

Department of Planning and Environment

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)



# Wellington South Battery Energy Storage System

State Significant Development Assessment Report (SSD 27014706)

December 2023





# Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

---

Published by NSW Department of Planning and Environment

[dpie.nsw.gov.au](https://dpie.nsw.gov.au)

Wellington South Battery Storage System (SSD 27014706) Assessment Report

Published: December 2023

## Copyright and disclaimer

© State of New South Wales through Department of Planning and Environment 2023. Information contained in this publication is based on knowledge and understanding at the time of writing, December 2023, and is subject to change. For more information, please visit [dpie.nsw.gov.au/copyright](https://dpie.nsw.gov.au/copyright)

# Preface

This assessment report provides a record of the Department of Planning and Environment's (the Department) assessment and evaluation of the State significant development (SSD 27014706) application for the Wellington South Battery Energy Storage System located approximately 2.2 km north-east of Wellington, lodged by The Trustee for AMBESS01 HOLD TRUST (AMPYR Australia Pty Ltd (AMPYR) and Shell Energy Operations Pty Ltd (Shell)). The report includes:

- an explanation of why the project is considered SSD and who the consent authority is
- an assessment of the project against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the project during the assessment process
- an assessment of the likely environmental, social and economic impacts of the project
- an evaluation which weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development consent for the project should be granted and any conditions that should be imposed.

# Executive Summary

The Trustee for AMBESS01 HOLD TRUST (AMPYR Australia Pty Ltd (AMPYR) and Shell Energy Operations Pty Ltd (Shell)) propose to develop a 500 megawatt (MW) / 1000 MW-hour battery energy storage system located approximately 2.2 km north-east of Wellington in the Dubbo Regional Local Government Area in the Central-West Orana Renewable Energy Zone.

The Department exhibited the Environmental Impact Statement and received one objection from the public. Advice and comments were received from government agencies and Dubbo Regional Council (Council).

The site consists largely of cleared land and is located adjacent to the existing Transgrid Wellington substation. Overall, the Department considers the site to be suitable for the project as it is located adjacent to the existing electricity network and would store and distribute energy to support reliable supply to NSW.

The Department has undertaken a comprehensive assessment of the full range of potential environmental impacts, including traffic, noise and vibration, visual, land use, biodiversity, hazards and safety, heritage, water, land contamination and cumulative impacts. The Department has also considered socio-economic impacts and benefits associated with the project.

The Department considers the project would not result in any significant impacts on the local community or the environment, and any residual impacts would be minor and could be managed through conditions.

The project would provide flow-on benefits to the local community, including up to 100 construction jobs, a capital investment of \$545 million and contributions to Council over the life of the project for community enhancement initiatives through a Voluntary Planning Agreement.

On balance, the Department considers that the benefits of the project outweigh its residual costs and that the project is in the public interest and is approvable, subject to conditions.

# Contents

<b>Preface</b> .....	<b>i</b>
<b>Executive Summary</b> .....	<b>ii</b>
<b>1 Project</b> .....	<b>1</b>
<b>2 Strategic context</b> .....	<b>3</b>
2.1 Renewable Energy Zone .....	3
2.2 Local Context.....	3
2.3 Energy Policy Context.....	3
<b>3 Statutory context</b> .....	<b>3</b>
3.1 State Significant Development.....	3
3.2 Permissibility.....	4
3.3 Integrated and Other approvals.....	4
3.4 Mandatory Matters for Consideration.....	4
<b>4 Engagement</b> .....	<b>4</b>
4.1 Department’s Engagement.....	4
4.2 Submissions and Submissions Report.....	5
4.3 Amendment Report .....	5
4.4 Summary of Advice Received from Government Agencies.....	5
<b>5 Assessment</b> .....	<b>7</b>
5.1 Access and Traffic .....	7
<b>6 Evaluation</b> .....	<b>18</b>
<b>7 Recommendation</b> .....	<b>19</b>
<b>8 Determination</b> .....	<b>20</b>
<b>Appendices</b> .....	<b>21</b>
Appendix A – Environmental Impact Statement.....	21
Appendix B – Additional Information.....	21
Appendix C – Submissions and Government Agency Advice.....	21

Appendix D – Submissions Report.....	21
Appendix E – Amendment Report.....	21
Appendix F – Statutory Considerations.....	21
Appendix G – Recommended Instrument of Consent.....	23
Appendix H – Notice of Decision .....	23



# 1 Project

The Trustee for AMBESS01 HOLD TRUST (AMPYR Australia Pty Ltd (AMPYR) and Shell Energy Operations Pty Ltd (Shell)) (AMPYR / Shell) proposes to develop a new State significant development (SSD) battery energy storage system (BESS) on rural land approximately 2.2 kilometres (km) east of Wellington, in the Dubbo Regional Local Government Area (LGA) within the Central-West Orana Renewable Energy Zone (REZ) (see Figure 1).

