Premise

ACENERGY PTY LTD

Scoping Report

APSLEY BATTERY ENERGY STORAGE SYSTEM

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1. INTRODUCTION

1.1 Overview

ACEnergy Pty Ltd (The Applicant) is proposing to develop an approximately 160 Megawatt AC (MW_{AC}), 640 Megawatt Hours (MWh) Battery Energy Storage System (BESS). The site is in the Dubbo Regional Council (DRC) Local Government Area (LGA) (former Wellington LGA) within the Central West-Orana Renewable Energy Zone, approximately ten kilometres south of the town of Wellington (refer to **Figure 1**). The project is to be known as the Apsley BESS.

The subject site is known as 9010 Mitchell Highway, Apsley (Lot 3 DP1012686 and Lot 107 DP756920, as well as the Crown Road reserve between the two lots). The site has an area of approximately 18.34 hectares (ha) and the proposed project has a development area of approximately 6 ha. The site is currently part of a larger holding of approximately 140.8 ha formed of seven (7) individual lots.

This scoping report has been prepared by Premise to support a request to Department of Planning, Industry and Environment (DPIE) for the Secretary's Environmental Assessment Requirements (SEARs). The Apsley BESS includes:

- A new driveway from Mitchell Highway leading to a gated entry to the BESS site;
- Security fencing around the BESS with two rows of landscaping external to the western, northern, and southern fences;
- Permanent carpark and temporary (construction) loading zone adjoining the western security fence;
- 40-foot battery containers, separated into blocks;
- 40-foot inverter and MPVS containers, separated into rows;
- A 132kV switching station in the south-eastern corner of the BESS site; and
- Underground or overhead 132 kV sub-transmission lines to connect the BESS to the existing powerlines to the east.

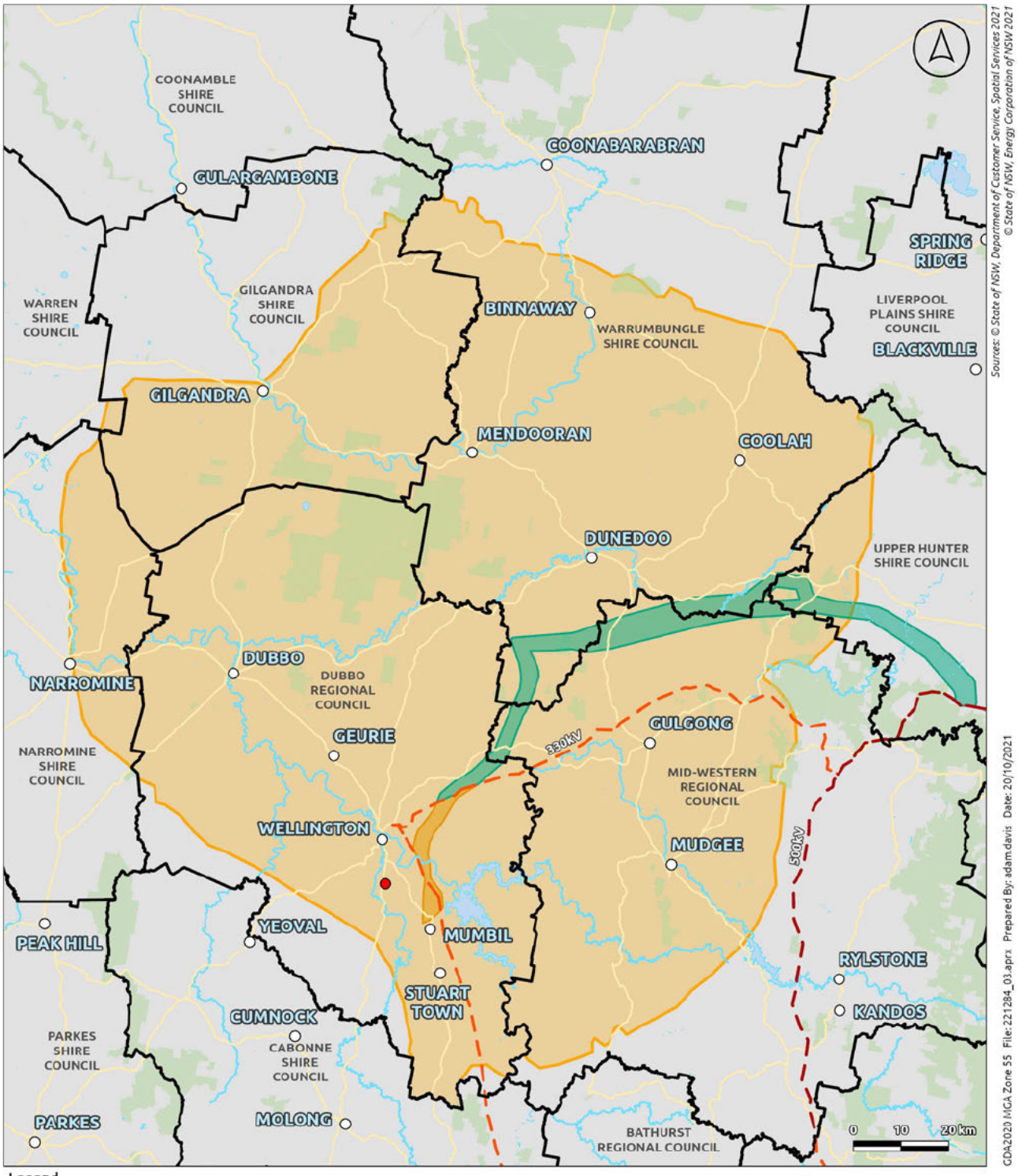
The proposed Apsley BESS, associated infrastructure and development footprint will largely align with, and be contained within, the development area shown in **Figure 4**. The layout of the BESS and associated infrastructure will be detailed in the Environmental Impact Statement (EIS) for the project.

The site is currently used for grazing and cropping. An associated dwelling is in the northern portion of Lot 2 DP 1012686 and a farm building in the eastern portion of Lot 3 DP 1012686. There are no existing approvals applying to the site.

The project is State Significant Development (SSD) under the *State Environmental Planning Policy (State and Regional Development) 2011* and the applicable consent authority for the proposal is the NSW Minister for Planning or the Minister's delegate.

The SEARs will inform the preparation of an Environmental Impact Statement (EIS) in support of a State Significant Development (SSD) application submitted under Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act).

Figure 1 – Site within the Central West-Orana Renewable Energy Zone



1.2 Applicant

The proponent for the Apsley BESS is ACEnergy Pty. Ltd (ABN: 89 628 883 447). The address of ACEnergy is Suite 502, 689 Burke Road, Camberwell VIC 3124. ACEnergy specialises in Renewable Energy Development and Engineering Procurement and Construction (EPC).

Their solution includes but is not limited to Site Acquisition, Development Application, Engineering Design, Grid Studies, Connection Application, Procurement Arrangement, International and Domestic Logistics, Civil, Mechanical and Electrical installation, HV Switching, SCADA control, and full Project Management from project planning to practical completion and handover.

ACEnergy has delivered a number of solar farm projects, predominantly in Victoria. These include solar farms at Stanhope, Girgarre, Numurkah, Katamatite, Echuca, Robinvale and Derby. ACEnergy has recently received approval from the Victorian Department of Environment, Land, Water and Planning (DELWP) for two BESS sites, including one 100MW BESS at Terang and one 250MW BESS at Gnarwarre.

1.3 Planning Framework

Under the applicable local environmental plan, the *Wellington Local Environmental Plan 2012* (WLEP), the site is zoned RU1 Primary Production (refer to **Figure 2**). The proposed BESS is defined as electricity generating works under the WLEP, being:

> *a building or place used for the purpose of—*
>
> *(a) making or generating electricity, or*
>
> *(b) electricity storage.*

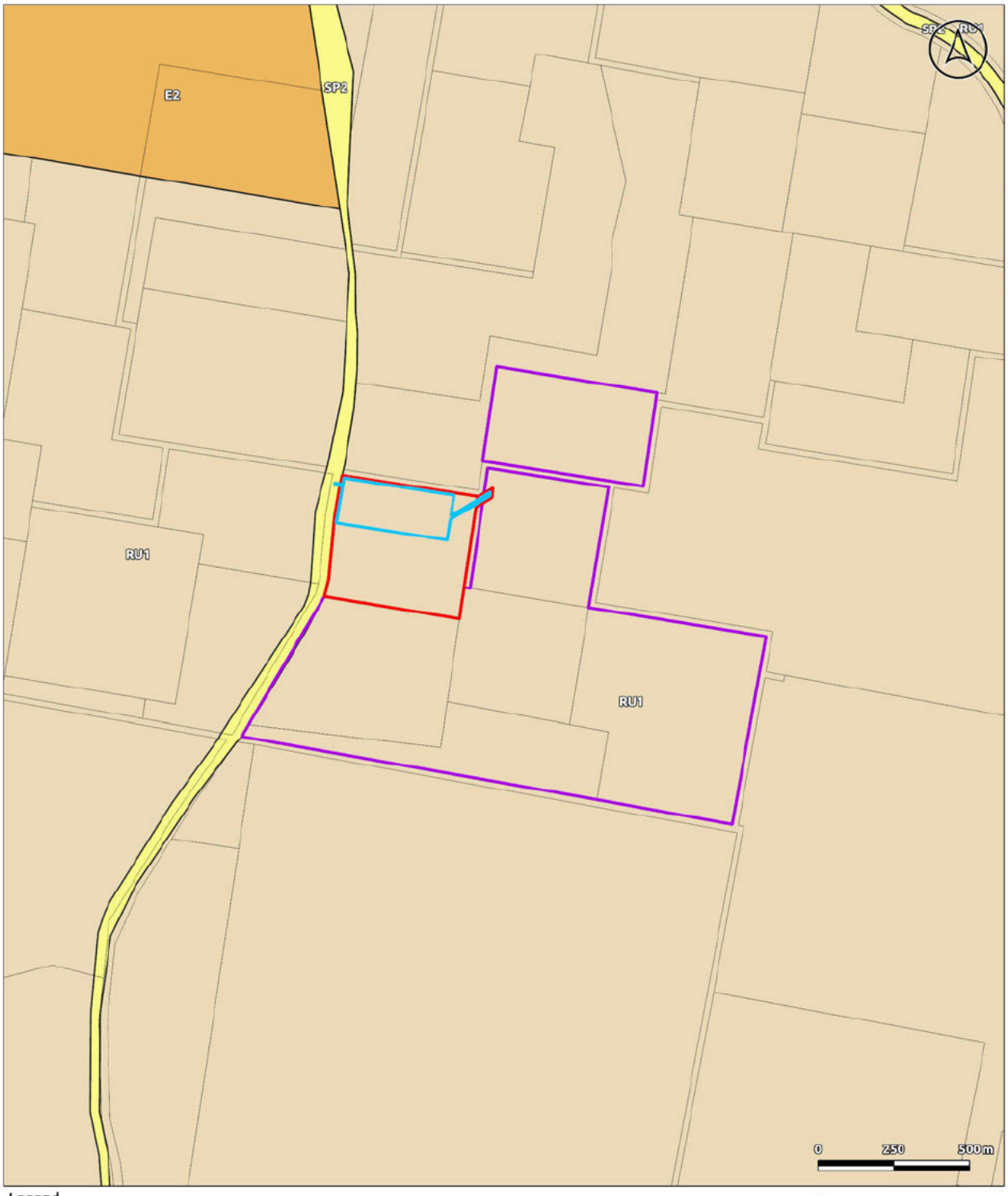
Electricity generating works are prohibited in the RU1 Primary Production zone applying to the site under the WLEP. Nevertheless, the development is permitted with consent on the following grounds:

- Under Section 8 of the Infrastructure SEPP, where there is an inconsistency between the Infrastructure SEPP and another environmental planning instrument, the Infrastructure SEPP prevails (with few exceptions, none of which are relevant to this application);
- Section 34(1)(b) of the Infrastructure SEPP provides that electricity generating works may be carried out by any person with consent in a prescribed rural, industrial or special use zone (the RU1 Primary Production zone is a prescribed rural zone).

The proposed development is SSD on the following grounds:

1. Section 4.36(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides that a State Environmental Planning Policy may declare any development, or any class or description of development, to be State significant development.
2. Section 8(1) of *State Environmental Planning Policy (State and Regional Development) 2011* (the State and Regional Development SEPP) provides that development is declared to be State significant for the purposes of the Act if:
    a. the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act:
    b. The development is specified in Schedule 1 or 2 of the SEPP.

Figure 2 – Land Use Zoning



In relation to 2(a) above: The proposed development satisfies Section 8(1)(a) of the State and Regional Development SEPP on the grounds that it is permitted with consent under Section 34(1)(b) of State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP).

In relation to 2(b) above: The proposed development satisfies Section 8(1)(b) of the State and Regional Development SEPP on the grounds that it is for the purposes of electricity generating works that has a capital investment value of more than $30 million in accordance with Section 20 of Schedule 1 of the SEPP.

1.4 Report Structure

The report is structured as follows:

- **Section 1** introduces the development site, its location, the proposed project, and the planning framework.
- **Section 2** details the development's strategic and local context and provides an analysis of the site.
- **Section 3** provides a description of the proposed development and alternative options considered.
- **Section 4** provides an assessment of the preferred option against the planning framework.
- **Section 5** provides details of completed and proposed engagement.
- **Section 6** provides a summary of the assessment of project impacts

2. STRATEGIC CONTEXT

2.1 Policy

2.1.1 NSW 2021 PLAN (NSW GOVERNMENT 2011) AND RENEWABLE ENERGY ACTION PLAN (NSW GOVERNMENT 2013)

The NSW 2021 plan, released in 2011, sets state-wide priorities for action and guides resource allocation. Goal 22 of this plan seeks to protect the natural environment and includes a specific target to increase renewable energy. The plan states:

> *We will contribute to the national renewable energy target by promoting energy security through a more diverse energy mix, reducing coal dependence, increasing energy efficiency and moving to lower emission energy sources. Specific initiatives include:*
>
> - *Building the Moree solar power plant in partnership with the Commonwealth Government under the Solar Flagship Program*
> - *Establishing a Joint Industry Government Taskforce to develop a Renewable Energy Action Plan for NSW to identify opportunities for investment in renewable energy sources.*

Since release of the 2021 plan, the NSW Government has overseen the development of the NSW Renewable Energy Action Plan (REAP). The vision of the plan is a 'secure, affordable and clean future for NSW'. Goal 1 of the REAP is to attract renewable energy investment, including to 'support mid-scale solar PV to enable an uptake of solar technologies where they are most cost effective'.

The proposed BESS sits comfortably within this state-led objective and is consistent with the goal and intent of the REAP. Large scale battery systems represent a fundamental component of the REAP, facilitating greater

flexibility in electrical generation and stabilising the grid such that further deployment of renewables can be made possible.

Through assisting the expansion of renewable forms of electrical generation, the proposed BESS further supports the *NSW Government's Climate Change Policy Framework* (NSW, 2016). This framework is committed to effective action on climate change, outlining long term objectives to achieve net-zero emissions by 2050 and to make New South Wales more resilient to a changing climate. The achievement of net zero emissions by 2050 is reliant on transitions towards more sustainable and renewable forms of electrical production.

The project supports this objective by improving the reliability and stability of the electrical grid. The ability of the proposed BESS system to balance electrical demand and supply assists the management of variations in electrical demand and supply which are expected to increase with transitions to more sustainable and renewable forms of electrical production. The proposed development is consequently consistent with the objective of the *NSW Government's Climate Change Policy Framework* (NSW, 2016), supporting transitions toward lower emissions and improving the resilience of NSW to a changing climate.

2.1.1 NSW ELECTRICITY STRATEGY (NSW GOVERNMENT 2019)

The NSW Electricity Strategy 2019 is a state-wide plan to ensure a reliable, affordable and sustainable electricity future. The purpose of the NSW Electricity Strategy is to:

> *Improve the efficiency and competitiveness of the NSW electricity market and encourage investment in new price reducing generation and energy saving technology.*

The strategy is underpinned by the following four important principles:

- *New market-driven electricity generation should drive down prices and help protect the environment. This is because firmed renewables are the cheapest form of new reliable generation and cheaper than the current wholesale price*
- *As electricity is an essential service, state and Commonwealth governments are ultimately responsible for reliable electricity*
- *Government action should limit costs to households, businesses and taxpayers*
- *Government action should be consistent with the nature of the national electricity system and NSW policy objectives.*

In relevance to meeting the State's Energy Security Target the Electricity Strategy also states that:

> *NSW is projected to experience its tightest reserve conditions in 2023-2024 after the Liddell power station closes in April 2023.*

The proposed BESS project supports the objectives of NSW Electricity Strategy, improving the reliability and affordability of electricity through its ability to balance electrical supply and demand. Large-scale energy storage is a core component of the NSW Electricity Strategy due to its ability to enhance the dispatchability of renewable energy generation and provide firming capacity to the broader NSW market.

