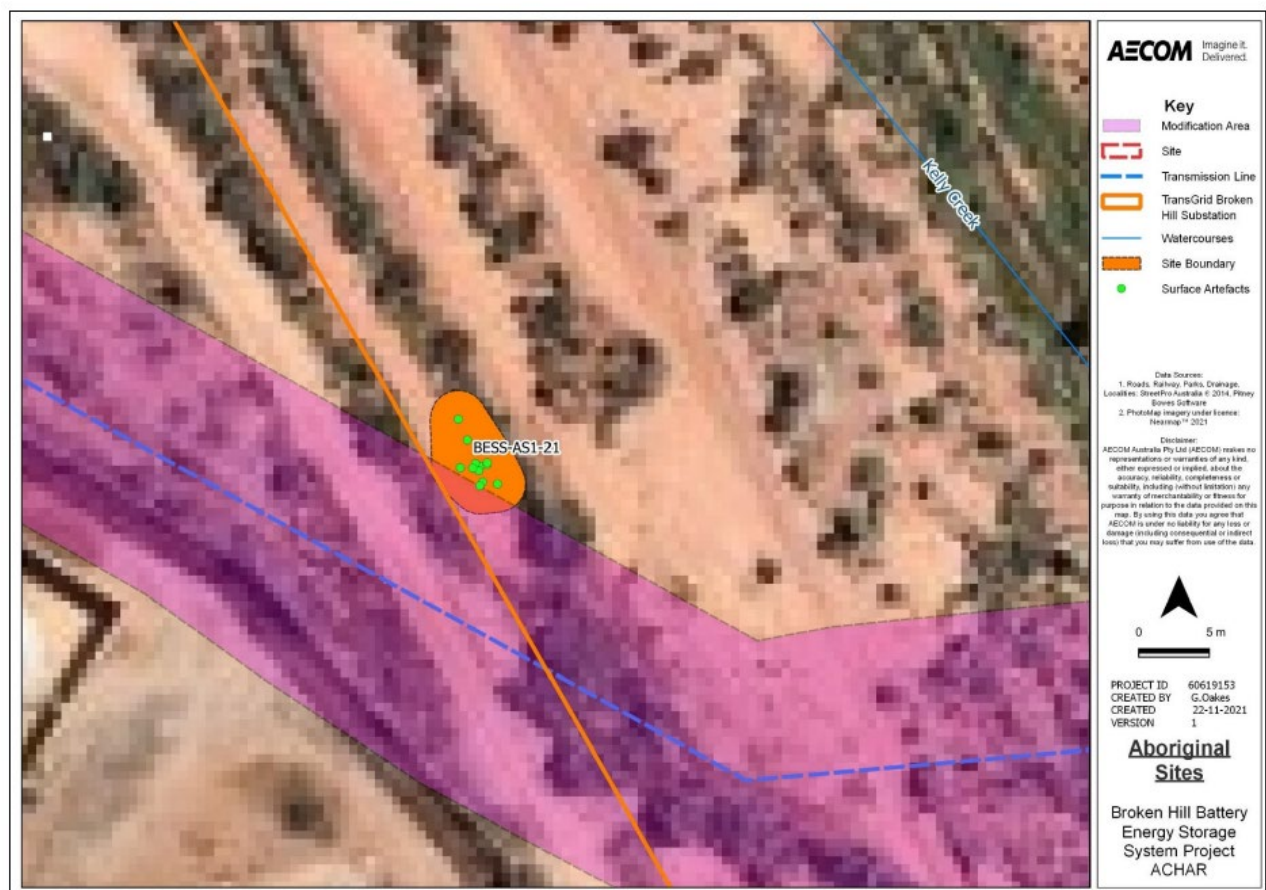
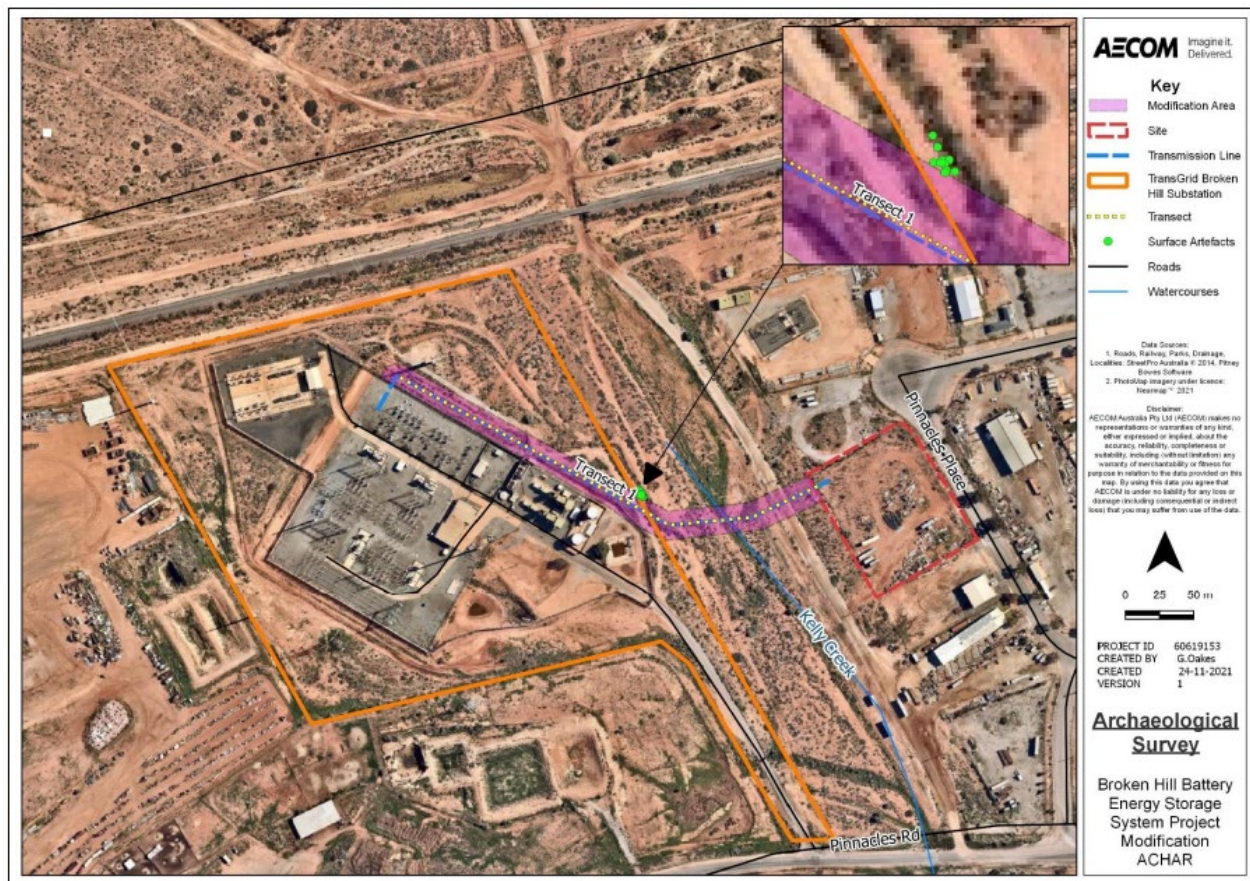
9. After Appendix 4, insert:

APPENDIX 5: ABORIGINAL HERITAGE ITEMS

Table 1: Aboriginal Heritage Items – relocate

Item name
BESS-AS1-21

****Refer to the Figure in this Appendix to identify items***



End of modification (SSD-11437498-MOD-1)