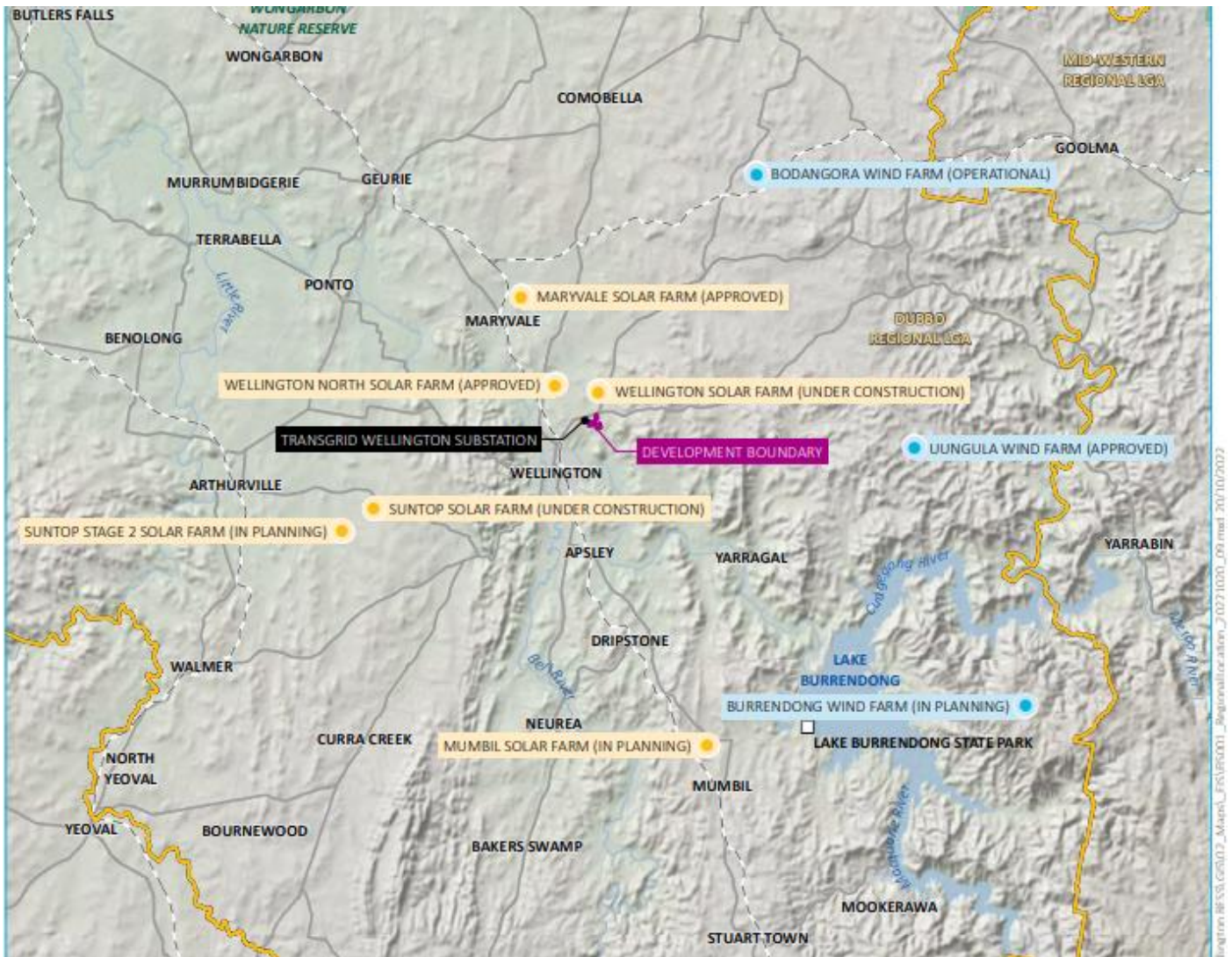


Figure 1 | Regional Context Map (Source – applicant EIS)

The project involves the construction of a new BESS, with a capacity of up to 500 megawatts (MW) / 1000 MW-hour (MWh) and a new transmission line connecting the BESS with the adjacent Transgrid Wellington substation (See Figure 2). The project also includes minor upgrades to the existing substation.

Construction of the BESS would occur over a 12 to 18 month period. Construction works would be limited to Monday to Friday 7 am to 6 pm, and Saturday 8 am to 1 pm. The site would be accessed via a newly constructed intersection with Twelve Mile Road.

Subdivision of the lot on which the proposed BESS is located also forms part of the application.

The project also allows for the upgrading and decommissioning of equipment over time. The expected operational life of the project is 20 years with the possibility to extend. The key components of the project are described in detail in the Environmental Impact Statement (EIS), Amendment Report and supporting documentation (see Appendix A, Appendix B, and Appendix E)