2.1.2 NSW ELECTRICITY INFRASTRUCTURE ROADMAP (DPIE 2020)

The NSW Electricity Infrastructure Roadmap 2020 is a state-wide plan to transition the existing electricity sector to be cheaper, cleaner and more reliable. Enabled by the Electricity Infrastructure Investment Act 2020 (NSW) the roadmap compliments the objectives of the NSW Electricity Strategy 2019 through planning a reliable affordable and sustainable electricity future. The roadmap builds on the NSW Transmission Infrastructure Strategy 2018 and supports the implementation of the Australian Energy Market Operators Integrated System Plan, setting out a plan to deliver five Renewable Energy Zones (REZ) in the Central-West Orana, New England, South-West, Hunter-Central Coast and Illawarra regions. Establishing REZ's will be vital for delivering affordable and reliable energy generation, helping to replace the states existing power stations as they reach the end of their operation and scheduled closure.

The roadmap identifies five foundational pillars:

1. *Driving investment in regional NSW: supporting our regions as the State's economic and energy powerhouse.*
2. *Delivering energy storage infrastructure: supporting stable, long-term energy storage in NSW.*
3. *Delivering Renewable Energy Zones: coordinating regional transmission and renewable generation in the right places for local communities*
4. *Keeping the grid secure and reliable: backing the system with gas, batteries or other reliable sources as needed.*
5. *Harnessing opportunities for industry: empowering new and revitalised industries with cheap, reliable and low emissions electricity.*

The NSW Government is in the early development phase for the State's first REZ in the Central-West Orana region, around Dubbo and Wellington on the land of the Wiradjuri, Wailwan and Kamilaroi people in which the site is located (refer to **Figure 1**). The Central-West Orana REZ, expected to be shovel-ready by the end of 2022, will unlock a significant pipeline of large-scale renewable energy and storage projects delivering up to 3,000 MW of new network capacity by the mid-2020s, powering up to 1.4 million homes while supporting up to $5.2 billion of private sector investment and around 3,900 construction jobs.

The NSW Government chose the Central-West Orana region because the region benefits from relatively low transmission build costs due to its proximity to the existing backbone transmission network. It also has a strong mix of energy resources and there is significant investor interest.

2.1.1 ENERGY SECURITY SAFEGUARD (NSW GOVERNMENT 2020)

The Energy Security Safeguard is part of the NSW Electricity Strategy and legislation to establish the Safeguard was passed by Parliament in May 2020 with an objective to improve the affordability, reliability and sustainability of energy through the creation of financial incentives for energy activities.

Under the Electricity Supply Amendment (Peak Demand Reduction Scheme) Regulation 2021, the Government will establish a new Peak Demand Reduction Scheme (PDRS) to support activities that reduce demand at peak times, including flexible demand response.

Coupled with the Energy Saving Scheme (ESS), the PDRS is expected to deliver a net economic benefit for New South Wales of $1.2 billion.

The proposed BESS project supports the objectives of the Energy Security Safeguard by providing capacity to reduce peak demand during summer periods and assists NSW in meeting its peak demand reduction targets, especially with the scheduled closure of Liddell Power Station in 2023.

2.1.2 CENTRAL WEST AND ORANA REGIONAL PLAN 2036 (DPE 2016)

The Central West and Orana Regional Plan 2036 is the NSW Government's strategy for guiding land use planning decisions for the Orana Region for the next 20 years. The plan sets the vision for the region as *The most diverse regional economy in NSW with a vibrant network of centres leveraging the opportunities of being at the heart of NSW.* The vision is supported by four regionally focussed goals and associated directions. The following directions are relevant to the proposed development:

- *Goal 1 – The most diverse regional economy in Australia*
  - *Direction 9 – Increase renewable energy generation*
  - *Direction 12 - Plan for greater land use compatibility*
- *Goal 2 – A stronger, healthier environment and diverse heritage*
  - *Direction 13 – Protect and manage environmental assets*
  - *Direction 15 – Increase resilience to natural hazards and climate change*
  - *Direction 16 – Respect and protect Aboriginal heritage assets*
- *Goal 3 – Quality freight, transport and infrastructure networks*
  - *Direction 21 – Coordinate utility infrastructure investment*
- *Goal 4 – Dynamic, vibrant and healthy communities*
  - *Direction 23 – Build the resilience of towns and villages*

The project supports renewable energy generation in the region and is considered to be generally consistent with Goal 1, and particularly Direction 9, of the Regional Plan.

2.1.3 DUBBO LOCAL STRATEGIC PLANNING STATEMENT (DRC 2020)

In accordance with Section 3.9 of the EP&A Act, the DRC adopted the *Dubbo Local Strategic Planning Statement* (LSPS) in June 2020. It establishes 20 Planning Priorities under the themes of Infrastructure, Economy, Housing, Liveability and Sustainability. The following are relevant to the proposed development:

- Planning Priority 1: Plan for the delivery of infrastructure to support growth
- Planning Priority 3: Promote renewable energy generation
- Planning Priority 18: Develop resilience to climate change
- Planning Priority 19: Create an energy, water and waste efficient city

The project will support planning priorities 1, 3, 18 and 19 through the provision of improved resilience and reliability within the energy network.

2.2 Local Context

As shown in **Figure 3**, the site is located within a rural environment with a frontage to the Mitchell Highway to the west. The site is located approximately 10 kilometres to the south of the town of Wellington, NSW and within the Dubbo Regional (DR) LGA. Wellington is one of the two major population centres within the DR LGA. As per the 2016 census, the town of Wellington has a population of 4,519 persons and the city of Dubbo has a population of 33,339. People residing in the town of Wellington are employed across a range of industries, with the community and personal services workers sector being the largest employment industry.

The Wellington central business district is located approximately 9.1 km to the north of the subject site and accommodates a range of businesses and facilities. The township of Wellington is arranged in a generally north-south orientation along the Mitchell Highway. The Mitchell Highway which runs from Bathurst (150 kilometres to the south-east) via Orange (90 kilometres to the south), Molong (55 kilometres to the south), Wellington (ten kilometres to the north of the site), Dubbo (60 kilometres to the north-west) and Bourke (430 kilometres to the north-west) to southern Queensland.

The site connects directly to the Mitchell Highway and an unconstructed Crown road reserve abuts the eastern boundary of the site. To the east of the Crown road reserve are 132 kV aboveground electricity transmission lines.

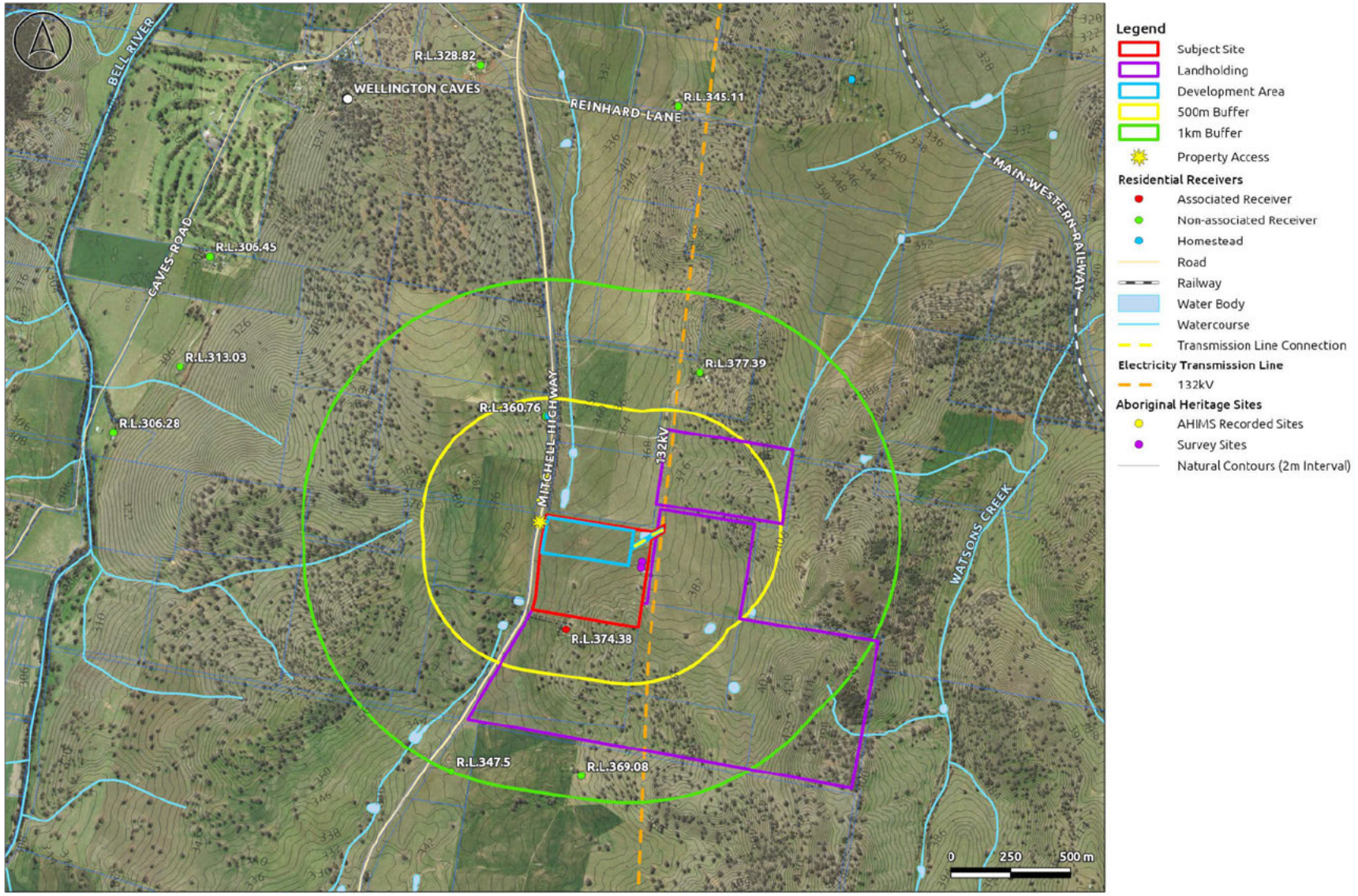
As shown in **Figure 2**, the site is zoned RU1 – Primary Production under the WLEP, as is the alignment of the proposed connecting transmission line to the east.

As shown in **Figure 3**, approximately nine (9) non-associated residential receivers are located within 2 km of the project site. The closest developed non associated receiver is approximately 400 metres to the north. Intervening land is currently in use for grazing purposes. Approximately four kilometres to the north-west of the property are the Wellington Caves, Osawano Japanese Gardens and Wellington Golf Club.

There are no other large scale land uses in the immediate locality. Other electricity generating works projects within the district are the:

- Proposed Mumbil Solar Farm, a 140 MW solar farm, to be located on land to the west of the village of Mumbil, approximately 7 km from the Apsley BESS site. The Mumbil Solar Farm has had SEARs issued and an EIS is currently under preparation.
- Suntop Solar Farm, a 189 MW solar farm to be located on land south of Suntop Road, approximately 13 km from the subject site. The Suntop Solar Farm has received development approval and construction is (in November 2021) complete. Commissioning activities are currently taking place.
- Suntop Solar Farm Stage 2, a 165 MW solar farm to located on land to the west of the Suntop Solar Farm. The project has had SEARs issued and is currently in the prepare EIS phase.
- Uungula Wind Farm proposes the development of up to 97 wind turbines, generating approximately 400 MW of energy, and including a 150 MW (150 MWhour) BESS. The Uungula Wind Farm is located on land to the west of Wellington and approximately 17 km from the subject site. The project is approved, and construction is expected to commence in early-mid 2022.
- Wellington South BESS is a proposed 500 MW (1000 MWhours) BESS to be located on land north of Wellington (approximately 12 km from the subject site). The Wellington BESS has received SEARs and is currently in the prepare EIS phase.
- Wellington Solar Farm, a 200 MW solar farm at Goolma Road, Wuulman, located approximately 12 km from the subject site. Approval for the project has been received and construction commenced in December 2019.

Figure 3 – Local context



- Wellington North Solar Farm, a 400 MW solar farm to be located adjacent to the Wellington Solar Farm. The project has been approved and construction is due to begin shortly. Wellington North Solar Farm is located approximately 14 km from the subject site.

The Apsley BESS site is well separated from sensitive natural features such as rivers or other forms of sensitive landscape. As noted, the surrounding environment contains limited surrounding infrastructure, generally limited to the adjacent Mitchell Highway and the adjacent 132 kV electricity transmission line.

The site is adjacent to an unconstructed Crown road reserve, which will be crossed by the proposed connecting electricity transmission line. Initial contact with NSW Crown Lands has occurred to confirm application submission landowner approval and ongoing licence requirements – refer **Appendix L**.

2.3 Site Description

2.3.1 OVERVIEW

As shown in **Figure 4**, the site has a rectangular shape with a frontage of 404.21 metres to Mitchell Highway and depth of 451 metres for a total area of 18.34 hectares. The site has undulating topography with local highpoint at 392 metres in the south-eastern corner and low point at 365 metres in the north-western corner.

No access points are available directly into the site from the Mitchell Highway under current conditions. The site is currently used for grazing and cropping. A single dwelling house is located in the northern portion of Lot 2 DP 1012686 and a shed in the eastern portion of Lot 3 DP 1012686. A north-south electrical easement runs to the east of the site. There are no existing approvals applying to the site.

Two Exploration and Mining Titles apply to the site, held by Colossus Metals Pty Ltd and Silver City Minerals Ltd. There are no known existing Aboriginal Sites within the site. Nearest groundwater boreholes indicate a standing water level of 20 metres. No watercourses are present within the site, other than an isolated farm dam in the north-eastern corner. Land and soil capability varies between Class 3 and 6.

No native trees or shrubs are present on the site. The land is not impacted by bushfire prone land.

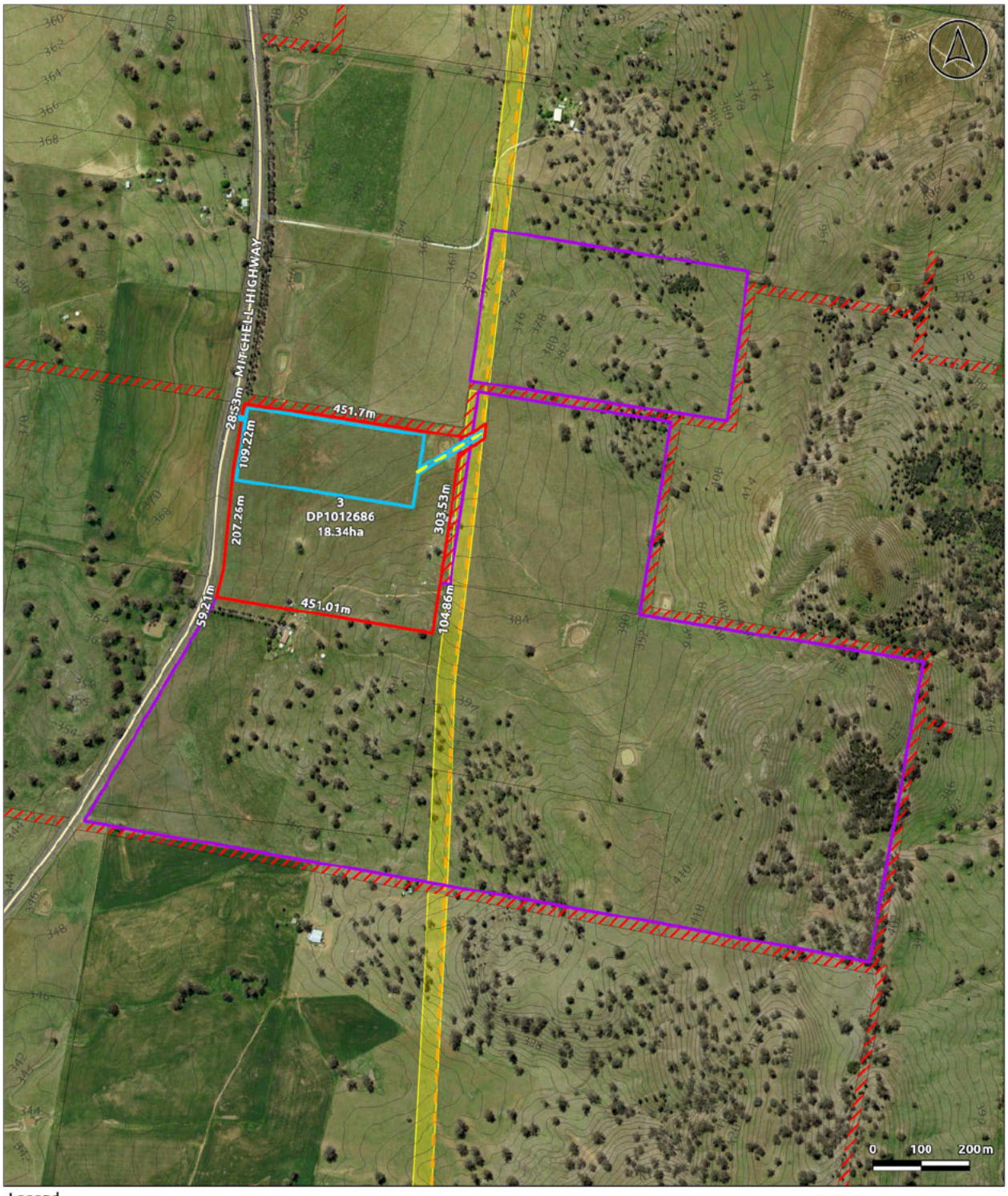
2.3.2 ACCESS

The site does not have access under existing conditions to the Mitchell Highway (Classified Road 7) which runs from Bathurst (approximately 150 kilometres to the south-east) via Orange (approximately 90 kilometres to the south), Molong (approximately 55 kilometres to the south), Wellington (approximately ten kilometres to the north of the site), Dubbo (approximately 60 kilometres to the north-west) and Bourke (approximately 430 kilometres to the north-west) to southern Queensland.

