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18 October 2021

Department of Planning, Industry and Environment
Attention Karl Okorn
Via email: karl.okorn@planning.nsw.gov.au
Level 16, 4PSQ, 12 Darcy Street,
Parramatta NSW 2150

Dear Sir,

Re: Broken Hill Battery (SSD-11437498) - Request for the staging and progressive delivery of Environmental Management Plans

Staging of Environmental Management Strategy and Plans

A delegate of the Minister for Planning and Public Spaces granted development consent for the Broken Hill Battery Energy Storage System (BESS) Project (the Project) on 8 September 2021. The Project incorporated the installation of an overhead connection between the proposed location of the BESS and the TransGrid Broken Hill substation (owned by the Electricity Transmission Ministerial Holding Corporation (ETMHC)) (the connection works). The Environmental Impact Statement (EIS) for the Project was lodged with Department of Planning, Industry and Environment (DPIE) on 21 May 2021. ETMHC, on behalf of TransGrid, provided owners consent for AGL Energy Ltd (AGL) to lodge the application on 27 May 2021.

TransGrid has subsequently requested that AGL change the previously agreed connection location approved under SSD-11437498. This new connection location will result in the proposed connection route from the BESS crossing multiple existing 22 kV overhead lines. This change is likely to require a change in construction methodology with the new connection route being constructed underground rather than overhead in order to minimise conflicts with the existing 22 kV overhead lines and potential outages to the existing 22kV overhead lines. A modification to the development consent is likely to be required.

Whilst the connection works are being finalised, AGL would like to progress construction of the BESS component of the Project. This component of works, which is on the critical path, will take longer to construct than the connection works. This will require a staged delivery of the Project.

Implementing a staged approach to Project delivery will mean that the documentation required by the Conditions of Consent will also need to be delivered in a staged manner. In accordance with the requirements of Condition 3, Schedule 4 *Updating and Staging of Strategies, Plans or Programs*, AGL is seeking approval from the Planning Secretary that specific documentation required by the Conditions of Consent be prepared and submitted on a staged basis.

This would result in separate environmental management documentation for:

1. Construction of the BESS and associated works at Lots 74 to 80 Pinnacles Place, Broken Hill, 2880 (Lots 57 and 58 of DP 258288);
2. Construction of the connection works from the BESS to the nearby TransGrid substation, i.e. the works proposed at Lot 2 of DP 1102040 (the substation site) and Lot 7302 DP 1181129; and
3. Operation of the Project.

AGL recognises and accepts that the conditions of consent would need to be met for each stage of the Project. Whilst environmental management strategies and plans would be developed for each component of the Project, they would contain common information, where necessary. The relevant stakeholders (e.g. DPIE, Council and Transport for NSW) will be engaged as outlined in the conditions of consent for each stage.



Progressive approach to Environmental Management Plans

AGL respectfully requests the requirements of a number of the conditions of consent for construction and operation be progressively addressed as part of the proposed staging.

Specifically, AGL is seeking to develop a separate environmental management strategy (EMS) for construction and operation for each stage as follows:

- Stage 1 – BESS Site:
 - Construction EMS and associated management plans
- Stage 2 – Connection works:
 - Construction EMS and associated management plans
- Stage 3 – Operation of the Project
 - Operational EMS and associated management plans.

This progressive approach to preparation of strategies, plans and programs pursuant to the Conditions of Consent for each of the proposed stages would ensure that the environmental management documentation is focused on the relevant phase of the Project being progressed.

In line with a progressive approach, AGL propose to provide and seek approval from the Planning Secretary for the construction phase EMS and associated management plans prior to construction commencing. The operational EMS and associated management plans would be provided and approval sought from the Planning Secretary prior to operation of the BESS commencing.

As relevant, the conditions of consent would be addressed in each of the EMS documents. In particular, this progressive approach would result in the staged preparation of construction and operational phase documents required under the following conditions:

- Condition 1, Schedule 4 - Environmental Management Strategy
- Condition 9, Schedule 3 - Traffic Management Plan
- Condition 12, Schedule 3 - Biodiversity Management Plan
- Condition 19, Schedule 3 - Heritage Management Plan
- Condition 23, Schedule 3 - Soil and Water Management Plan
- Condition 24, Schedule 3 – Fire Hazard Study
- Condition 27, Schedule 3 – Emergency Plan
- Condition 31, Schedule 3 – Unexpected Finds Procedure

Request summary

AGL respectfully requests the Planning Secretary's approval in line with Condition 3, Schedule 4 of Conditions of Consent for SSD-11437498 to:

1. Deliver the environmental management documents for the Project in three stages:
 - a. Stage 1 - The development of the BESS and associated works at Lots 74 to 80 Pinnacles Place, Broken Hill, 2880 (Lots 57 and 58 of DP 258288);
 - b. Stage 2 - Connection works from the BESS to the nearby TransGrid substation, i.e. the works proposed at Lot 2 of DP 1102040 (the substation site) and Lot 7302 DP 1181129; and
 - c. Stage 3 – Operation of the Project.



2. Progressively deliver the environmental management documentation required by the conditions for each stage so that the strategies and plans are focused on each specific stage of the Project.
3. Submit and seek approval for the proposed operational strategies and plans prior to operation of Stage 1 and 2 instead of prior to construction and deliver the operational EMS at Stage 3 of the Project.

We trust this staging plan meets the requirements of Condition 3, Schedule 4 and request written acceptance of this approach at your earliest opportunity. Please do not hesitate to contact Arianna Henty via email ahenty2@agl.com.au or by phone 0410 479 310 should you require any further information or wish to discuss.

Yours sincerely,

A handwritten signature in black ink that reads 'Adam Mackett'.

Adam Mackett
Program Director – Grid Scale Batteries, Major Projects
AGL Energy Limited