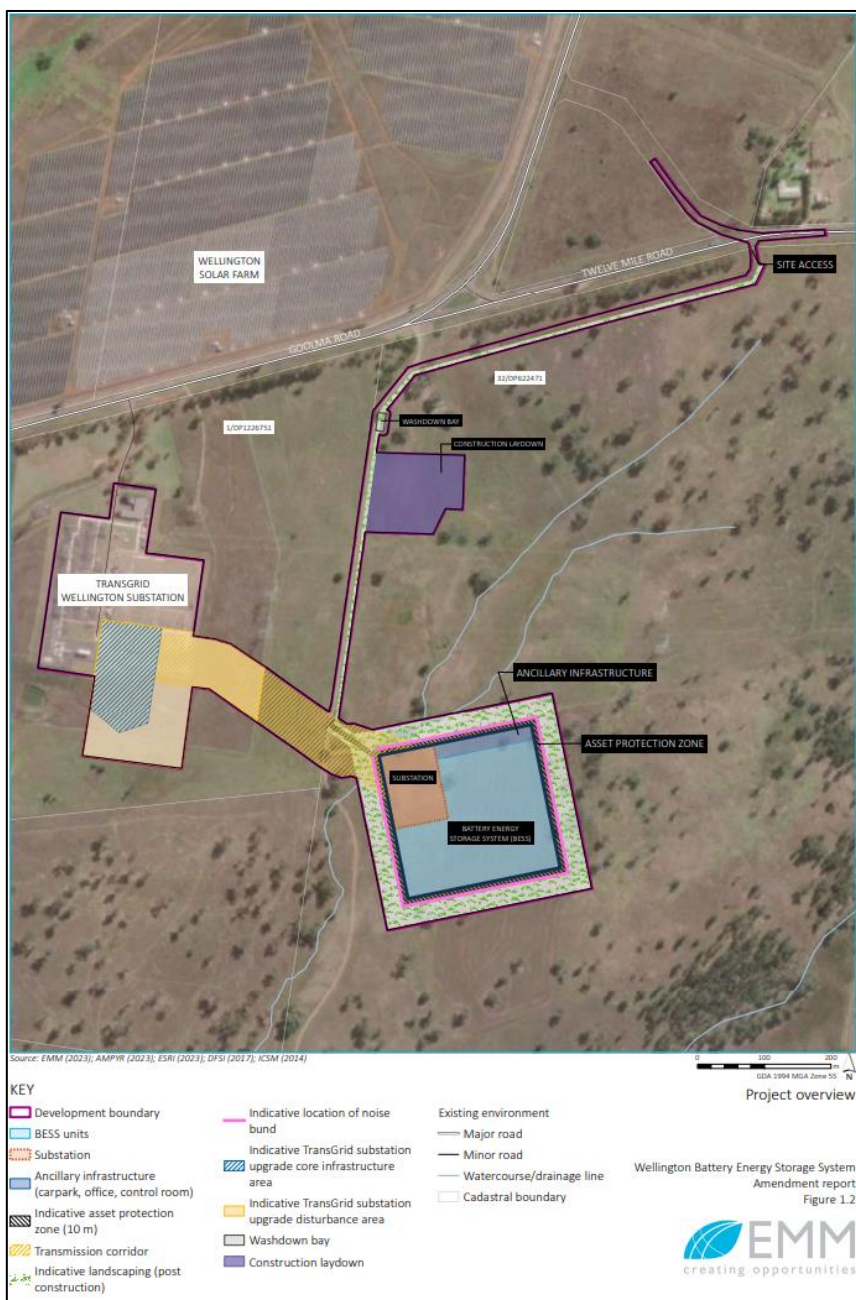


Figure 2 | Development Layout



## 2 Strategic context

### 2.1 Renewable Energy Zone

The project is located in the Central-West Orana REZ, as defined by the *Electricity Infrastructure Investment Act 2020* and set out in the *NSW Electricity Infrastructure Roadmap*, which encourages investment in transmission, generation, storage and firming infrastructure in order to ensure secure and reliable energy in NSW.

### 2.2 Local Context

The project is located on a 515 hectare (ha) site which is currently used for grazing purposes. Much of the land has been historically cleared of native vegetation with the exception of isolated patches of woodland. The site is immediately surrounded by rural residential lots, the Wellington substation to the west and Goolma Road/Twelve Mile Road to the north. The existing Wellington Solar Farm is located on the northern side of Goolma Road (see Figure 2).

Several other renewable energy projects in the vicinity of the site have either recently been approved or are under assessment, including Wellington North Solar Farm, Maryvale Solar Farm and Orana BESS.

### 2.3 Energy Policy Context

With a capacity of 500 MW / 1000 MWh, the BESS could power around 200,000 homes during peak demand, increasing grid stability and energy security. Accordingly, the project aligns with several Commonwealth and State policies, including *Australia's Long Term Emissions Reduction Plan* and the *NSW Net Zero Plan Stage 1: 2020 – 2030* and associated *Implementation Update*. These policies identify the need to diversify the energy generation mix and reduce the carbon emissions intensity of the grid while providing energy security and reliability.

## 3 Statutory context

### 3.1 State Significant Development

The project is classified as State significant development under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This is because it triggers the criteria in Clause 20 of Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021*, as it is development for the purpose of electricity generating works with a capital investment value of more than \$30 million.

Consequently, the Minister for Planning is the consent authority. However, under the Minister's delegation of 9 March 2022, the Director Energy Assessments, may determine the development application as Dubbo Regional Council (Council) did not object, there were less than 15 unique objections from the general public, and AMPYR/Shell has not made any political donations.

### 3.2 Permissibility

The site is primarily zoned RU1 – Primary Production and partly zoned SP2 – Infrastructure, under the *Dubbo Regional Local Environmental Plan 2022* (LEP). The project is permissible because electricity generating works are permissible with consent on any RU1 and SP2 land, under clause 2.36 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP). Consequently, the project is permissible with development consent.

### 3.3 Integrated and Other approvals

Under Section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD approval process, and therefore are not required to be separately obtained for the proposal. Under Section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal.

The Department has consulted with the relevant government agencies responsible for the integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent to address these matters (see **Appendix C** and **Appendix G**).

### 3.4 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act outlines the matters that a consent authority must take into consideration when determining development applications. The Department has considered all of these matters in its assessment of the project, as well as the applicant's consideration of environmental planning instruments in its EIS and amendment report. The Department has also considered relevant provisions of the environmental planning instruments in **Appendix F**.

## 4 Engagement

### 4.1 Department's Engagement

The Department publicly exhibited the EIS from 18 November 2022 until 15 December 2022; advertised the exhibition in the *Dubbo Daily Liberal* and notified surrounding landowners; consulted

with Council and government agencies throughout the assessment; inspected the site; and notified and sought comment from Transgrid and Transport for NSW (TfNSW) in accordance with the Transport and Infrastructure SEPP.

## 4.2 Submissions and Submissions Report

During the exhibition of the EIS, the Department received three public submissions (one objection, one support and one comment objection). Advice was received from 12 government agencies along with a submission from Council (See Appendix C).