In the vicinity of the site, the Mitchell Highway runs north-south along the site's western frontage with a single lane in both directions and a sign posted speed limit of 100 km/hour in the vicinity of the site. Under current conditions, no access directly into the site is available from the Mitchell Highway. Access to the site under current conditions is via a 160 metre-long driveway leading to the dwelling house in Lot 2 DP 1012686 which forms part of the landholding.

DRC is the roads authority for Mitchell Highway, noting that some of the maintenance functions of the roads authority are adopted by Transport for NSW (TfNSW) due to the classified road status.

Figure 4 – Site analysis and proposed development



2.3.3 EXISTING IMPROVEMENTS

As shown in **Figure 4**, the site is vacant with the exception of farm structures associated with the single storey dwelling house in Lot 2 DP 1012686 and located along the site's eastern boundary. A 132kV transmission line runs in a north-south alignment to the east of Lot 3, traversing Lot 107.

2.3.4 MINING AND EXPLORATION

The site is not located within a Mine Subsidence District. However, as shown in **Figure 5**, the site is located at the intersection of two NSW Exploration and Mining Titles, including:

- EL8735 over the eastern portion of the site, held by Colossus Metals Pty Ltd; and
- EL8971 over the western portion of the site, held by Silver City Minerals Ltd.

Engagement with both entities is discussed in Section 5.

2.3.5 HERITAGE

As shown in **Figure 6**:

- Whilst the site is not identified as an item of Aboriginal or European heritage significance or within a heritage conservation area under the WLEP or State Heritage Register:
  - Locally heritage listed I1 "Wellington Caves" (Limestone/ Phosphate Mine) is located at 97 Caves Road, approximately 880 metres to the north of the site;
  - Locally heritage listed I67 "Camelford Park" is located at 8745 Mitchell Highway, Neurea, approximately 570 metres to the south of the site (actual house located approximately 2.6 kilometres to the south of the site); and
  - Locally heritage listed I68 "Mountain View" homestead is located at 646 Mountain Valley Road, Neurea, approximately 2.3 kilometres to the south-west.
- Whilst AHIMS Basic Search on 30 September 2021 (refer to **Appendix D**) did not identify any Aboriginal Sites or Places within the site, four Aboriginal Sites were identified in close proximity including:
  - Two near Mitchell Highway in 9092 Mitchell Highway adjoining the site to the north; and
  - Two in 385 Dripstone Road to the east.

Engagement with the applicable Registered Aboriginal Parties (RAP) is discussed in **Section 5**.

A site survey (summary provided in **Appendix E**) was completed by Premise archaeologist, a representative of ACEnergy and a representative of the Wellington Valley Wiradjuri Aboriginal Corporation on the 1 December 2021. The survey was undertaken by foot using a handheld GPS to record tracks, relevant to the proposed transects outlined in the Draft ACHAR Methodology, issued to RAPS on 25 November 2021. Slight modifications to the transects were made on site in discussions with RAPs on the coverage area and site accessibility. Some areas could not be accessed due to recent wet weather and heavy rainfall events, resulting in wet ground cover, and at times a muddy landscape, however all attempts to access as much coverage was undertaken. Surveys were spaced at a maximum of 15 m apart across the transect survey areas.

Two isolated finds were located during the survey, within a 20m proximity distance however are located out of the proposed development area. The artefacts consisted of flaked quartz <15mm in size.

Overall the study area had been heavily modified through historical cropping ang grazing. Evidence of ephemeral drainage lines were observed on the western boundary in a northeast – southwest orientation, however no artefactual material was observed in this area. Towards the southern boundary of Lot 3 the soil

Figure 5 – Exploration and mining titles

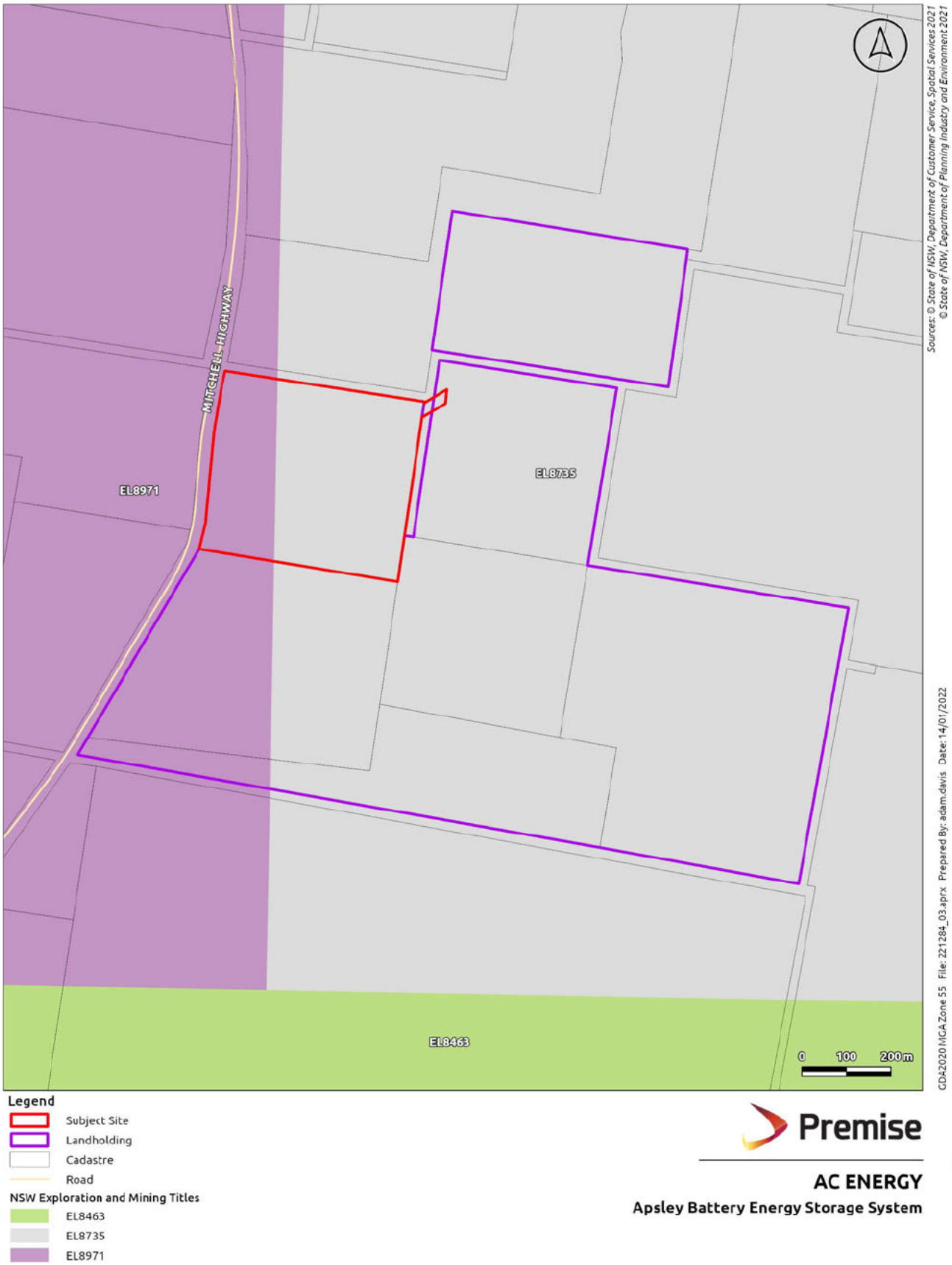
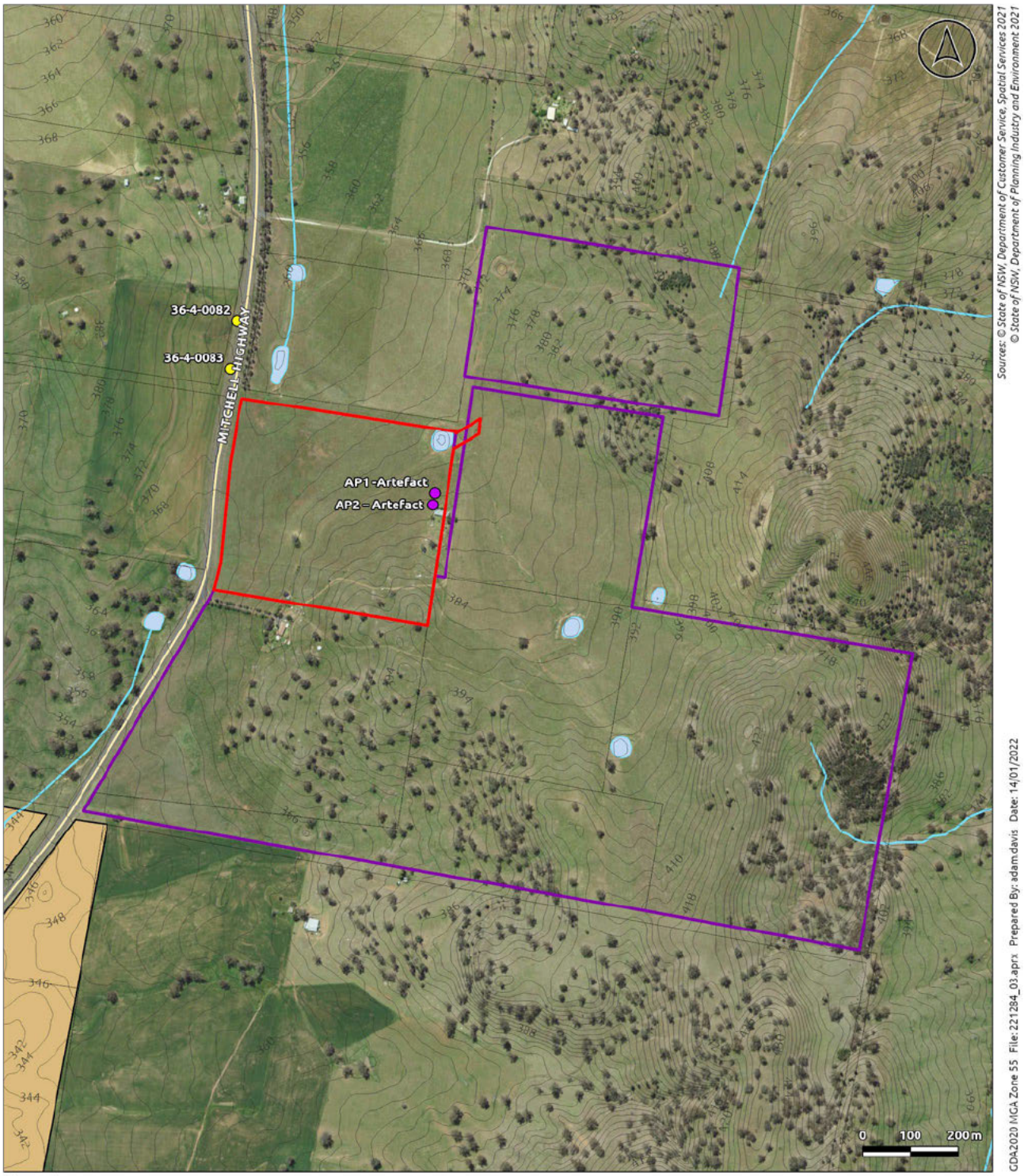


Figure 6 – Heritage



profile transitioned from clay to silty sand; again, no artefactual material was observed in this area and is located out of the development impact area.

A preliminary summary from the survey indicates that the study area has been heavily modified through historical agricultural use and construction of the Mitchell Highway. The survey did not indicate a high potential for archaeological significance in the proposed development area.

2.3.6 HYDROGEOLOGY

2.3.6.1 Geology

As shown in **Figure 7**, the site is located within the Oakdale Formation, forming part of the Cabonne Group. The Oakdale Formation, formed in the Palaeozoic Era and in the Ordovician system, is described as Basalt, basaltic andesite, latite lava and intrusions, volcaniclastic breccia, conglomerate, sandstone and siltstone, minor allochthonous limestone.

2.3.6.2 Groundwater

The site is located within the "Groundwater vulnerability" area under Clause 6.4 of WLEP, requiring the consent authority to consider the following before granting development consent:

> *(a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*
>
> *(b) any adverse impacts the development may have on groundwater dependent ecosystems,*
>
> *(c) the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),*
>
> *(d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

As shown in **Figure 8**, the entirety of the site is mapped as being Moderately High groundwater vulnerability. The nearest groundwater borehole with a known standing water level is GW801235, located approximately 365 metres to the north at 9092 Mitchell Highway. It has a standing water level of 20 metres.

2.3.6.3 Soil Landscape

As shown in **Figure 9** (Murphy & Lawrie 1998):

- The majority of the site is mapped as being within the Bodangora soil landscape, described as follows:
  - Existing land degradation: Slight to moderate sheet erosion and areas of moderate gully erosion, although many of these are now stabilised. A few areas of previously severe gully erosion have been stabilised. The long history of cropping has led to erosion in the past.
  - Erosion hazard: Soils are only slightly to moderately erodible, but slopes are 3 to 10% and relatively long (1000 to 3000 m), so there is a high erosion hazard under cropping, especially if soils are in a cultivated condition and surface cover is low. This is seen in the remnants of severe erosion that has occurred in the past. Soil conservation earthworks and or conservation farming practices are necessary to control erosion.
  - Urban capability: The moderate to high shrink-swell potential of the subsoils of the Euchrozems are the main limitation to urban development.