Issues raised in the submissions included concerns relating to fire / hazard risks, potential impacts on visual and acoustic amenity, electromagnetic radiation, reduced property value, the origin of materials and concerns with energy price stability.

AMPYR/Shell provided a response to all matters raised and amended the project (see Section 4.3). Additional information was also provided during the Department's assessment (see Appendix B).

## 4.3 Amendment Report

Following consideration of submissions on the project, AMPYR/Shell amended its application on 13 September 2023, as detailed in the Amendment Report (see Appendix E). The amended application comprised:

- a revised site access point location from Twelve Mile Road;
- an updated transmission connection layout to the Wellington substation; and
- a revised BESS layout to ensure appropriate separation between the BESS sub-units.

The Department provided the Amendment Report to relevant government agencies and Council for review and comment and made it available on the Department's website. As the project amendments refer to changes to the site access location within the previously provided project site, the Department did not exhibit the Amendment Report.

## 4.4 Summary of Advice Received from Government Agencies

A summary of the key matters raised in the government agency advice is provided in Table 1. The Department's consideration of the matters raised is provided in Section 5 of this report. All concerns raised by agencies have been resolved through the Submissions Report and Amendment Report provided by AMPYR/Shell and the recommended conditions of consent.

**Table 1 | Summary of Agency Advice**

Agency	Advice summary
<b>Council</b>	<ul style="list-style-type: none"> <li>Recommended requirements for environmental management plans. These are addressed in the recommended conditions of consent.</li> <li>Agreed to the proposed site access point (as amended) and the general terms of a Voluntary Planning Agreement (VPA).</li> <li>Requested plans of the proposed control room and office building. This is addressed as part of the recommended conditions of consent requiring a construction certificate.</li> </ul>
<b>NSW Rural Fire Service (RFS)</b>	<ul style="list-style-type: none"> <li>Recommended mitigation measures, including a Fire Safety Study and Asset Protection Zones which the Department has included in the recommended conditions of consent.</li> </ul>
<b>Fire &amp; Rescue NSW (FRNSW)</b>	<ul style="list-style-type: none"> <li>Recommended mitigation measures, including a Fire Safety Study, Emergency Response Plan and an Emergency Services Information Package which the Department has included in the recommended conditions of consent</li> </ul>
<b>Transport for NSW (TfNSW)</b>	<ul style="list-style-type: none"> <li>Recommended the originally proposed site access point location off Goolma Road be relocated further east off Twelve Mile Road.</li> <li>No concerns raised regarding the amended site access point location off Twelve Mile Road.</li> </ul>
<b>Biodiversity, Conservation and Science Directorate (BCS)</b>	<ul style="list-style-type: none"> <li>Requested further information be provided in a revised Biodiversity Development Assessment Report (BDAR), which AMPYR/Shell subsequently provided.</li> <li>All matters have been resolved to BCS' satisfaction.</li> </ul>
<b>Department of Regional NSW – Mining, Exploration &amp; Geoscience (MEG)</b>	<ul style="list-style-type: none"> <li>Requested consultation occur with holders of exploration licences that extend over the site.</li> <li>AMPYR/Shell subsequently consulted with exploration licence holders who raised no concerns.</li> </ul>
<b>DPE Water</b>	<ul style="list-style-type: none"> <li>Further information was requested and provided regarding the use of bore water on-site and the matter has been resolved to DPE Water's satisfaction.</li> </ul>

The Department of Primary Industries (Agriculture), Department of Primary Industries (Fisheries), Heritage Council of NSW, Crown Lands Group, Environmental Protection Agency and Transgrid did not raise any concerns.



# 5 Assessment

The Department has assessed the merits of the project in accordance with the requirements of the EP&A Act and applicable NSW policies and guidelines. The Department's consideration and assessment of the issues related to the project is provided below and in Table 2.

## 5.1 Access and Traffic

### 5.1.1 Access

The site is located along Goolma Road, with the existing site access extending onto Goolma Road immediately west of the intersection with Twelve Mile Road. In its EIS, AMPYR/Shell proposed to create a new site access point close to the existing site access point on Goolma Road.

The Goolma Road/Twelve Mile Road intersection is traversed by a number of SSD renewable energy projects in the area, including the operational Wellington Solar Farm, under-construction Wellington North Solar Farm, and would also be used by the approved Uungula Wind Farm and the proposed Orana BESS.

As part of the Uungula Wind Farm consent, the intersection is required to be upgraded prior to the commencement of construction. The upgrade will close the existing intersection point and create a new intersection further along Goolma Road to the north.

TfNSW requested the site access point for the proposed project to be located further east, exiting onto Twelve Mile Road rather than Goolma Road due to safety concerns given the curvature of the road at this location.

In response, AMPYR/Shell amended the application to introduce a new site access point further to the east, along the new alignment of Twelve Mile Road which will be constructed as part of the Uungula Wind Farm consent (see Figure 2).

TfNSW have raised no concerns with the amended location and it is supported by Council who provided landowners consent for the proposed work. The existing site access point on Goolma Road would be closed as part of the recommended conditions of consent.

### 5.1.2 Traffic

During peak construction, the project is expected to generate 100 light vehicle movements and 60 heavy vehicle movements per day. During peak hours, the project is expected to generate 80 light vehicle movements and 30 heavy vehicle movements. In total, up to 20 heavy vehicles requiring escort would also be required to deliver larger plant and equipment.

In response to concerns raised by TfNSW, the Department has recommended a condition restricting vehicle movements during peak times (6-7 am and 5-6 pm), to prevent queuing on the public road network and manage the flow of vehicles entering and exiting the site.

Analysis undertaken by AMPYR/Shell confirms the Goolma Road/Twelve Mile Road intersection would perform at a satisfactory level of service, inclusive of cumulative traffic impacts from other nearby renewable energy projects, during peak hours. In addition, queue lengths turning right from Goolma Road onto Twelve Mile Road would not impact northbound through traffic.

The analysis also demonstrates that the new site access along Twelve Mile Road requires road upgrades for westbound light vehicles turning left into the site (a Basic Left Turn) and for eastbound light and heavy vehicles turning right into the site (a Channelised Right Turn (Short)).

TfNSW and Council have reviewed the analysis and have raised no concerns, inclusive of the proposed road upgrade works.

The Department has recommended conditions requiring a new site access and preparation of a Traffic Management Plan. Recommended conditions also require the closure of the existing site access and that construction cannot commence until both the new site access is constructed and the Goolma Road/Twelve Mile Road intersection upgrade is completed.

With the implementation of these conditions, the Department and TfNSW consider that the project would not result in significant impacts to the road network, efficiency or safety.

**Table 2 | Assessment of Issues**

### **Energy Transition**

- The project aligns with a range of Commonwealth and State policies (see Section 2), which identify the need to diversify the energy generation mix and reduce the carbon emissions intensity of the grid while providing energy security and reliability.
- The project would support the State’s continued transition away from traditional power generation derived from fossil fuels, which is largely dispatchable (able to quickly ramp up or down depending on electricity demands), to renewable energy generation such as wind and solar, which is inherently variable.
- The AEMO’s draft 2024 Integrated System Plan (ISP) forecasts that there will be a demand for 82 GW of utility-scale wind and solar in the National Electricity Market by 2034-35, and 126 GW by 2049-50. The ISP highlights the need for different forms of storage to support this growth, by providing storage of varied depths and technologies to time-shift electricity supply and smooth out peaks and troughs in renewable generation.
- Battery storage, such as this one, provide ‘firming capacity’ by contributing to dispatchable energy availability during peak energy demands or when renewable production is low.
- Importantly, the project would also contribute to energy security and reliability by providing frequency control ancillary services, meaning the project would contribute to energy supply.

### **Biodiversity**

- The site has historically been used for agricultural purposes.
- The project would result in the loss of a maximum 8.79 ha of native vegetation of a quality requiring offsets, comprising PCT 266 – White Box grassy woodland which is associated with the critically endangered White Box – Yellow Box – Blakely’s Red Gum grassy Woodland ecological community. Although this vegetation conforms to the *Biodiversity Conservation Act 2016* (BC Act) listing, it does not meet the critically endangered condition thresholds listed under the *Environmental Protection and Biodiversity Conservation Act 1999*. Up to seven hollow-bearing trees would also be removed.

- 
- The project requires a total of 41 ecosystem credits to compensate for impacts on native vegetation and species habitat. An additional 92 species credits are required to offset the residual impacts of the project for the Superb Parrot (56 credits) and Pink-tailed Legless Lizard (36 credits) under the BC Act and would be retired in accordance with the NSW Biodiversity Offset Scheme.
  - The amended application included additional land along Twelve Mile Road which will be required for the road upgrades. However, these road upgrades are located along the new realignment of Twelve Mile Road as approved under the Uungula Wind Farm Consent (SSD 6687). The intersection upgrade assessment of Uungula identified that the area was dominated by exotic vegetation with no native vegetation present, and no biodiversity offsets required.
  - The Department has recommended conditions of consent to prepare and implement a Biodiversity Management Plan to manage and minimise impacts to biodiversity values within the project site.
  - Noting the above, the Department and BCS consider the project is unlikely to result in a significant impact on biodiversity values.

## Noise and Vibration

- One public submission commented about potential noise impacts to R15, a non-associated residential receiver located 1.1 km west of the site. An additional residential receiver (R1) is located adjacent to the new site entry and has signed an agreement with AMPYR/Shell to accept any construction and operational noise impacts.
- Noise generated by construction activities is predicted to exceed the 45 dB(A) noise management level at over half of non-associated residential receivers under the EPA's *Interim Construction Noise Guideline* (DECC, 2009) (ICNG) by 1 to 2 dB(A) during stage 1 of construction which would extend for approximately 6 to 12 months. Compliance is predicted at all non-associated receivers during stages 2 and 3 of construction.
- The proposed exceedance of 1 to 2 dB(A) during stage 1 construction works is predicated on a worst-case scenario of all plant operating concurrently. However, AMPYR/Shell has committed to implementing construction noise mitigation measures in accordance with the ICNG which would avoid this scenario occurring. The Department therefore considers the proposed exceedances are acceptable as they are minor, relate to daytime construction and can be mitigated through standard construction noise management measures.
- AMPYR/Shell propose to construct a 4 m high acoustic barrier around the BESS compound to manage operational noise impacts. This would result in operational noise levels complying with minimum noise criteria, under the *NSW Noise Policy for Industry* (EPA, 2017) (NPfI), at all non-associated residential receivers, except R15. The proposed potential exceedance at R15 would be 1 dB(A) during the evening period only.



- 
- The Department notes R15 is in an elevated location relative to the site which reduces the effectiveness of the proposed acoustic barrier to this receiver. However, the NPfl states that where reasonable and feasible noise mitigation measures have been applied, residual noise levels of less than 2 dB(A) are considered negligible as they would not be discernible by the average listener and do not warrant receiver-based treatments or controls. The Department considers reasonable and feasible noise mitigation measures have been applied by AMPYR/Shell in this instance and the minor evening operational noise exceedance of 1 dB(A) to R15 is acceptable.
  - Impacts would be managed through noise monitoring, with results informing appropriate noise mitigation measures if required, ensuring compliance with the conditions of consent.
  - Traffic noise levels at the most affected non-associated residences along the surrounding roads are predicted to be below the relevant criteria within the NSW *'Road Noise Policy'*.
  - No vibration impacts are predicated at any vibration sensitive receivers.
  - With the implementation of the above measures, the Department considers that construction and operational noise can be appropriately managed and would not impact the amenity of the locality.