Figure 7 –Geology

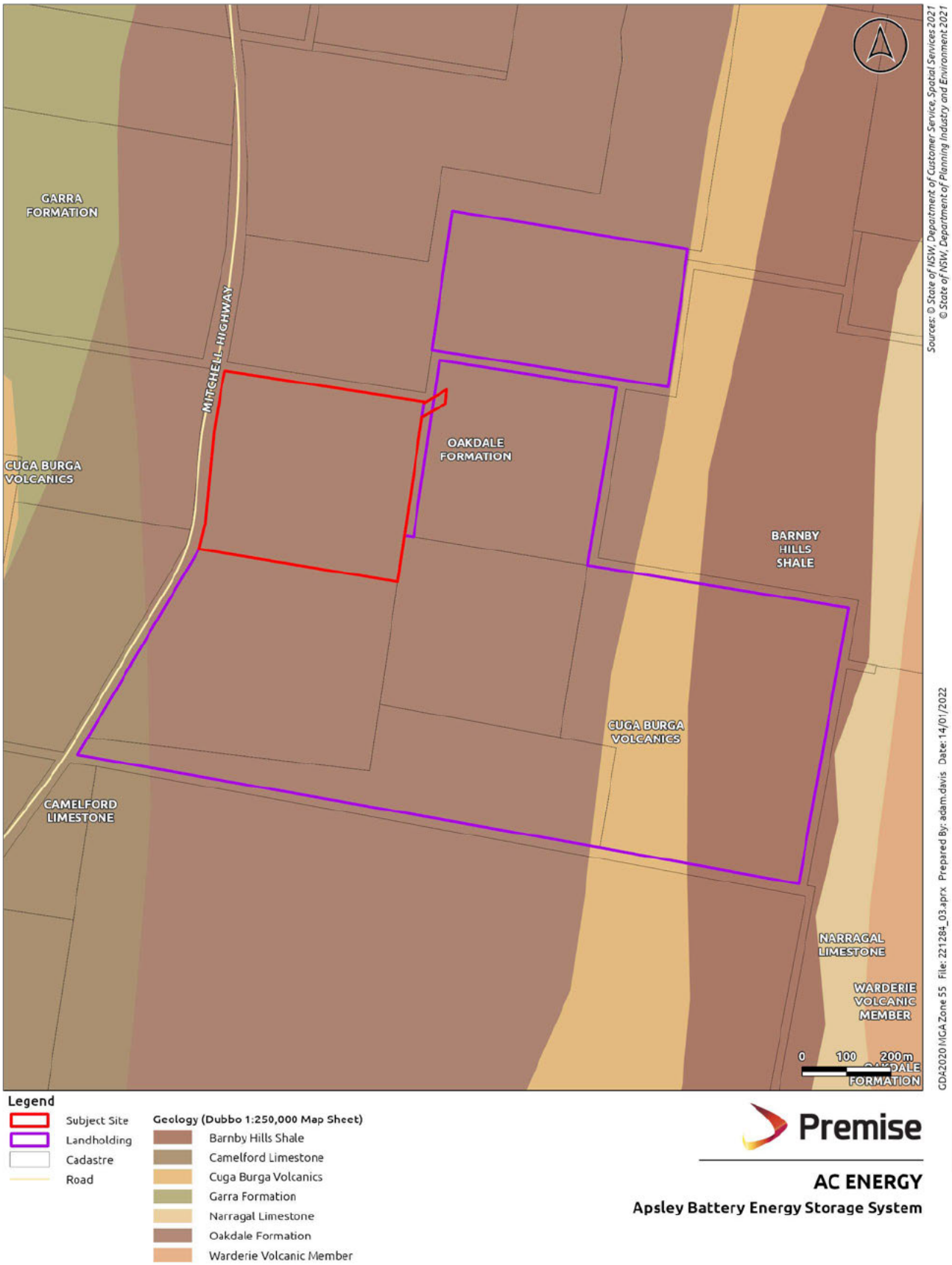


Figure 8 – Groundwater vulnerability

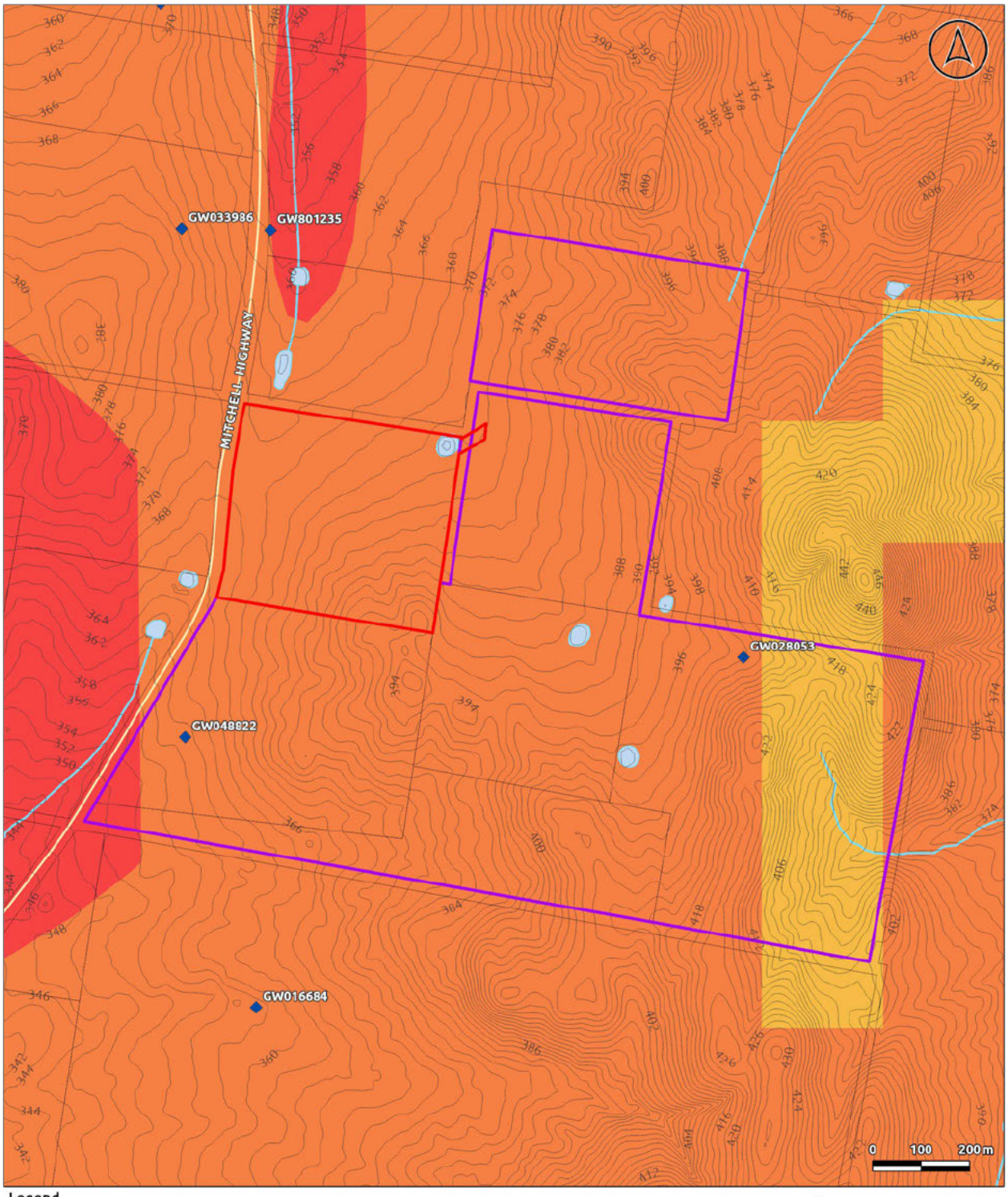
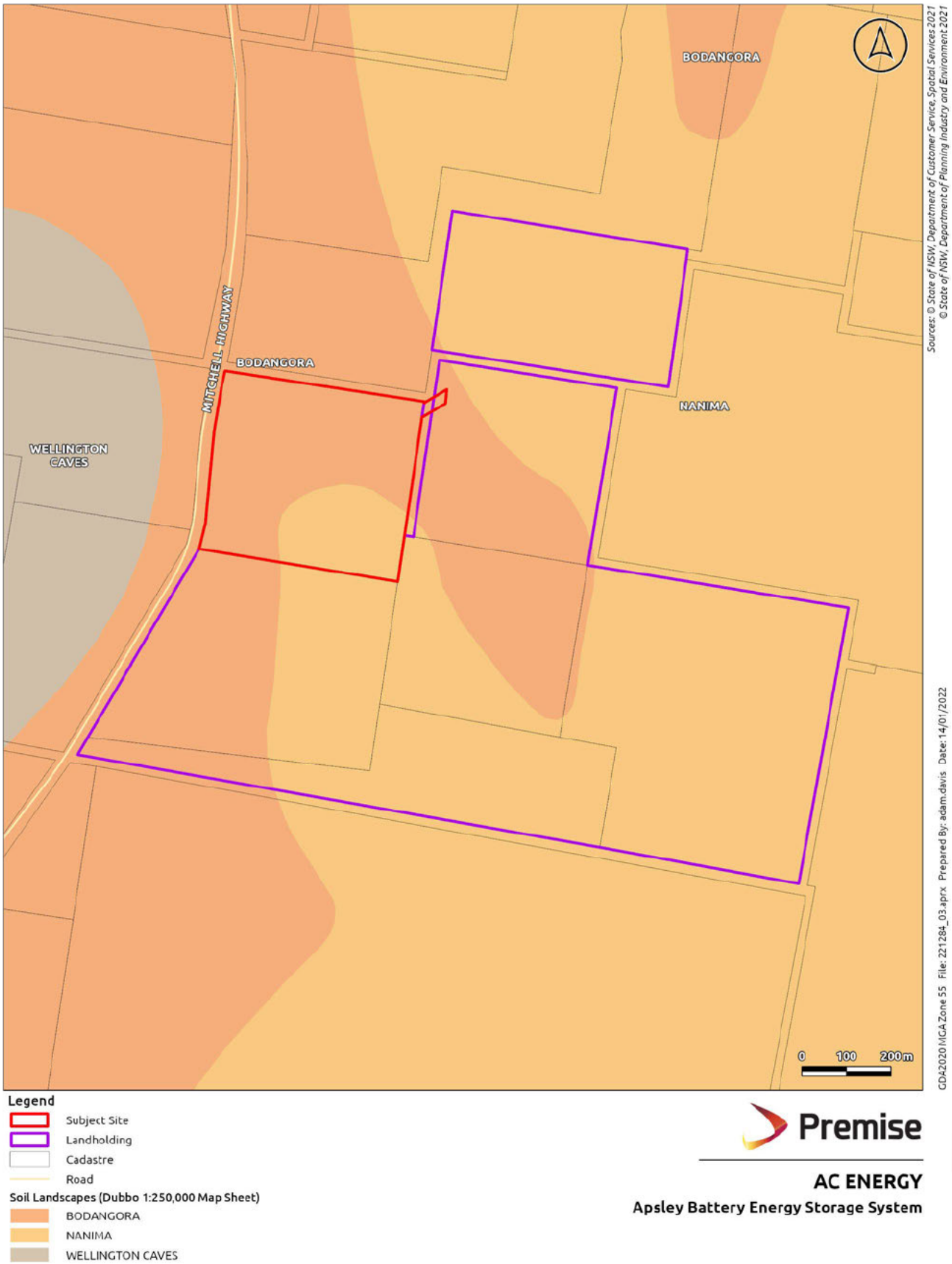


Figure 9 –Soil landscapes



  - Rural capability: This landscape has highly productive agricultural land with most of the area being Class II or Class III cropping land. Small areas of Class IV land are associated with upper slopes and ridges or crests.
- The remainder of the site is mapped as being within the Nanima soil landscape, described as follows:
  - Existing land degradation: Minor to moderate sheet erosion; minor gully erosion.
  - Erosion hazard: Soils are only slightly to moderately erodible, but slopes are 5 to 20% and 300 to 1000 m long. There is a high erosion hazard under cropping, especially if soils are in a cultivated condition and surface cover is low. This is seen in the remnants of severe erosion that has occurred in the past. Soil conservation earthworks and/or conservation farming practices are necessary to control erosion.
  - Urban capability: The moderate to high shrink-swell potential of the subsoils of the Euchrozems are the main limitation to urban development. Rock outcrop and steep slopes may also affect urban land use.
  - Rural capability: Most of the area is only suitable for grazing because of slopes and rock outcrop (Class IV, VI). Small areas of footslopes may be used for cropping (Class II, III).

2.3.6.4 Contamination

A search of the NSW EPA Contaminated Land Record on 22/12/2021 did not identify any contaminated sites within the DRC LGA. A search of the List of contaminated sites notified to the EPA as of 22/12/2021 did not identify any contaminated sites within Apsley. The site is sufficiently separated from the three known contaminated sites identified in Wellington as to not warrant further assessment:

- Former Caltex Service Station at 123-128 Lee Street: 10.7 kilometres to the north.
- BP Wellington Service Station at 35A Maxwell Street: 9.6 kilometres to the north.
- Woolworths Petrol Wellington at 79 Lee Street: 10.9 kilometres to the north.

2.3.6.5 Surface Water

As shown in **Figure 4**, there are no watercourses within the site. A single farm dam is located in the north-eastern corner of the site. The site is not expected to be flood prone given its location at a local high point.

2.3.7 LAND RESOURCES

As shown in **Figure 10**, the Bodangora soil landscape is categorised as Class 3 land and soil capability whilst the Nanima soil landscape is categorised as Class 6 land and soil capability. As shown in **Figure 11**, the Class 3 land and soil capability land is mapped as Biophysical Strategic Agricultural Land under *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*. Preliminary assessment of the loss of Class 3 land and an outline of further assessment to be conducted as part of the EIS is provided in **Section 6.4.2**.

2.3.8 VEGETATION

As shown in **Figure 12**, there is no existing mapped native vegetation within or proximate to the site. The site is currently used for grazing modified pastures and residential and farm infrastructure. This is confirmed in the Land Category Report (Premise 2021; refer to **Appendix B**):

> *One BAM plot was conducted on the subject land to obtain floristic and structural data to adequately describe the vegetation. The dominant species on the site was Oats (Avena sativa)*