---

## Heritage

- Site surveys undertaken in consultation with Registered Aboriginal Parties (RAPs) identified no Aboriginal sites or areas with subsurface potential. Although there is one documented Aboriginal site within the project site, it could not be located in its recorded location during the survey and was likely recorded in error.
- The amended application introduced additional land along Twelve Mile Road which will be required for the road upgrades. However, these road upgrades are located along the new realignment of Twelve Mile Road as approved under the Uungula Wind Farm Consent (SSD 6687). The intersection upgrade assessment of Uungula surveyed the area and found no heritage items.
- AMPYR/Shell has committed to preparing an Aboriginal Cultural Heritage Management Plan (ACHMP) in consultation with RAPs and Heritage NSW to manage existing sites and unknown finds.
- The site does not contain any items of historical heritage significance. The closest local heritage items include Nanima homestead and Nanima Village, located approximately 1 km to the west.

- 
- Although the proposal will be visible from the Nanima homestead, no concerns were raised by Council.
  - Noting the above, the Department and Heritage NSW consider the project would not significantly impact the heritage values of the locality.

## Land Use

- The site adjoins the existing Wellington substation and has been historically used for grazing.
- The area surrounding the site is characterised by open cleared pastures and areas of remnant vegetation interspersed with infrastructure associated energy production or distribution.
- A land and soil capability assessment determined the site is almost entirely Class 6 (low capability land) with 0.9 ha of Class 3 (high capability land) located within the development footprint. The Class 3 land is also designated as Biophysical Strategic Agricultural Land (BSAL).
- The Class 3 land/BSAL is limited to the northern portion of the site containing the existing and proposed site access track, the proposed washdown bay and a portion of the proposed temporary construction laydown area. There is no Class 3 land/BSAL located within the area of the proposed BESS.
- Given the main portion of the Class 3 land/BSAL to be impacted by the project is already impacted by the existing access track and DPI Agriculture have raised no concerns, the Department considers this impact to be negligible and acceptable.
- The Department considers the project is suitable within the land use context of the locality, that it aligns with the objectives of the *Central West and Orana Regional Plan 2041*, and it would not detract from the character of the area.
- The Department considers that the project is suitable within the land use context of the locality and subject to the implementation of proposed mitigation measures would not detract from the character of the area or result in any land use conflicts.

## Hazards

### Hazard Analysis

---

- 
- AMPYR/Shell's Preliminary Hazard Analysis (PHA) considered risk associated with transport and storage of dangerous goods, as well as operation of the battery itself, in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6, "Hazard Analysis"* (HIPAP No. 6), and *Multi-Level Risk Assessment*.
  - All potential risks at the site boundary would not exceed the acceptable risk criteria.
  - AMPYR/Shell would be required to prepare a Fire Safety Study prior to commissioning.
  - The Department considers that the hazard risk for the project can be managed subject to the recommendations of the PHA and recommended conditions of consent.
  - The project would comply with the *International Commission on Non-Ionizing Radiation Protection (ICNIRP)* guidelines for electric, magnetic and electromagnetic fields.

#### Bushfire Risk

- The site is located within Category 1 and Category 2 mapped bushfire-prone land. To actively manage risk, an asset protection zone would be established and maintained.
- Internal access roads would be established in accordance with the RFS' *Planning for Bushfire Protection 2019* and *Standards for Asset Protection Zones*.
- Noting the above, the Department, FRNSW and RFS consider the fire and hazard risks are manageable, subject to the preparation of a Fire Safety Study and Emergency Plan.

#### Contamination

- Site investigation found the risk of contamination at the site or along the proposed transmission route is unlikely and no further assessment or remediation is required.
- Residual risks would be managed with the implementation of an unexpected finds procedure.

#### **Cumulative impacts**

- 
- Several renewable energy projects are located within the vicinity of the site, including Wellington Solar Farm (operational), Wellington North Solar farm (under construction), Maryvale Solar Farm (construction has not commenced), Orana BESS (under assessment) and Uungula Wind Farm (early works commenced).
  - In the event that construction periods of the projects overlap, increased traffic numbers and associated noise emissions may be experienced on Goolma Road and Twelve Mile Road. However, these roads have capacity to accommodate the increased traffic (see Section 5.1.2).
  - Given the distance between the site and other renewable energy projects, it is unlikely that the projects would affect the same sensitive receivers. The Department notes that the assessment of cumulative operational noise levels for the proposed Orana BESS predicts compliance with the relevant criteria under all scenarios. As such, there are no anticipated cumulative noise and vibration impacts from the construction and operation of the BESS and associated infrastructure. In addition, there would be no cumulative visual impacts as the projects are too separated to be viewed simultaneously.
  - Noting the above, the Department considers there would not be any significant cumulative impacts from the proposed and nearby projects.

## Social and Economic

- The project would generate direct and indirect benefits to the local and broader community, including:
  - around \$545 million capital investment into the NSW economy;
  - up to 100 construction jobs and 2 operational jobs;
  - the procurement of goods and services by AMPYR/Shell and associated contractors, noting AMPYR/Shell's preference to source workers locally whenever possible;
  - AMPYR/Shell has demonstrated the local area holds sufficient accommodation to house the construction workers not already residing in the LGA, noting that the peak construction period is a relatively short period of time; and
  - staged payments have been offered to Council with a total estimated total value of \$2.45 million for community enhancement projects through a VPA.
- Noting the above, the Department considers that the project would have a positive socio-economic impact on the local community



## Visual

- One public submission from R15 (1.1 km to the west) commented about potential visual impacts.
- The landscape around the site is characterised by undulating open cleared pastures and areas of remnant vegetation interspersed with infrastructure associated with energy production, including the Wellington Solar Farm and the Wellington substation.
- Visual impacts on all non-associated residences were assessed as being low with the exception of R15 which was predicated as being a moderate impact. However, this would be reduced to a low impact after mitigation through proposed landscaping around the BESS compound. The proposed landscaping would also screen the proposed 4 m high acoustic barriers (see Figure 2). The Department considers the potential impacts on R15 would be low impact.
- In addition, there would be low visual impacts from public viewpoints of the project from surrounding roads, including Goolma Road and Twelve Mile Road.
- All night lighting used for security and safety purposes would be directed away from the surrounding road network and neighbouring properties.
- Subject to measures within the EIS and the recommended conditions of consent, the Department considers the visual impacts are acceptable and would not fundamentally change the broader landscape characteristics of the area or result in any significant visual impacts on the surrounding non-associated residences.

## Subdivision

- AMPYR/Shell proposes to subdivide the BESS footprint from the existing 458 ha site.
- As the proposed new lot would be below the minimum lot size of 400 ha, it is prohibited under a strict reading of the LEP. Notwithstanding, under Section 4.38(3) of the EP&A Act, development consent for the project as a whole can be granted despite the subdivision component of the application being prohibited by the LEP.
- Dubbo Shire Council commented that the proposed lot would be prohibited under the LEP controls.
- The Department is satisfied that the subdivision should be approved as it:
  - is necessary for the operation of the BESS and onsite substation;

- 
- would not result in any additional dwelling entitlements on the subdivided lots; and
  - is consistent with the key objectives of the RU1 zone as it would encourage diversity and primary industry enterprises and minimise conflict between land uses.

## Water

- The site lies predominately within the catchment of an ephemeral second order watercourse, a tributary to the Macquarie River located immediately upstream of the township of Wellington (see Figure 1).
- The location of the BESS is not subject to flooding. AMPYR/Shell proposes to manage stormwater on-site through an existing watercourse west of the substation. No stormwater would be discharged through adjacent properties.
- Water quality impacts during construction would be managed by erosion and sediment control measures.
- AMPYR/Shell propose to connect the project to the Council water supply network for construction and retain the connection for operational use. Council did not raise any concerns to AMPYR/Shell utilising this supply.
- The project is not expected to affect groundwater resources or groundwater dependent ecosystems. However, to supplement rainwater, groundwater may be sourced from an existing landholder bore, subject to approvals, for irrigation of the landscape screening during operation.
- DPE Water raised no concerns but identified that if bore use is required, the necessary yields, quality and potential impacts on the water source and water users be considered as part of the required future approval process.
- Noting the above, the Department considers that the project would not result in significant impacts on water resources.

## Waste

- Waste generated during construction would be managed in accordance with an adopted waste management plan and the waste hierarchy approach of avoidance and reuse before consideration is given to disposal.
- Operational waste would be limited to materials such as packaging associated with plant maintenance and replacement and general waste from site staff.

- 
- Batteries within the operational phase and decommissioning phase, would be returned to the supplier for repurposing or appropriate disposal at an appropriately licensed waste/recycling facility.
  - Noting the above, the Department considers the waste generated by the project would be appropriately managed by AMPYR/Shell's commitments and the Department's recommended conditions.
-

## 6 Evaluation

The Department has assessed the development application, EIS, Submissions Report and Amendment Report, along with agency advice. The Department has also considered the objectives and relevant considerations under section 4.15 of the EP&A Act.

The Department considered the submissions made through the exhibition of the project and the issues raised by the community and agencies during consultation including potential traffic, biodiversity, fire/hazard risk and amenity impacts. These matters have been addressed through changes to the project commitments and the recommended conditions of consent.

The project is permissible with consent in accordance with the Transport and Infrastructure SEPP. Much of the land has been historically cleared of native vegetation for grazing.

The project has been designed to avoid and minimise environmental impacts, including traffic safety, impacts on biodiversity values, noise and visual impacts to receivers, disturbance to Aboriginal and historic heritage sites, hazards and safety and land use conflicts. The Department considers that any residual impacts would be minor and could be managed through the recommended conditions of consent.

Furthermore, AMPYR/Shell has committed to a suite of design measures and controls including maintaining asset protection zones to minimise bushfire and fire risk, and committing to installing and maintaining technological controls and fire-fighting equipment on site.

The project would also provide flow-on benefits to the local community, including up to 100 construction jobs and a capital investment of \$545 million. A VPA involving total payments to Council of up to \$2.45 million is also proposed.

On balance, the Department considers the site to be appropriate for the project. In addition, the project would provide an additional and substantial investment towards improving the reliability of the energy network, would provide storage and firming capacity to the National Energy Market, and would provide additional services to assist grid stability, including frequency control ancillary services.

Accordingly, the Department considers that the benefits of the project outweigh its residual cost and that the project is in the public interest and is approvable, subject to conditions.