Figure 10 – Land resources

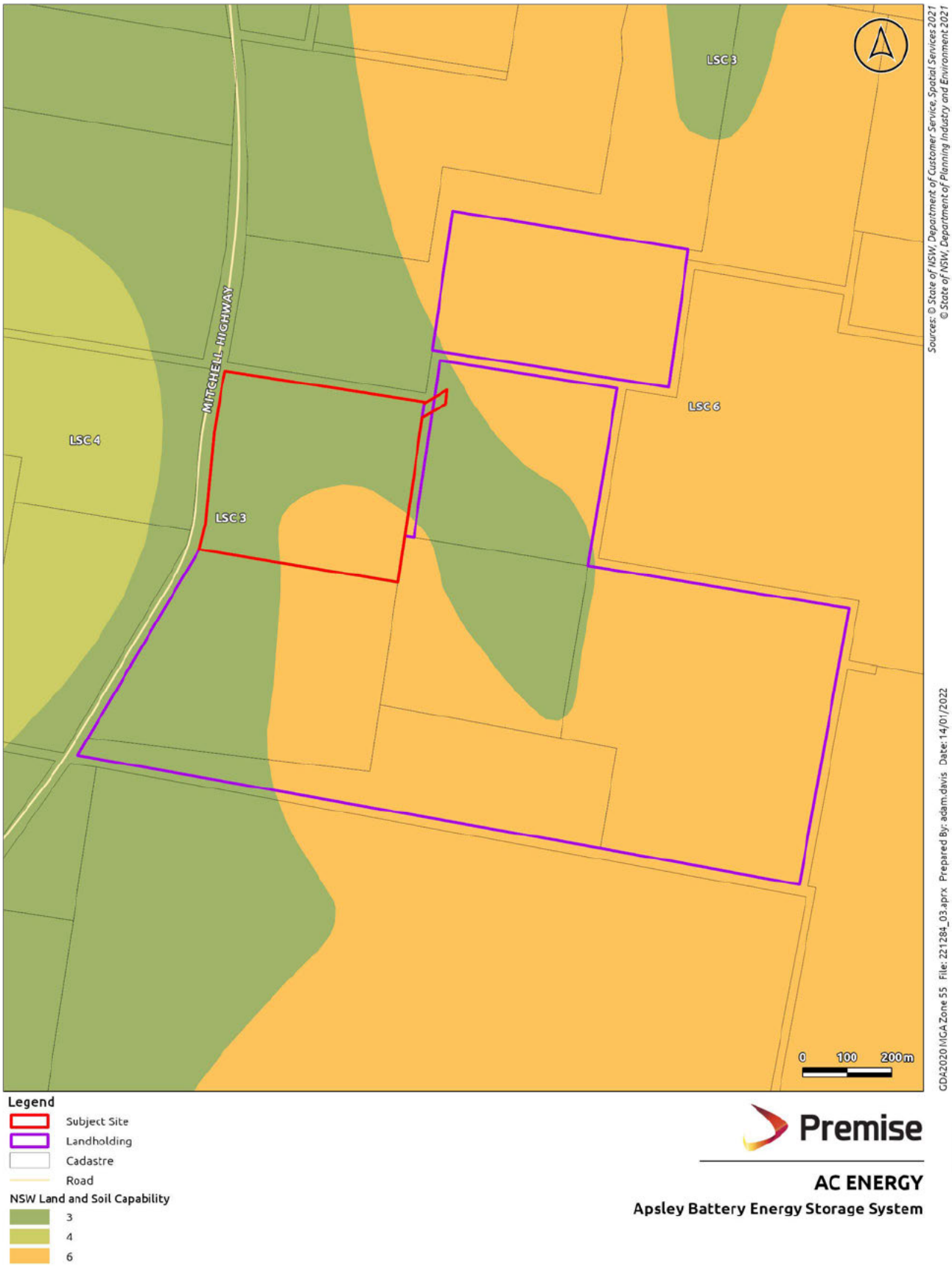


Figure 11 – Biophysical strategic agricultural land

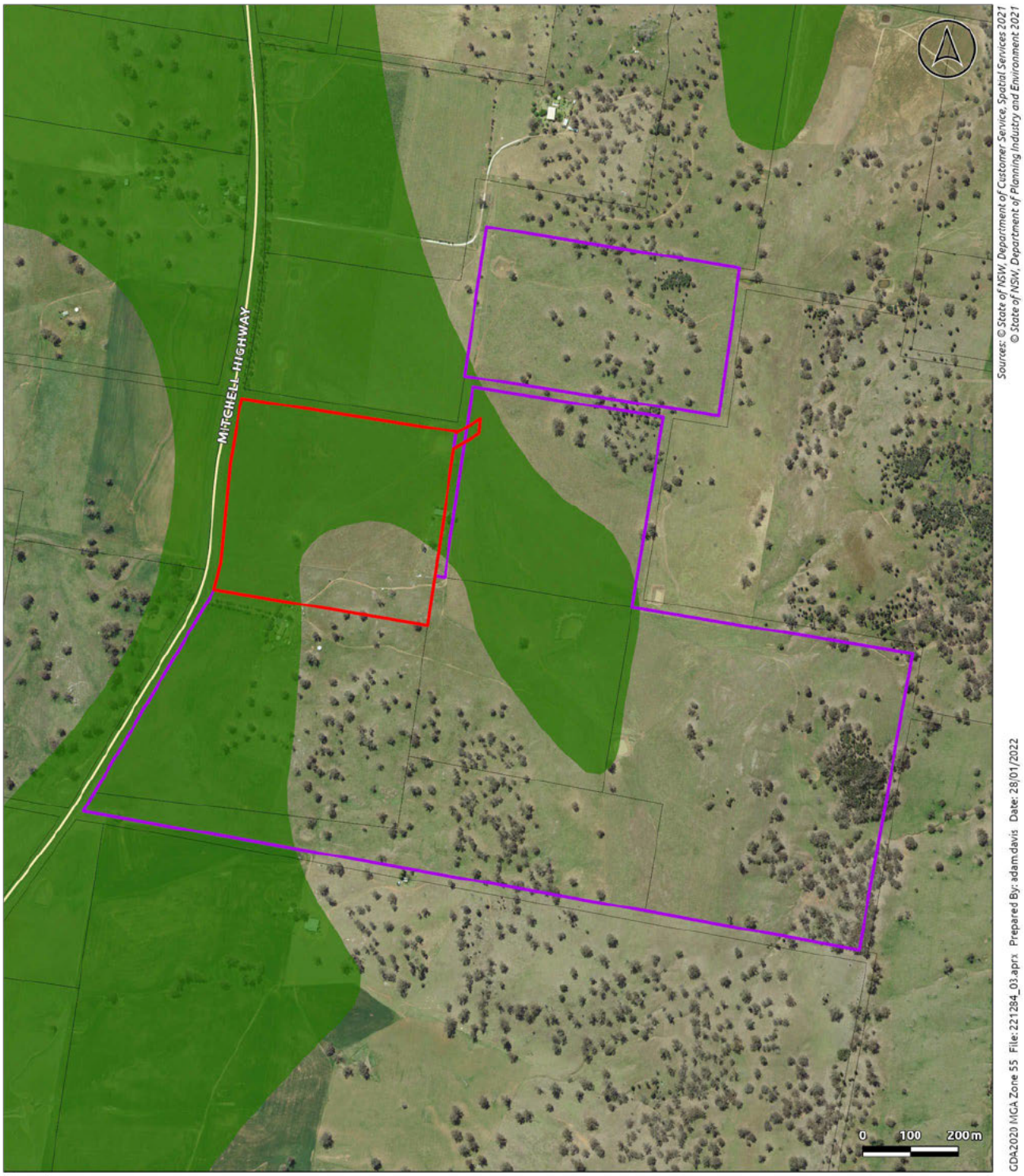
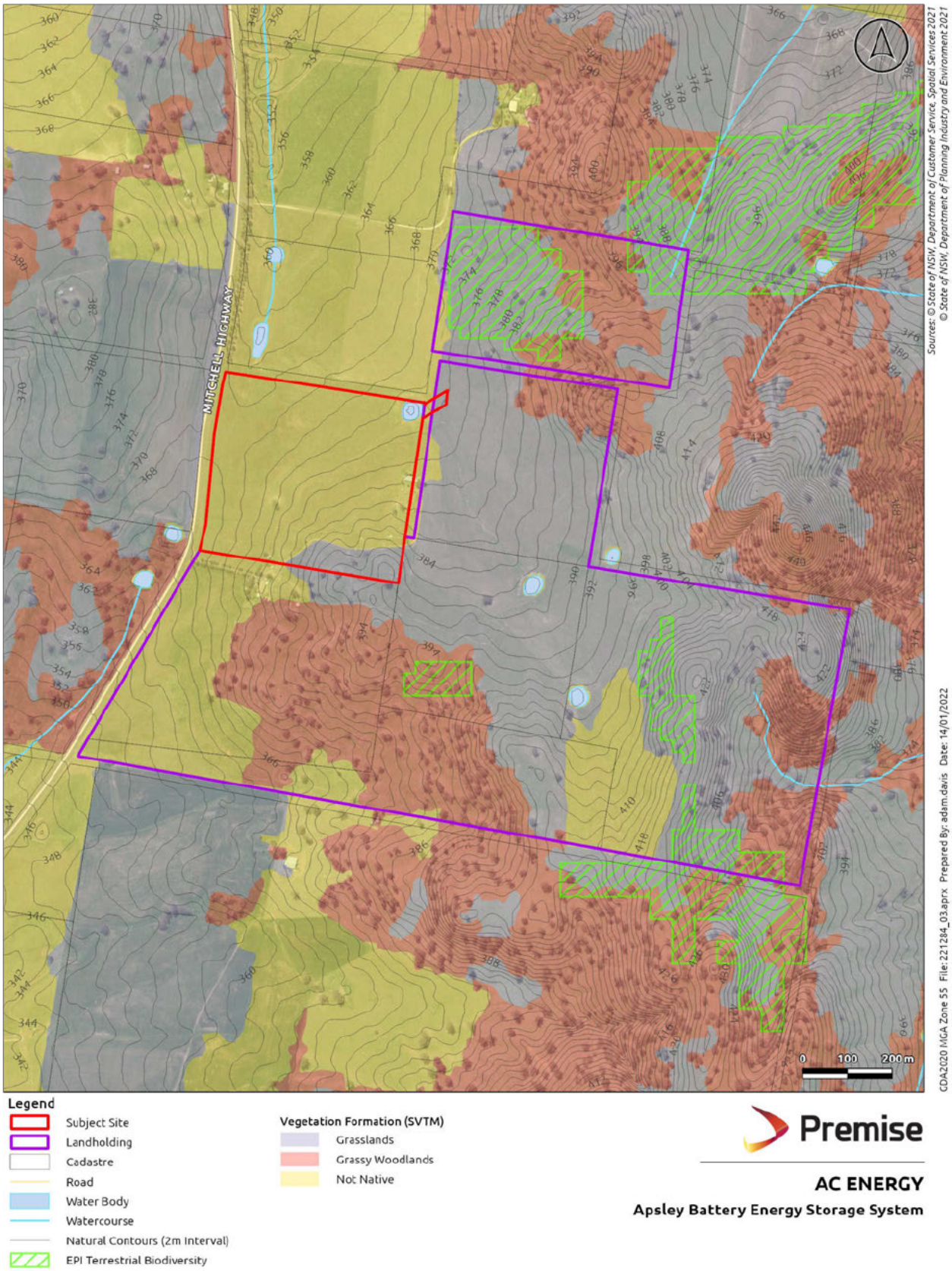


Figure 12 – Vegetation



covering 80% of the 20 x 20 m plot. Other common species included introduced Wireweed (Polygonum aviculare), Haresfoot clover (Trifolium arvense), Common Sowthistle (Sonchus oleraceus), Hop Clover (Trifolium campestre) and Ryegrass (Lolium rigidum). Four native species were recorded, Australian Stonecrop (Crassula sieberiana), Sprawling Bluebell (Wahlenbergia gracilis), Star Cudweed (Euchiton sphaericus) and Oxalis Perennans, amounting to 0.5% of the vegetation cover in the 400m^2 plot. There were no trees or shrubs on the subject land.

2.3.9 BUSHFIRE

As shown in **Figure 13**:

- The site is not mapped as bushfire prone land; and
- The nearest mapped bushfire prone land (Vegetation Buffer) is located over 100 metres to the east with Vegetation Category 2 located a further 30 metres to the east.

3. PROJECT DESCRIPTION

3.1 Project Objectives

The Apsley BESS will be designed to provide grid flexibility services and will support the efficiency of the electrical network by charging from the grid during periods of low demand and discharging back to the grid during periods of higher demand. It would also have the capacity to charge or discharge when power system services are required to maintain the stability of the broader electricity grid.

Power would transition to and from the BESS switching station via a new 132 kV line connected to the existing power lines to the east. The power conversion systems rectify the power into a form that is suitable for storage in the facility's batteries. The BESS strengthens the power network by providing greater flexibility in grid management.

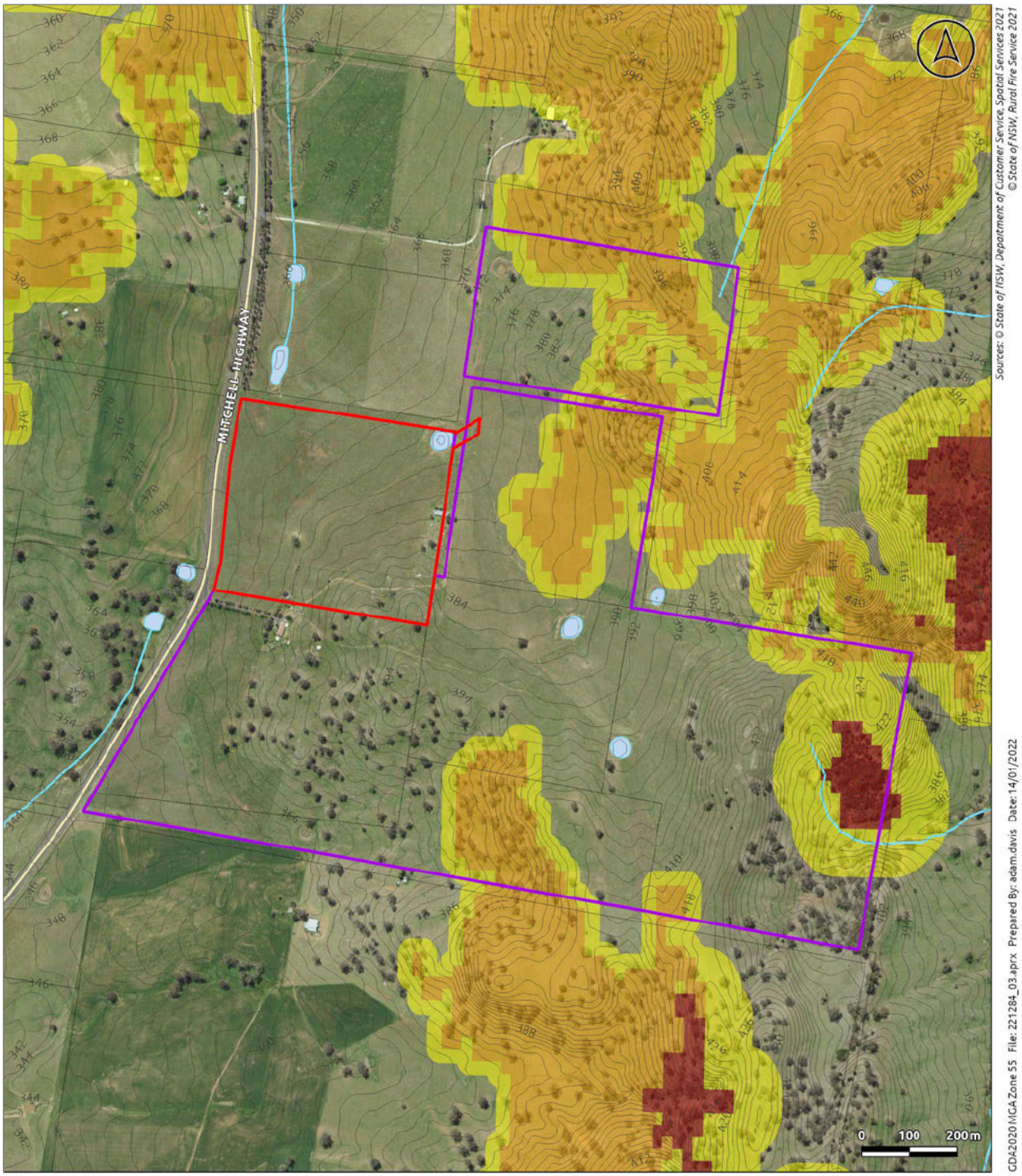
3.2 Proposed Development Overview

The project comprises a BESS and associated infrastructure that will occupy an area of approximately 6 hectares and will have a capacity of up to 160 MW_{AC}, 640 MWh. The proposed BESS, associated infrastructure and development footprint will largely align with, and be contained within, the development area shown in **Figure 4**.

The key project infrastructure includes:

- New driveway from Mitchell Highway leading to a gated entry to the BESS;
- Security fencing around the BESS with two rows of landscaping external to the western, northern, and southern fences;
- Permanent carpark and temporary (construction) loading zone adjacent to the western security fence;
- 40-foot battery containers, separated into blocks;
- 40-foot inverter and MPVS containers, separated into rows;
- A 132kV switching station in the south-eastern corner of the BESS site; and
- 132 kV sub-transmission lines to connect the BESS to the existing powerlines to the east.

Figure 13 – Bushfire prone land



The construction period is expected to take five months. The batteries would be manufactured offsite and delivered ready for installation following completion of site preparation, including levelling the site and constructing a bench on which to install the BESS. It is anticipated that infrastructure would be delivered to the site from Port Botany, with vehicles accessing the site via the routes shown in **Figure 14**.

It is anticipated the BESS would be operational for a period of approximately 30 years after which time the BESS would be removed and the site would be decommissioned, including the removal of all above ground infrastructure and the remediation of the site. It is conceivable that the infrastructure may be upgraded rather than decommissioned and the lifespan extended. The BESS would operate 24 hours a day, seven days a week.

The project is expected to generate up to 50 Full time Equivalent (FTE) jobs during construction and up to five FTE jobs during operation.

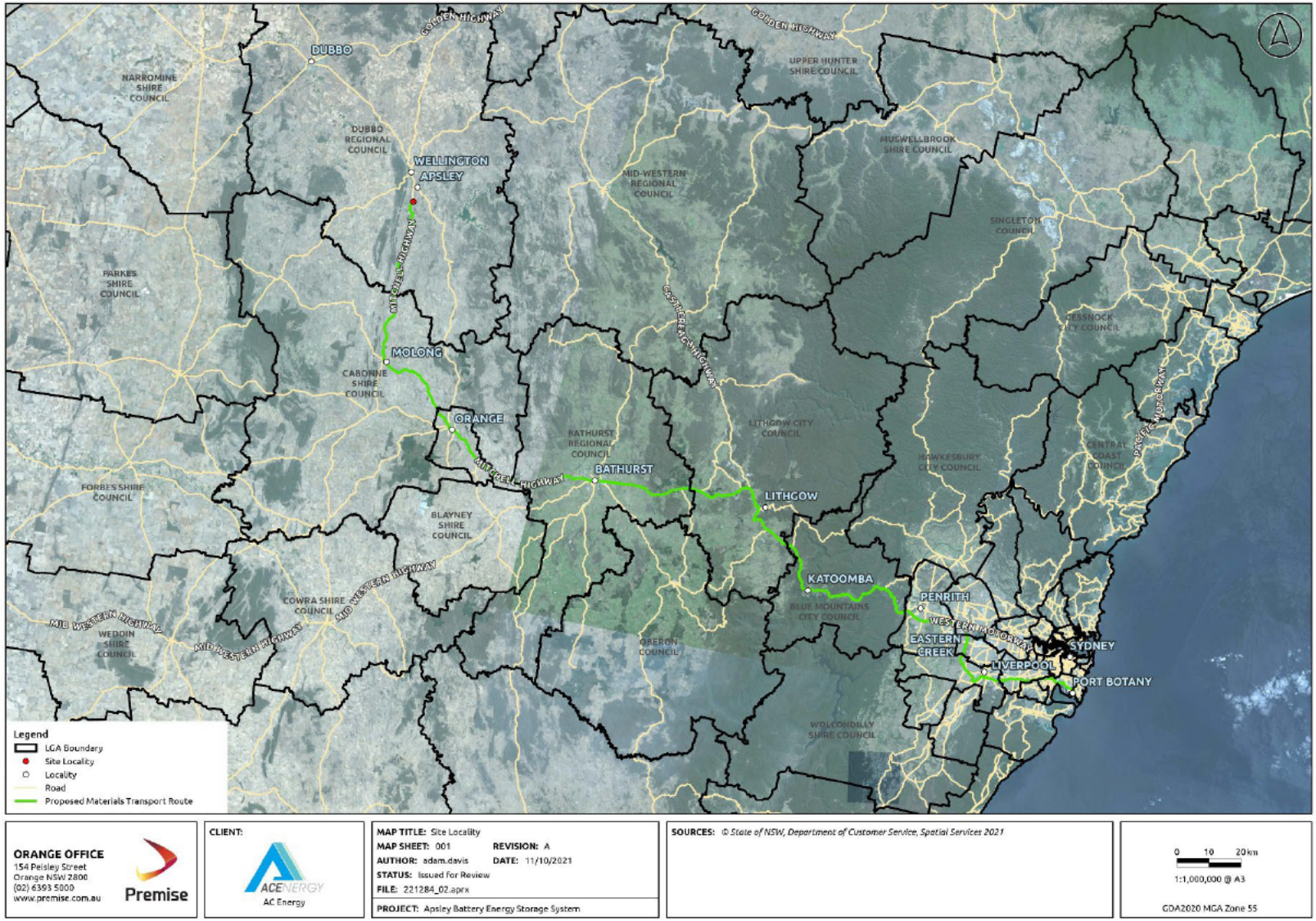
The area of the BESS would be leased for the duration of the development from the landowner, either via a long term lease managed via a subdivision of the land, or through a lease of premises, subject to the limits in place at the time of commissioning. If subdivision is required to facilitate the leasing arrangements, this would be addressed by the SSD application.

3.3 Proposed Development Details

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

- Groundcover clearing to provide a developable site;
- Levelling the site and constructing a bench on which to install the BESS unit;
- New driveway from Mitchell Highway leading to a gated entry to the BESS;
- Security fencing around the BESS with two rows of landscaping external to the western, northern, and southern fences;
- Permanent carpark and temporary (construction) loading zone adjacent to the western security fence;
- 40-foot battery containers, separated into blocks;
- 40-foot inverter and MPVS containers, separated into rows;
- A 132kV switching station in the south-eastern corner of the BESS site;
- Underground or overhead 132kV sub-transmission lines to connect the BESS to the existing powerlines to the east;
- Installing a 132kV outdoor switchgear (bus bars and circuit breakers) within the subject property for separating the BESS from the electricity network if and when required;
- Constructing an earthing system for the BESS within the subject property;
- Ancillary high voltage equipment, such as circuit breakers, switching equipment, filters and other electrical protection equipment;
- Auxiliary power, protection, indication and control systems;
- Outdoor sensor lighting to provide illumination, when needed, at night;
- Storage enclosures for storing equipment and HVAC equipment for providing cooling and ventilation;
- Commissioning; and
- Routine maintenance, including monitoring, testing and maintenance of onsite equipment, receipt of goods, removal of waste and other general site maintenance (e.g., care of groundcover).

Figure 14 – Proposed materials transport route



The BESS is expected to remain operational for approximately 30 years although this could be extended through upgrade/replacement of infrastructure subject to technological improvements/innovation. Upon decommissioning of the BESS, the following indicative steps would occur, subject to the establishment of a decommissioning arrangement to provide security for components:

- The above ground equipment would be unbolted from the concrete slab and removed by crane onto transporters and taken away from site to an appropriate recycling or waste facility;
- The concrete gravity slab foundations would be broken down and removed;
- Underground services would be cut back to below ground level and capped; and
- Landscaping back to original condition.

3.4 Justification for the Preferred Option

Development options considered as part of this Scoping Report and to be considered in greater detail in the EIS are described in **Table 1** below.

Table 1 – Development options

Alternatives:		**Description:**
Option 1	Base Case, 'Do Nothing'	Option 1 would involve not installing and operating a BESS at the site or elsewhere.
Option 2	Alternative Site within 9010 Mitchell Highway, Apsley	Option 2 would involve installing and operating a BESS at an alternative site within 9010 Mitchell Highway
Option 3	Alternative Site outside of 9010 Mitchell Highway, Apsley	Option 3 would involve installing and operating a BESS at an alternative site outside of 9010 Mitchell Highway
Option 4	BESS Technology and Provider Alternatives	Option 4 would involve using alternative technology at the site.
Option 5	BESS in the northern portion of Lot 3 DP1012686, 'Preferred Option'	Option 5 would involve the installation and operation of a BESS at the site.

The Preferred Option (Option 5) is justified against Options 1 to 4 in the following sections.

3.4.1 OPTION 1

Option 5 is preferred over Option 1 on the grounds that the latter is:

- Inconsistent with the strategic context set by State and local policy, including:
  - Goal 22 of the NSW 2021 Plan (NSW Government 2011) which seeks to "promot[e] energy security through a more diverse energy mix, reduc[e] coal dependence, increase[e] energy efficiency and mov[e] to lower emission energy sources";
  - Goal 1 of the ***NSW REAP*** (NSW Government 2013) which seeks to attract renewable energy investment;
  - Investment in the preparation of the Central West and Orana REZ in accordance with the ***NSW Electricity Strategy and Electricity Infrastructure Roadmap*** (DPIE 2020) as a critical region for renewable energy due to strong investor interest and availability of existing infrastructure due to the area's history of supplying electricity for the network;
  - Direction 9 of the Central West and Orana Regional Plan 2036 (DPE 2016) which seeks to "increase renewable energy generation";

  - Planning Priorities 1, 3, 18 and 19 of the Dubbo LSPS (DRC 2020) which seek to "Plan for the delivery of infrastructure to support growth", "Promote renewable energy generation", "Develop resilience to climate change" and "Create an energy, water and waste efficient city".
- Fails to enable the regulation of electricity supply which improves its efficiency, consistency and reliability for consumers as it becomes increasingly variable due to the transition from traditional to more sustainable, renewable sources in the region.

3.4.2 OPTION 2

Option 5 is preferred over Option 2 as the former:

- Minimises the length of connecting to infrastructure through its proximity to existing infrastructure;
- Maximises separation from associated and non-associated receivers;
- Impacts associated with the preferred location are minimal due to the land already being cleared (no further clearing required) and at a local high points (limits the risk of flooding/surface water impacts) or are are capable of being managed as described in **Section 6**; and
- Notwithstanding that the preferred location will result in the loss of Class 3 land and soil capability land, it is anticipated that the agricultural impacts of the development will be acceptable as:
  - The development footprint is limited to 6 hectares, representing a minor portion (4%) of the 140.8 hectare landholding;
  - The development footprint is located in the north-western corner of the landholding, ensuring that it will not result in fragmentation of agricultural lands within the landholding; and
  - Mapped Class 3 land and soil capability land is narrow (approximately 1 kilometre in width) with lower category Class 4 and 6 land and soil capability land to the west and east.

3.4.3 OPTION 3

Option 5 is preferred over Option 3 as:

- The site is located within the Central-West Orana REZ, proximate to the Burrendong Extension of the REZ Transmission Corridor Study Area;
- Alternative sites in proximity to suitable existing infrastructure may not be available or may require greater lengths of connecting infrastructure, potentially resulting in greater heritage impacts, interference with surface water, loss and/or fragmentation of agricultural land, loss of native vegetation and the like;
- All likely impacts of the development in the proposed location are capable of being managed as described in **Section 6**; and
- ACEnergy Pty. Ltd has entered into an agreement to lease the site of the proposed BESS from the landowner and relocating it to a different site would result in increased costs associated with the cancellation of the existing agreement, identification of a suitable alternative site and negotiations associated with the acquisition of the site;

3.4.4 OPTION 4

Option 5 is preferred over Option 4 as:

- The former provides the most reliable way, using current technology, to regulate electricity supply in a network which is expected to become increasingly variable due to the transition from traditional to more sustainable, renewable sources in the region; and
- The latter may not be suitable to the site due to its limited area or other reasons, requiring the seeking out and acquisition of an alternative site and construction of connecting infrastructure.

4. STATUTORY CONTEXT

The key statutory requirements for the project are set out in **Table 2**.

Table 2 – Statutory requirements for a project

Matter:	Guidance:	Comment:
Power to grant consent	Identify the legal pathway under which consent is to be sought, why the pathway applies, and who the consent authority is likely to be.	Section 4.5 of the EP&A Act provides that the consent authority is the Independent Planning Commission (if the development is of a kind for which the Commission is declared the consent authority by an environmental planning instrument) or the Minister (if the development is not of that kind). Section 4.36(2) of the EP&A Act provides that a State Environmental Planning Policy may declare any development, or any class or description of development, to be State significant development. Section 8(1) of the State and Regional Development SEPP provides that development is declared to be State significant for the purposes of the EP&A Act if: • the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the EP&A Act; and • The development is specified in Schedule 1 or 2 of the SEPP. The consent authority for the proposed development is likely to be the Minister: • On the grounds that the proposed development satisfies: – Section 8(1)(a) of the State and Regional Development SEPP on the grounds that it is permitted with consent under Section 34(1)(b) of the Infrastructure SEPP; and – Section 8(1)(b) of the State and Regional Development SEPP on the grounds that it is for the purposes of electricity generating works that has a capital investment value of more than $30 million in accordance with Section 20 of Schedule 1 of the SEPP. • Unless, in accordance with Section 8A of the State and Regional Development SEPP

		in which case the consent authority is the Independent Planning Commission: – The council of the area in which the development is to be carried out (DRC) has duly made a submission by way of objection under the mandatory requirements for community participation in Schedule 1 of the EP&A Act; – At least 50 unique submissions (other than from a council) have duly been made by way of objection under the mandatory requirements for community participation in Schedule 1 to the Act; and – The development application is made by a person who has disclosed a reportable political donation under section 10.4 to the Act in connection with the development application.
Permissibility	Identify the relevant provisions affecting the permissibility of the project, including any land use zones. If there are inconsistencies in these provisions, identify the inconsistencies and explain which provisions prevail to the extent of any inconsistency. If the project is partly or wholly prohibited, identify any provisions or actions being taken that would allow the project to be considered on its merits (e.g. making a concurrent amendment to the relevant)17.	Electricity generating works are prohibited in the RU1 Primary Production zone applying to the site under the relevant local environmental plan, the *Wellington Local Environmental Plan 2012* (WLEP) (refer to **Figure 2**). Notwithstanding the above, the development is permitted with consent on the following grounds: • Under Section 8 of the Infrastructure SEPP, where there is an inconsistency between the Infrastructure SEPP and another environmental planning instrument, the Infrastructure SEPP prevails (with few exceptions, none of which are relevant to this application); • Section 34(1)(b) of the Infrastructure SEPP provides that electricity generating works may be carried out by any person with consent in a prescribed rural, industrial or special use zone (the RU1 Primary Production zone is a prescribed rural zone).
Other approvals	Identify any other approvals that are required to carry out the project and why they are required. These approvals should be grouped into the following categories:	The following consistent approvals are required: • A licence under Section 48 of the *Protection of the Environment Operations Act* 1997 (the POEO Act) to perform an

	• Consistent approvals: approvals that cannot be refused if the project is approved and must be substantially consistent with the approval • EPBC Act approval, and whether a bilateral agreement applies • Other approvals: approvals that are not expressly integrated into the SSD assessment under the EP&A Act (e.g. water access licenses under the Water Management Act 2000, leases under the National Parks and Wildlife Act 1974). Also identify the approvals that would have been required if the project was not an SSD project.	activity listed under Schedule 1 of the POEO Act, including the general electricity works with capacity to generate more than 30 megawatts of electrical power as specified in Section 17, Schedule 1 of the POEO Act; and • A consent, with the concurrence of Transport for New South Wales (TfNSW), to connect a road to a classified road (Mitchell Highway) or any of the other listed activities under Section 138 of the *Roads Act 1993* (the Roads Act), to be confirmed at EIS stage. Commonwealth approvals are not required for the following reasons: • A search for potential matters of national environmental significance (MNES) that may trigger the need for referral to the Australian Department of Agriculture, Water and the Environment (DAWE) via the online Protected Matters Search Tool (PMST), conducted with a 10 kilometre buffer of the site on 19/10/2021 (refer **Appendix C**): – Did not identify any World Heritage Properties or National Heritage places protected by the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act); – Identified four Wetlands of International Importance including Banrock Station Wetland Complex (800-900 kilometres upstream), Riverland (700-800 kilometres upstream), the Coorong, and Lakes Alexandrina and Albert Wetland (900-1,000 kilometres upstream) and Macquarie Marshes (200-300 kilometres upstream); – Identified four listed threatened ecological communities, 30 listed threatened species and 11 migratory species with the potential to occur in proximity to the site but are unlikely to occur due to the substantially altered landscape and lack of extant vegetation. • A review of National Native Title Tribunal's Native Title Register did not identify any
Pre-conditions to exercising the power to grant consent	Identify pre-conditions to exercising the power to grant consent for the project that may be relevant to setting the SEARs. These will include mandatory conditions that must be satisfied before the consent authority may grant consent (e.g. under the Sydney Drinking Water SEPP, a consent authority must be satisfied before granting consent that the carrying out of the proposed development would have a neutral or beneficial effect on water quality).	

		Native Title claims or applications, or Indigenous Land Use Agreements at or near the site under the *Native Title Act 1993* (the Native Title Act).
Mandatory matters for consideration	Identify matters that the consent authority is required to consider in deciding whether to grant consent to any development application for the project that may be relevant to setting the SEARs.	Pursuant to Section 1.7 of the EP&A Act, the *Biodiversity Conservation Act* 2016 (the BC Act) is a mandatory matter for consideration. Section 7.9 of the BC Act provides that any application under Part of the EP&A Act for State significant development must be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and Environment Agency Head determine that the development is not likely to have any significant impact on biodiversity values. Although noting the requirement for further biodiversity surveys, the results of the Land Category Report prepared by Premise (**Appendix B**) has identified that referral to the Commonwealth is not warranted. The initial assessment determines that: *One BAM plot was conducted on the subject land to obtain floristic and structural data to adequately describe the vegetation. The dominant species on the site was Oats (Avena sativa) covering 80% of the 20 x 20 m plot. Other common species included introduced Wireweed (Polygonum aviculare), Haresfoot clover (Trifolium arvense), Common Sowthistle (Sonchus oleraceus), Hop Clover (Trifolium campestre) and Ryegrass (Lolium rigidum). Four native species were recorded, Australian Stonecrop (Crassula sieberiana), Sprawling Bluebell (Wahlenbergia gracilis), Star Cudweed (Euchiton sphaericus) and Oxalis Perennans, amounting to 0.5% of the vegetation cover in the 400m2 plot. There were no trees or shrubs on the subject land.*

		Pursuant to Section 4.15 of the EP&A Act, the following mandatory matters for consideration apply: • Relevant environmental planning instruments, including: – *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*; – *State Environmental Planning Policy No. 55 Remediation of Land*; – *State Environmental Planning Policy (Infrastructure) 2007*; – *State Environmental Planning Policy (State and Regional Development) 2011*; – *State Environmental Planning Policy (Koala Habitat Protection) 2021*; and – *Wellington Local Environmental Plan 2012*. • The relevant development control plan, being the *Wellington Development Control Plan 2013* (noting that the application of development control plans is excluded from SSD under Section 11 of the State and Regional Development SEPP); • The likely impacts of the 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; and • The public interest.

5. ENGAGEMENT

5.1 Scoping Stage Consultation

To inform preparation of the scoping report, ACEnergy has carried out preliminary engagement with surrounding landowners, community groups and regulatory bodies.

Preliminary engagement strategies have aimed to:

- Build an awareness of the project and proposed development;
- Establish communication channels with the local community; and
- Respond to any questions or concerns the community may have and ensure these are considered during development of the project.

ACEnergy has implemented the following forms of engagement:

- Letters and notification issued to landowners surrounding the development, community groups and regulatory bodies;
- A project Infoline and mailbox;
- A project website; and
- Doorknocking.

Non associated residential receivers were identified through analysis of mapping utilising GIS software. It was noted that there are four (4) non-associated receivers located within 500 metres of the project, however the number of receivers were expanded to also include receivers at a greater distance but with an assessed potential of having some (albeit limited) visibility of the project. The engagement strategy targeted eight (8) non-associated landowners located in proximity to the proposed development, along with relevant regulatory bodies and community groups.

Details of engagement are outlined in the register provided at Appendix H and summarised below in **Table 3**.

The dedicated project website, Infoline and email address will remain active and open to the public throughout the project's operation, and the team will respond to enquiries and questions as they arise.

Table 3 – Engagement summary

Stakeholder Group	Method	Purpose of Engagement and Consideration within EIS Assessment.
Department Planning, Industry and Environment	Pre-scoping meeting on the 21 October 2021	ACEnergy introduced the project to the Department and sought advice on areas of critical assessment. DPIE staff identified the following expectations: • A detailed assessment of potential visual impacts, including from highway users, nearby receiver locations and members of the public who may be using the Mt Arthur Reserve (**Section 6.3**); • The need to engage with BCS with respect to the scope of the proposed biodiversity assessment (**Section 6.7**); • The need to engage with receivers within 2 km of the site, as well as the operators of the Wellington Caves complex, Japanese Gardens, caravan park, mining licence holders **(Section 5)**; • Provide justification for the development of the project with BSAL mapped land (**Section 6.4.2**); • Ensure the broader area is familiar with the project **(Section 5)**; • Provide details on required leasing/subdivision arrangements **(Section 3.2)**; • Confirm whether EPBC referral required **(Section 6.7)**; • Provide mapping in scoping reports confirming any constraints such as sensitive biodiversity, Aboriginal heritage sites etc (none nearby);

		• Provide details of engagement with Ausgrid, TfNSW, Council, non-associated receivers (**Table 3**); • Include details of engagement advice to non-associated receivers (**Table 3**).
Transgrid	Via email	Formal submission of connection enquiry via Transgrid contact email address. Favourable connection enquiry response received on 26 October 2021.
	Via email	Formal connection application submitted in December 2021. Ongoing communication with Transgrid underway with an end goal to receive a connection agreement.
Dubbo Regional Council	Via email	ACEnergy carried out initial engagement with DRC planning team via phone and email on the 5 August 2021, to determine Council's view of the project and identify any issues that would need to be addressed in preparation of the EIS. A detailed response from Council planners was received and is provided in **Appendix I**.
Wellington Caves, Japanese Gardens and caravan park (managed by Dubbo Regional Council)	Doorknock	A representative of Premise, on behalf of ACEnergy, visited the premises on the 3 November 2021 to deliver a project introduction letter and speak to staff. Advice provided that sites are managed by DRC.
Wellington Caves, Japanese Gardens and caravan park (managed by Dubbo Regional Council)	Via email	A project introduction email was issued to DRC on 12 November 2021, providing details of the project and seeking feedback. No response was received.
Colossus Metals Pty Ltd	Via email	A project introduction email was issued to Colossus on the 5 November 2021, providing details of the project and seeking feedback. No response was received.
Colossus Metals Pty Ltd	By phone	A chaser phone call to the email of 5 November 2021 was completed on the 11 January 2022. No response was received.
Silver City Minerals Limited	Via email	A project introduction email was issued to Colossus on the 5 November 2021, providing details of the project and seeking feedback. No response was received.
Silver City Minerals Limited	By phone	A chaser phone call to the email of 5 November 2021 was completed on the 11 January 2022. No response was received.
Regulatory Bodies	Via email	Engagement advice was issued via email to regulatory bodies on the 5 November 2021, inviting comments to be sent to the project's email address with respect to

• Central West Local Land Services • Heritage NSW • Environment Protection Authority • Transport for NSW (TfNSW) • Natural Resource Access Regulator • Crown Lands • The Wellington Aboriginal Land Council; • NSW Rural Fire Service; • Fire and Rescue NSW;		the project, to inform them of the project and to inform preparation of this scoping report. At the time of writing, a response has been received from Crown Lands. A copy of the written submission from Crown Lands is provided at **Appendix L** and is summarised in the below cell. ACEnergy has also directly engaged with TfNSW via email and phone on the 28 October 2021. A response received from TfNSW is provided in **Appendix J** and summarised in the cell below. RFS response received on the 11 January 2022, refer below cell. No other responses have been received at the time of writing. Heritage NSW and the Aboriginal LALC have been engaged via the Aboriginal Cultural Heritage Assessment process, which commenced in May 2021. Details of this engagement and the outcome of the initial field survey are provided in **Section 6.5**.
Crown Lands	Via email	Crown Lands advise an easement over the Crown Land is required for the passage of an electricity transmission line. A licence is also recommended due to the time associated with gaining easements. The application for the easement will be commenced following receipt of SEARs.
Transport for NSW	Via email	TfNSW advice received 28 October 2021: • Consider safe site distance for access location • Provide strategic access design details • Provide a traffic impact assessment addressing points listed in TfNSW email
NSW Rural Fire Service	Via email	RFS advice received on 11 January 2022: • *The NSW RFS advises, based on the property details provided, that the subject land is not mapped bush fire prone land by Council. (copy of map attached)* • *However, the subject land may be considered as a grassland hazard. As such, APZ, access, water and a Fire Management Plan are standard requirements for any approval.* • *The NSW RFS will provide DPIE with the EA requirements, when SEARs are requested*
Local Community • NSW Farmers Association Wellington Branch	Via Email	Engagement advice was issued via email to community groups between the 5 and 12 November 2021 providing details about the project; to inform them of the project and to inform preparation of this scoping report.