# 7 Recommendation

It is recommended that the Director, Energy Assessments, as delegate of the Minister for Planning and Public Spaces:

- considers the findings and recommendations of this report;
- accepts and adopts the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- agrees with the key reasons for approval listed in the notice of decision;
- grants consent for the application in respect of Wellington South Battery Energy Storage System (SSD 27014706) as amended, subject to the conditions in the attached development consent; and
- signs the attached development consent (Appendix G).

Recommended by:



22/12/2023

Jai Reid  
Principal Planner  
Energy Assessments

Recommended by:

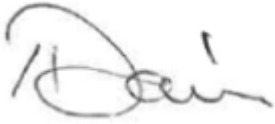


22/12/2023

Andy Nixey  
Team Leader  
Energy Assessments

## 8 Determination

The recommendation is adopted/~~not adopted~~ by:



22/12/2023

Iwan Davies

Director

Energy Assessments



# Appendices

## Appendix A – Environmental Impact Statement

## Appendix B – Additional Information

## Appendix C – Submissions and Government Agency Advice

## Appendix D – Submissions Report

## Appendix E – Amendment Report

Appendices A to E available at: <https://www.planningportal.nsw.gov.au/major-projects/projects/wellington-south-battery-energy-storage-system>

## Appendix F – Statutory Considerations

In line with the requirements of Section 4.15 of the EP&A Act, the Department's assessment of the project has given detailed considerations of a number of statutory requirements. These include:

- the objects found in Section 1.3 of the EP&A Act; and
- the matters listed under Section 4.15(1) of the EP&A Act, including applicable environmental planning instruments and regulations.

The Department has considered all these matters in its assessment of the project and has provided a summary of this assessment below.

### Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 1** below.

**Table 1 | Objects of the EP&A Act and how they have been considered**

Aspect	Summary
<p><b>Objects of the EP&amp;A Act</b></p>	<p>The objects of most relevance to the Minister’s decision on whether to approve the project are found in Section 1.3(a), (b), (c), (e) and (f) of the EP&amp;A Act.</p> <p>The Department considers the project encourages the proper development of natural resources (Object 1.3(a)) and the promotion of orderly and economic use of land (Object 1.3(c)), particularly as the project:</p> <ul style="list-style-type: none"> <li>• is a permissible land use on the subject land;</li> <li>• is located in a logical location for efficient energy storage adjacent to a substation;</li> <li>• is able to be managed such that the impacts of the project could be adequately minimised, managed, or at least compensated for, to an acceptable standard;</li> <li>• would contribute to a more diverse local industry, thereby supporting the local economy and community;</li> <li>• would not fragment or alienate resource lands in the LGA; and</li> <li>• is consistent with the goals of NSW’s <i>Climate Change Policy Framework</i> and <i>Net Zero Plan Stage 1: 2020 – 2030</i> and would assist in meeting Australia’s renewable energy targets whilst reducing greenhouse gas emissions.</li> </ul> <p>The Department has considered the encouragement of ESD (Object 1.3 (b)) in its assessment of the project. This assessment integrates all significant socioeconomic and environmental considerations and seeks to avoid any potential serious or irreversible environmental damage, based on an assessment of risk weighted consequences.</p> <p>In addition, the Department considers that appropriately designed SSD energy storage development, in itself, is consistent with many of the principles of ESD. AMPYR/Shell has also considered the project against the principles of ESD. Following its consideration, the Department considers that the project can be carried out in a manner that is consistent with the principles of ESD.</p> <p>Consideration of environmental protection (Object 1.3(e)) is provided in <b>Section 5</b> of this report. Following its consideration, the Department considers that the project could be undertaken in a manner that would at least maintain the biodiversity values of the locality over the medium to long term and would not significantly impact threatened species and ecological communities of the locality. The Department is also satisfied that any residual biodiversity impacts could be managed and/or mitigated by imposing appropriate conditions and retiring the required biodiversity offset credits.</p> <p>Consideration of the sustainable management of built and cultural heritage (Object 1.3(f)) is also provided in <b>Section 5</b> of this report. Following its consideration, the Department considers the project would not significantly impact the built or cultural heritage of the locality, and any residual impacts can be managed and/or mitigated by imposing appropriate conditions.</p>
<p><b>State significant development</b></p>	<p>Under Section 4.36 of the EP&amp;A Act, the project is considered a State Significant Development.</p> <p>The Minister for Planning is the consent authority for the development. Under the Minister’s delegation of 9 March 2022, the Director, Energy Assessments, may determine the project.</p>

Aspect	Summary
<b>Environmental Planning Instruments (EPIs)</b>	<p>The <i>Dubbo Regional Local Environment Plan 2022</i> (LEP) applies and is discussed in Section 3 of this report, particularly regarding permissibility and land use zoning. While the proposal would be prohibited under the LEP, it is permissible under clause 2.36 of the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP).</p> <p>In accordance with the Transport and Infrastructure SEPP, the Department has given written notice of the project to Transgrid as the electricity supply authority and TfNSW.</p> <p>AMPYR/Shell completed a preliminary risk screening in accordance with the Resilience and Hazards SEPP and confirmed the project observed no offsite impacts and that the project does not exceed the acceptable risk criteria.</p> <p>The Department has considered the remediated land provisions of the Resilience and Hazards SEPP. The site is not listed as a contaminated site in the NSW EPA Contaminated Land Record and list of NSW Contaminated Sites. Given the site has historically been used for agricultural land uses, the Department considers the site would be suitable for the proposed development.</p>

## Appendix G – Recommended Instrument of Consent

<https://www.planningportal.nsw.gov.au/major-projects/projects/wellington-south-battery-energy-storage-system>

## Appendix H – Notice of Decision

<https://www.planningportal.nsw.gov.au/major-projects/projects/wellington-south-battery-energy-storage-system>