• Dubbo Field Naturalist & Conservation Society • Mid Macquarie Landcare • Transition Dubbo • Dubbo Environmental Group • Central West Environmental Council		At the time of writing, no response from these organisations has been received.
Community and interested parties	Dedicated Project website: http://apsleybess.online/	The project website was launched in October 2021. The website provides an overview of the project and ACEnergy, detailing the approval process and providing a form allowing visitors to leave feedback. At the time of writing no feedback or responses have been received via this online form.
Nearby receivers	Notification Letter and doorknocking	A notification letter outlining the project was hand delivered to nine identified landholders proximal to the project on the 5 November 2021, with a follow up letter hand delivered to these properties on the 13 December 2021. The purpose of the letter was to introduce the project. The letter outlined the development application process and invited recipients to provide feedback regarding the project. Contact details for a dedicated 1800 number, project email address and website were provided. A copy of this notification is provided in **Appendix F.** At the time of writing this report, no emails or phone calls have been received. Of the nine residential receivers in proximity of the site, Premise was able to speak to four of these. Letters were left at those properties where nobody was home. Of the four residents spoken to, three confirmed no fundamental objections and confirmed they understood the details of the project and how to engage. The comments from the fourth receiver are discussed in the cell below.
Non-associated receiver	Response to Doorknocking	Concerns/queries 1. Project layout 2. Access arrangements 3. Visual impacts 4. Consultation with mining companies ACEnergy response provided by email on the 15 November 2021: *1. Project Layout*

The batteries would be housed in fully enclosed containers, similar to standard shipping containers. In the coming months we'll complete a range of studies that will feed into the project layout. As we progress the project design we'd be happy to provide you with more information about what the project will look like.

2. *Access Arrangements*

   At this stage, the site does not have access to Mitchell Highway. Current Access to the site is via a 160 metre-long driveway associated with a dwelling to the south of the development which forms part of 9010 Mitchell Highway. No vehicles would access the battery site via 9092 Mitchell Highway. Site Access during construction and operation will be via the public road network and subject to finalized project design. Access arrangements are to be organised in consultation with Council and Transport for NSW.

3. *Visual Impact*

   There is the potential for visual impacts resulting from the development. Visual impacts will be assessed as part of a development application for the project and will be subject to finalized project design. We'd be happy to keep you informed about the outcomes of our visual assessment as we prepare the development application.

4. *Mining Titles and Geology*

   The development site is covered by two NSW Exploration Mining Titles including: EL8735 over the eastern portion of the site, held by Colossus Metals Pty Ltd and EL8971 over the western portion of the site, held by Silver City Minerals. Consultation with associated mining title companies has occurred and will inform the assessment process. Geology will be assessed as part of a development application for the project. We'd be happy to keep you informed about the outcomes of our assessments as we prepare the development application.

   In the coming months we'll complete a range of studies that will feed into the project design and development application. The first step is submitting a scoping report to the NSW Department of Planning, Industry and Environment. We'd be happy to let you know when we submit this report as it will provide an outline of the project, our community consultation plans and it will identify the key matters

	for assessment when we prepare our Environmental Impact Statement.

A record of engagement is provided in Appendix H.

Those matters raised will be further addressed through ongoing engagement throughout the EIS process and addressed through detailed analysis in the preparation of the EIS.

5.2 EIS Engagement

Engagement will continue to be undertaken in accordance with the following guidelines:

- Undertaking Engagement Guidelines for State Significant Projects (DPIE, 2021);
- Community and Stakeholder Engagement Draft Environmental Impact Assessment Guidance Series (DP&E, 2017)
- Community Consultative Committee Guidelines State Significant Projects (DP&E, 2019) – if a Community Consultative Committee is required.

Proposed engagement purpose and method during preparation of the EIS stage is outlined in **Table 4**.

Table 4 – Proposed EIS consultation

Stakeholder	Purpose	Method
Landowner	• To confirm project details, potential subdivision and substation upgrade requirements	• Face to face/videoconference • Briefing letters/emails
Federal Member for Calare, Andrew Gee MP	• Project details/progress • Consultation to inform social impact assessment (SIA)	• Face to face/videoconference • Briefing letters/emails
State Member for Dubbo, Dugal William Saunders MP	• Project details/progress • Consultation to inform social impact assessment (SIA)	• Face to face/videoconference • Briefing letters/emails
Wellington Local Aboriginal Land Council	• Project details/progress • Identify cultural values and connection to place	• Consultation in accordance with *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010) • Newsletters/fact sheets • Website feedback form or 1800 number
Department of Planning, Infrastructure and Environment	• Project details/progress • Engagement during EIS preparation • Respond to matters arising throughout assessment	• Face to face/videoconference • Email and phone • Briefing letters/emails
Heritage Council of NSW	• Project details/progress	• Face to face/videoconference • Email and phone

	• Engagement during EIS preparation • Respond to matters arising throughout assessment	• Briefing letters/emails
Rural Fire Service	• Project details/progress • Engagement during EIS preparation Respond to matters arising throughout assessment	• Face to face/videoconference • Email and phone • Briefing letters/emails
Transport for NSW	• Project details/progress • Engagement during EIS preparation • Discuss site access requirements • Respond to matters arising throughout assessment	• Face to face/videoconference • Email and phone • Briefing letters/emails
Dubbo Regional Council	• Project details/progress • Consultation to inform social impact assessment (SIA) • Updates on outcomes of assessment reporting	• Face to face/videoconference • Email and phone • Briefing letters/emails
Colossus Metals Pty Ltd and Silver City Minerals Limited	• Project details/progress • Engagement during EIS preparation	• Face to face/videoconference • Email and phone • Briefing letters/emails
Wellington community groups	• Project details/progress • Consultation to inform social impact assessment (SIA) • Updates on outcomes of assessment reporting • Opportunities to provide feedback during application preparation • Details of how residual impacts would be mitigated	• Face to face/videoconference • Email and phone • Newsletters and factsheets • Website information/forms • 1800 number
Ongoing engagement with nearby unassociated residential receivers	• Project details/progress • Consultation to inform social impact assessment (SIA) • Updates on outcomes of assessment reporting • Opportunities to provide feedback during application preparation	• Face to face/videoconference • Email and phone • Newsletters and factsheets • Website information/forms • 1800 number

• Details of how residual impacts would be mitigated

6. LIKELY IMPACTS OF THE DEVELOPMENT

6.1 Introduction

An initial review of information has been completed to provide a summary of matters requiring assessment at EIS preparation stage and the level of assessment required for each issue. By reference to the DPIE Scoping Report Guidelines (DPIE 2021), a number of factors have been considered through this process, including:

- the scale and nature of the likely impact of the project and the sensitivity of the receiving environment;
- whether the project is likely to generate cumulative impacts with other relevant future projects in the area; and
- the ability to avoid, minimise and/or offset the impacts of the project, to the extent known at the scoping phase.

The following sections provide details on specific assessment areas. A summary table is provided at **Appendix A** categorising these areas as per the Scoping Report Guidelines. The level of assessment identified for each impact is summarised as follows:

- Standard:
  - Social impacts
  - Visual impacts
  - Land Use
  - Heritage
  - Hydrogeology
  - Biodiversity
  - Bushfire
  - Access and traffic
  - Noise and Vibration
  - Air quality
  - Waste
  - Hazard

6.2 Social Impact

The site is located within the DRC LGA which has a population of 51,018 as at 2016. The LGA is highly productive with an unemployment rate of 3.5%, significantly lower than the 2016 NSW average of 4.99%. The largest employer is the health care and social assistance sector which supports 3,777 jobs. The largest number of businesses are in the agriculture, forestry and fishing sectors, followed by construction.

Wellington, the nearest population centre located approximately ten kilometres to the north of the site, has a population of 4,519 people. Wellington has an unemployment rate of 12.4%. The majority of residents work in correctional and detention services (reflecting the proximity to Wellington Correctional Centre), followed by aged care residential services, local government administration and retail.

The site is located in Apsley which has a population of 107 people. Of these, 49 were employed. The majority of residents work in the agriculture, forestry and fishing industry (reflecting the rural, agricultural character of the area), followed by other services and education and training.

A Social Impact Assessment will be provided as part of the EIS in accordance with the *Social Impact Assessment Guidelines for State Significant Precincts 2021* (DPIE 2021). The Social Impact Assessment will be proportionate with the scale, complexity and likely impacts and benefits of the project. A Social Impact Assessment Scoping Worksheet has been prepared in accordance with the Guideline and is provided in **Appendix M**.

6.2.1 GENERAL APPROACH

The general approach used for the research and preparation to inform the SIA is listed below.

6.2.1.1 Project setting and context

The project context sets out the preliminary information available about the project to determine the potential impacts. The approach included a review of available information, understanding the area of influence, potential impacts on stakeholders and local and state policies that may influence the project or should otherwise be taken into consideration.

6.2.1.2 Consultation

The consultation has been undertaken by the proponent and will continue through the development of the SIA. The approach will be designed to meet the requirements of the SEARs. Community and stakeholder feedback to date is summarised in **Section 5**.

6.2.1.3 Social baseline development

The social baseline sets the current environment of the community within the social locality prior to the project being introduced. It uses publicly available data to create a community profile for which the impact identification and assessment can be completed.

The preliminary social baseline study was prepared using:

- existing demographic, health, housing, and socio-economic data from the ABS, government agencies, and local government
- published literature and social research
- government policies and plans
- documents relating to similar projects.

The preliminary social baseline will be refined during the development of the SIA to provide the benchmark against which potential social impacts have been identified and assessed and informs subsequent stages.

6.2.2 SOCIAL BASELINE

A social baseline study is a requirement of the New South Wales (NSW) Department of Planning, Industry, and Environment's (DPIE 2021) Social Impact Assessment Guideline, 2021. The baseline study describes the existing population and social conditions of potentially affected communities within the social impact assessment (SIA) area of social influence which form the benchmark against which the social impacts are assessed.
The Guideline states that a social baseline is crucial to understand the relevant pre-existing social pressures (DPIE 2020). A social baseline analysis provides a background into the existing environment, associated cultural and social values of the study area and Dubbo LGA. It also provides a benchmark against which direct, indirect, and cumulative impacts can be analysed and change can be measured.

6.2.2.1 Social locality (Study area)

The area of social influence of the project is limited to the communities of Wellington and Apsley in the Dubbo LGA. This area of social influence was based on an assessment of the communities likely to be impacted by the proposal and of the geographic proximity of residents and businesses to the project site.

The project is located within the suburb of Apsley and may directly impact landowners, residents, and businesses within the vicinity of the project site. Even though the project is contained within a defined area, impacts (direct and indirect) may be farther reaching. The preliminary review considers two scales of study areas: a local study area and a regional study area.

The local study area is defined as the area covered by the ABS state suburb (SSC) of Apsley. This is the area most likely face impacts to local social infrastructure and services, local workforce, local business, local housing and accommodation, and community health and wellbeing.

Broader impacts due to use of infrastructure, supply chains, haulage routes, transportation of materials and equipment and workforce may affect a larger regional area. The regional study area is thus extended to include the Wellington statistical area (SA2). These areas will be mapped to the Australian Bureau of Statistics (ABS) categories used for data collection.

Table 5 – Study areas

Study Area	Geographic area	ABS data category	Referred to as:
Local study area	Apsley (ABS Code SSC10067) (ABS 2016)	SSC	Local area
Regional study area	Wellington Statistical Area 2 (ABS Code 105031106) (ABS 2016)	Statistical Area Level 2	Regional area
State of New South Wales	NSW state	NSW STE	NSW

6.2.3 IMPACT IDENTIFICATION

The impact identification will be informed by the review of technical studies, feedback provided during the consultation process and from the social baseline. This includes but not limited to:

- environmental constraints – review of specialist studies and similar projects in the area to identify potential impacts
- existing social environment – demographic and social analysis from the baseline study
- data analysis and consultation findings –to identify potential impacts and benefits
- local plans and policies –to understand local priorities and values.

During the completion of the social impact assessment worksheet, a number of issues and opportunities were identified by the project team. The preliminary impacts and opportunities include:

- Construction activities will produce noise that disrupts nearby residents.
- Potential for increased noise at nearby houses during operation of the BESS
- Changes to the locality, landscape and visual amenity resulting from the project
- Dust and emissions from construction activity will negatively impact surrounding residents.
- Increased traffic during construction causing short-term disruptions to residents and commuters
- Improved grid access for renewable energy options through improved grid management

- Construction will provide direct jobs during the construction phase (approximately 50 FTE), indirect jobs and benefit to a range of individuals and businesses
- The ongoing operation and maintenance of the facility will increase opportunities for employment (approximately 5 FTE jobs) for local electricians and other suppliers.

Once the assessment is complete, mitigation and enhancement measures will be developed to manage the impacts associated with the project. These are intended to reduce the negative impacts and enhance the positive ones. Management measures should include pre-construction, construction, operational and decommissioning phases of the project.

6.3 Visual Impact

An initial review of the potential for visual impacts has been prepared by Iris Visual and Planning and is provided at **Appendix K**.

The installation of the BESS at a local high point, near the road will result in visual impacts which will be softened by landscape planting and considered in a Visual Impact Assessment to be provided as part of the EIS. The Visual Impact Assessment will include an assessment of the likely visual and landscape impacts of the project (including glare, reflectivity and night lighting) on surrounding residences, scenic or significant vistas, air traffic and road corridors in the public domain. Where relevant, it will include mitigation measures to help reduce the project's impacts on visual amenity.

Iris note:

> *The potential visibility of the project (refer to **Figure C**: Potential Visual Catchment) has been identified through an analysis based on a digital surface model (includes terrain only) derived from LiDAR point cloud data. This analysis shows the pattern of potential visibility and is a basis for fieldwork verification. This analysis considers views to the infrastructure within the proposed batteries and inverters as these would have the greatest potential for a visual impact.*
>
> *Based on this analysis, the site is expected to have a small visual catchment, with the visual catchment being mainly within one kilometre of the development footprint and contained to the north, east and west of the site by undulating landform on the lower slopes of the surrounding ranges and hills. This analysis shows views being contained to areas near to the site, including:*
>
> - *fields to the south, contained mainly within the associated land holding*
> - *a short section of the Mitchell Highway to the west of the site*
> - *east facing fields to the west of the site extending about 100 to 150 metres*
> - *mostly flat fields to the north of the site extending to about 1 kilometre, and also south facing slopes of the hills about two kilometres to the north of the site*
> - *west facing fields to the east of the site extending about 300 metres and including some elevated areas about 1km to the southeast of the site, and*
> - *flat fields to the south of the development footprint, extending about 100 metres to the south of the site and contained within the land holding.*

*Not all areas of the project development footprint would be seen from any area within this visual catchment. The colour shading on this map (refer to **Figure C**: Potential Visual Catchment) shows the approximate percentage of the BESS that would be seen within this potential visual catchment.*

Views from private residential dwellings

While there are several existing residential dwellings scattered across the surrounding rural landscape, the visual catchment does not extend to include many private residential dwellings. In particular, the residential dwellings to the south of the site are not expected to have views of the project based on this preliminary analysis. There may be a view from the several properties to the north, which are located on elevated slopes, about 400 metres and 700 metres from the site respectively. There is also unlikely to be a view from those residential dwellings over a kilometre from the site to the north, west and south of the site, due to intervening landform and vegetation.

Views from the Camelford Park Homestead

*The potential visual catchment of this proposal (refer to **Figure C**: Potential Visual Catchment) does not extend to the south towards the Camelford Park Homestead heritage property. This is due to localised screening vegetation within the project site.*

Views from surrounding recreational areas

*The Wellington caves (about two kilometres northwest of the site) is not located within the potential visual catchment of the site (refer to **Figure C**: Potential Visual Catchment) and there is not expected to be a view from this location due to intervening landform and vegetation. Other recreational areas in the vicinity of the site, including the Burrendong Dam (about 15 kilometres east of the site) and Mount Arthur (about 10 kilometres northwest of the site) are located over five kilometres from the site and are unlikely to have a view to this proposal.*

Views from the Mitchell Highway

*This proposal is located on the Mitchell Highway and there would be close range views the proposal from the Highway along a short section, adjacent to the site. The undulating landform limits views from more distant areas (refer to **Figure C**: Potential Visual Catchment). In these views, the development footprint (batteries and inverters) would be seen, with a backdrop of vegetation formed by the surrounding forested areas on elevated land.*

6.4 Land Use

6.4.1 MINING

The site is not located within a Mine Subsidence District. However, as shown in **Figure 5**, the site is located at the intersection of two NSW Exploration and Mining Titles, including:

- EL8735 over the eastern portion of the site, held by Colossus Metals Pty Ltd; and
- EL8971 over the western portion of the site, held by Silver City Minerals Ltd.

As outlined in **Section 5**, both title holders have been contacted about the project, but no response has been received at the time of writing.

6.4.2 AGRICULTURE

The compatibility of the proposed project with the surrounding land uses, including consideration of the surrounding land uses zones and existing uses would be completed, including a Land Use Conflict Risk Assessment in accordance with the Department of Industry's Land Use Conflict Risk Assessment Guide.

In particular, in preparing its EIS, ACEnergy will consider the ongoing use of the surrounding land for primary production purposes.

The proposed development will result in the loss of Class 3 land and soil capability land, the impact of which will be considered in an Agriculture Impact Statement to be provided as part of the EIS in accordance with the *Guideline for Agricultural Impact Statements* (DPI 2012) and *Agricultural Impact Statement Technical Notes* (DPI 2013). It is anticipated that the agricultural impacts of the development will be acceptable as:

- The site, capable of individual sale by way of having its own title, is not viable for independent use for agricultural purpose given its limited size of 18 hectares;
- The development footprint is limited to 6 hectares, representing a minor portion (4%) of the 140.8 hectare landholding and 0.002% of the 290,534 hectares of land mapped as Class 3 within the DRC LGA;
- The development footprint is located in the north-western corner of the landholding, ensuring that it will not result in fragmentation of agricultural lands within the landholding;
- Mapped Class 3 land and soil capability land is narrow (approximately 1 kilometre in width) with lower category Class 4 and 6 land and soil capability land to the west and east;
- Land within the locality is highly fragmented (LEP minimum lot size is 400 hectares); and
- As discussed in **Section 2.1.2**, the site is located within the REZ, and is therefore strategically identified for the purposes of providing electricity generating infrastructure.

6.5 Heritage

Whilst the site is not identified as being or adjoining an item of Aboriginal or European or within a heritage conservation area under the WLEP or State Heritage Register, there is potential for the occurrence of heritage items due to the presence of locally listed items, four Aboriginal Sites being located within close proximity and two isolated finds located during the survey (outside of the proposed development area) as described in **Section 2.3.5**.

Nevertheless, an Aboriginal Cultural Heritage Assessment Report (ACHAR) is to be provided as part of the EIS, identifying potential impacts and necessary management and mitigation measures. Reporting relating to the archaeological survey will be incorporated into the ACHAR.

6.6 Hydrogeology

The proposed development is unlikely to impact groundwater due to not requiring extraction of groundwater, 20 metre standing water level at the nearest groundwater borehole 365 metres to the north of the site, minimal anticipated depth of construction and stormwater management measures to be detailed in the Stormwater Management Plan to be provided as part of the EIS.

The suitability of the ground conditions for the proposed development and any potential for contamination associated with the history of agricultural use are to be addressed in a Preliminary (Site) Contamination Investigation Report to be provided as part of the EIS. A Geotechnical Report will be provided during detailed design and prior to construction commencement. Management of soil and water impacts during construction would be addressed in a Construction Management Plan.

There are no existing watercourses running within the site and it is anticipated that the existing dam in the north-western corner of the site can be retained in situ. The site is not expected to be flood prone given its location at a local high point.

6.7 Biodiversity

Notwithstanding that the site is highly disturbed, is not mapped under the Biodiversity Values Map and the proposed BESS will not require the removal of more than one hectare of native vegetation, a BDAR is required to be provided in accordance with Section 7.9 of the BC Act.

A preliminary land category report has been prepared and endorsed by NSW DPIE BCS (refer to **Appendix G**), which confirms that the land within Lot 3 impacted by the proposed BESS represents category 1 land by reference to the *Local Land Services Act 2014*. However, the land within the road reserve impacted by the proposed driveway is not category 1 land and therefore assessment of potential impacts to biodiversity are required. Given the very small area of impact, it is expected that a streamlined BDAR would be acceptable. Accordingly, a BDAR is to be provided as part of the EIS.

6.8 Bushfire

Whilst the site is not mapped as bushfire prone land and does not contain mapped vegetation, a Bushfire Assessment is to be provided as part of the EIS in response to the mapped Vegetation Buffer located 108 metres to the east and Vegetation Category 2 located a further 30 metres to the east.

6.9 Access and Traffic

Anticipated vehicular movements generated during the installation phase and subsequent operation phase of the proposed BESS and the capacity of the surrounding road network to accommodate those movements are to be addressed in the Traffic Impact Assessment to be provided as part of the EIS.

Materials are likely to be transported to the site from Port Botany via the route shown in Figure 14. Anticipated vehicular movements generated during the installation phase and subsequent operation phase of the proposed BESS and the capacity of the surrounding road network to accommodate those movements are to be addressed in the Traffic Impact Assessment to be provided as part of the EIS.

An initial assessment of traffic impacts indicates there is sufficient capacity within the network to accommodate construction generated traffic without detrimental impact to the operation of the network.

6.10 Noise and Vibration

Given the project's rural setting, background noise at nearby sensitive receivers is likely to be low and characterised by vehicular movements along the Mitchell Highway and agricultural equipment and machinery associated with agricultural production activities.

Noise and vibration impacts are expected to occur during the construction and operational phases, including preparatory earthworks, delivery, and assembly of the BESS infrastructure together with the operation of vehicles whilst operational noise impacts BESS are expected to be minimal, restricted to maintenance works and the varied utilisation of battery container systems.

The potential noise and vibration impact of the construction and operation BESS on nearby sensitive receivers would be considered in a Noise and Vibration Impact Assessment to be provided as part of the EIS. The Noise and Vibration Impact Assessment will be prepared in accordance with the:

- NSW Interim Construction Noise Guideline (DECC 2009);
- NSW Noise Policy for Industry (EPA 2017);
- NSW Road Noise Policy (DECCW 2011); and
- Assessing Vibration: A Technical Guideline (DECC 2006).

An initial review of potential noise impacts associated with construction and operation indicate that compliance with applicable criteria can be achieved at receiver locations.

6.11 Air Quality

Air quality impacts arising from dust generation and vehicle emissions during construction are to be assessed as part of the Air Quality Impact Assessment to be provided as part of the EIS and managed in accordance with a Construction Management Plan.

6.12 Waste

The likely waste generation associated with the proposed BESS, to be assessed as part of the Waste Management Plan and managed in accordance with a Construction Management Plan to be provided as part of the EIS, would mainly occur during the construction stage and may include green waste from cleared vegetation, construction materials, general waste from site personnel and spoil. Waste generated during the operation of the proposed BESS is expected to be minimal. Most battery components are expected to be readily recyclable at end of life.

6.13 Hazard

Lithium batteries are identified as Class 9 under the *Australian Dangerous Goods Code* (National Transport Commission 2020). Under the *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* (Department of Planning 2011) given effect under Section 8 of *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*, Class 9 goods do not exceed the screening thresholds as they "pose little threat to people or property" (Department of Planning 2011, p. 33). Nevertheless, a perception exists that a BESS may alter the EMF within a locality and thereby cause harm to residents and the environment. Accordingly, a Preliminary Hazard Analysis (PHA) is to be provided as part of the EIS. The PHA will consider EMF and fire risks.

6.14 Cumulative Impact

As shown in **Table 6**, there are a number of major projects at various stages of approvals around Wellington, all of which are in the renewable energy sector. The project may generate cumulative impacts in conjunction with surrounding projects during both construction and operation. These impacts may include cumulative traffic, construction noise, visual, social (including workforce and accommodation capacity) and biodiversity impacts. However, there may also be a cumulative benefit to local communities from the project and other developments in the region through the generation of jobs during construction and ongoing operation, particularly under the Central West-Orange Renewable Energy Zone, and contribution to local economies associated with the purchase of local goods and services. The EIS will include a cumulative assessment in accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects* (DPIE 2021).

Table 6 – Major projects in the surrounding area

Projects:	Stage:	Distance (Direction) from Site:

Mumbil Solar Farm	Preparing EIS	8.5 kilometres (south-east)
Wellington BESS	Preparing EIS	9.6 kilometres (north)
Wellington Solar Farm	Determined	11.9 kilometres (north)
Suntop Solar Farm	Determined, construction complete	14 kilometres (north-west)
Suntop Solar Farm 2	Preparing EIS	14.4 kilometres (north-west)
Burrendong Wind Farm	Preparing EIS	27.2 kilometres (east)

7. REFERENCES

Table 7 - References

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NSW Office of Environment and Heritage (OEH). (n.d.). *State Heritage Register.* Retrieved from: http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx#amapsearch [Accessed January 2022].

APPENDIX A

SCOPING REPORT SUMMARY TABLE

Level of Assessment	Matter	CIA	Engagement	Relevant Government Plans, Policies and Guidelines	Scoping Report Reference
Standard	Social Impact	Y	Specific	Social Impact Assessment Guidelines for State Significant Projects (Department of Planning Industry and Environment, 2021) Environmental Planning and Impact Assessment Practice Note: Socio-economic Assessment (Roads and Maritime Services, 2013).	6.2
Standard	Visual Impact	Y	General	Refer to **Section 6.3** of the Scoping Report.	6.3
Standard	Land Use	N	Specific	Surface Development Guideline 5 – Active Mining Areas – Moderate Predicted Subsidence Impact (Subsidence Advisory NSW, 2018) Development Application – Merit Assessment Policy (Subsidence Advisory NSW, 2018) *Muswellbrook Residential and Rural Residential Strategy* Department of Industry's *Land Use Conflict Risk Assessment Guide*	6.4
Standard	Heritage	N	Specific	NSW Skeletal Remains: Guidelines for Management of Human Remains (Heritage Office, 1998) Criteria for the Assessment of Excavation Directors (NSW Heritage Council, 2011).	6.5
Standard	Hydrogeology	Y	Specific	Acid Sulphate Soils Assessment Guidelines (Department of Planning, 2008) Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (Department of Urban Affairs and Planning and Environment Protection Authority, 1998) Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom, 2004) Managing Urban Stormwater: Soils and Construction Volume 2 (Department of Environment and Climate Change, 2008) Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (Department of Environment and Climate Change, 2008) Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC / ARMCANZ, 2000)	6.6

				Using the ANZECC Guidelines and Water Quality Objectives in NSW (Department of Environment and Conservation, 2006) Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B. Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DECC 2008) NSW Government's Floodplain Development Manual (2005)	
Standard	Biodiversity	Y	Specific	Refer to **Section 6.8** of the Scoping Report.	6.7
Standard	Bushfire	N	Specific	Planning for Bushfire Protection 2019	6.8
Standard	Access and Traffic	Y	Specific	Guide to Traffic Management – Part 3 Traffic Studies and Analysis (Austroads, 2013) Guide to Traffic Generating Developments Version 2.2 (RTA, 2002)	6.9
Standard	Noise and Vibration	Y	General	Construction Noise Strategy (Transport for NSW, 2012) Interim Construction Noise Guideline (Department of Environment, Climate Change and Water, 2009) NSW Industrial Noise Policy (Environment Protection Authority, 2000) NSW Road Noise Policy (Environment Protection Authority, 2011) Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006) German Standard DIN 4150-3: Structural Vibration – Effects of Vibration on Structures Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006) Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration (Australian and New Zealand Environment Council, 1990).	6.10
Standard	Air Quality	Y	General	The Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2016) NSW's Sustainable Design Guidelines (Version 3.0) (Transport for NSW, 2013) Greenhouse Gas Inventory Guide for Construction Projects (Transport for NSW, 2012).	6.11

Standard	Waste	N	General	Waste Classification Guidelines (DECCW, 2009)	6.12
Standard	Hazard	N	General	Hazardous and Offensive Development Application Guidelines: Applying SEPP 33 (DoP 2011) International Standard (ISO / IEC 31010) Risk Management – Risk Assessment Technique Australian Code for the Transport of Dangerous Goods by Road and Rail (7th edition) (National Transport Commission, 2007) Storage and Handling of Dangerous Goods Code of Practice (WorkCover, 2005). Hazardous Industry Planning Advisory Paper No. 6 – Guideline for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011)	6.13

APPENDIX B

LAND CATEGORY REPORT

Premise

ACENERGY PTY LTD

APSLEY BATTERY ENERGY STORAGE SITE

LAND CATEGORY REPORT

Report No: 221284_LAND_CAT_001
Rev: A
29 November 2021

DOCUMENT AUTHORISATION					
Revision	**Revision Date**	**Report Details**			
1	29/11/21	Land Category Report – Final			
Prepared By		**Reviewed By**		**Authorised By**	
Sally Kirby		David Walker		Colin Bower	

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1. INTRODUCTION TO THE PROPOSAL AND ASSESSMENT TEAM

Premise Australia Pty Ltd (Premise) is engaged to prepare an Environmental Impact Statement (EIS) to assess the impacts associated with a proposed Battery Energy Storage System (BESS) to be located at 9010 Mitchell Highway, Apsley, NSW. The proposed BESS and transmission line traverse cleared agricultural land and will not result in the loss of any native trees or shrubs. The capital value of the proposed BESS exceeds $30 million therefore the project is State Significant Development and the Biodiversity Offset Scheme is triggered under the *Biodiversity Conservation Act 2016* (BC Act). A Biodiversity Development Assessment Report (BDAR) is required to assess the biodiversity values of the site and identify potential impacts of the proposal on threatened entities and their habitat.

Premise Australia Pty Ltd (Premise) ecologists have undertaken a site inspection and identified the majority of the subject land to be consistent with Category 1 – exempt land under Section 60H of the *Local Land Services Act 2013* (LLS Act). This report provides justification for the Category 1 land for review and endorsement by the Biodiversity, Conservation and Science Directorate of the Department of Planning, Industry and Environment. Category 1 land does not require assessment under the Biodiversity Assessment Method as the land can lawfully be cleared under the LLS Act. Any part of the subject land that is not classified as Category 1 land will be the subject of a BDAR.

2. PROJECT DETAILS

2.1 Administration

The proponent for the proposed solar farm is ACEnergy Pty Ltd, located at Suite 502, 689 Burke Road Camberwell, Victoria 3124 Australia. The contact name is Danny Wilkinson danny.w@acenergy.com.au.

The Project Identification for Premise Pty Ltd is 221284 and the State Significant Development Project reference is PDA-28968048.

Senior Ecologists, Sally Kirby and Isobel Colson at Premise Pty Ltd undertook the site inspection and prepared the land category assessment, under the supervision of Principle Ecologist, Dr Colin Bower. Curricular vitae are provided in **Appendix A**.

2.2 Site Details

The proposed Battery Energy Storage System (BESS) is to be located at 9010 Mitchell Highway, Apsley NSW on Lot 3 DP1012686 (**Figure 1**). The project will include the BESS and temporary laydown areas within lot 3 DP1012686, an underground connection to an existing overhead transmission line to the east which crosses over a Crown road reserve into Lot 107 DP756920, and an access treatment to the site that falls within the Mitchell Highway road reserve (**Figure 2**). Lot 3 DP1012686, Lot 107 DP756920 and the Crown road reserve are zoned Primary Production (RU1) as per the *Wellington Local Environmental Plan 2012* and the *Local Land Services Act 2013* (LLS Act) applies. The Mitchell Highway is zoned SP2 – Infrastructure (Classified Road) and the LLS Act does not apply.

The subject land for this Land Category Report is only land that the LLS applies to, which includes the BESS infrastructure contained within Lot 3 DP1012686 and the underground connection to the overhead transmission line crossing the Crown road reserve and into Lot 107 DP756920 (**Figure 3**). The access

treatment on land zoned SP2 will be assessed according to the requirements of the BC Act and is not discussed further in this Land Category Report.

The subject land is located in the Dubbo Regional Local Government Area (LGA), and is part of the NSW South Western Slopes Region and Inland Slopes Subregion according to the Interim Biogeographic Regionalisation of Australia (IBRA) (Thackway and Cresswell, 1995). The site lies on the Wellington – Molong Karst Mitchell Landscape (NSW Government, 2021).

The subject land is bounded by the Mitchell Highway to the west and cleared agricultural land to the north, east and south. The Wallerwang-Dubbo 132 kV electricity transmission line is located to the east of the site and is located within a 45 metre wide cleared easement running in a north-south direction. The site is relatively flat, lying between 366 m and 370 m AHD (Australian Height Datum) from north to south and 368 to 371 m east to west. There is a farm dam in the east of the site, and native trees and shrubs have been planted along the Mitchell Highway to the north. The development site is rectangular in shape, with infrastructure proposed in bays covering an area approximately 300 metres by 150 metres (5.8 ha).

The property has a long history of agricultural production, including grazing and cropping. At the time of survey the paddock was sown to oats and cattle were grazing.

There are scattered remnant trees in an otherwise cleared agricultural landscape in the land immediately surrounding the BESS site, and much larger remnant woodlands on hilltops and in nearby reserves including the Wellington Caves Reserve, Mount Arthur Reserve and Catombal Ranges to the west, and Lake Burrendong State Recreation Area to the east. The Bell River is approximately 5 km west of the subject land and the Macquarie River 15 km to the east (**Figure 4**).

Figure 1 – Location Map

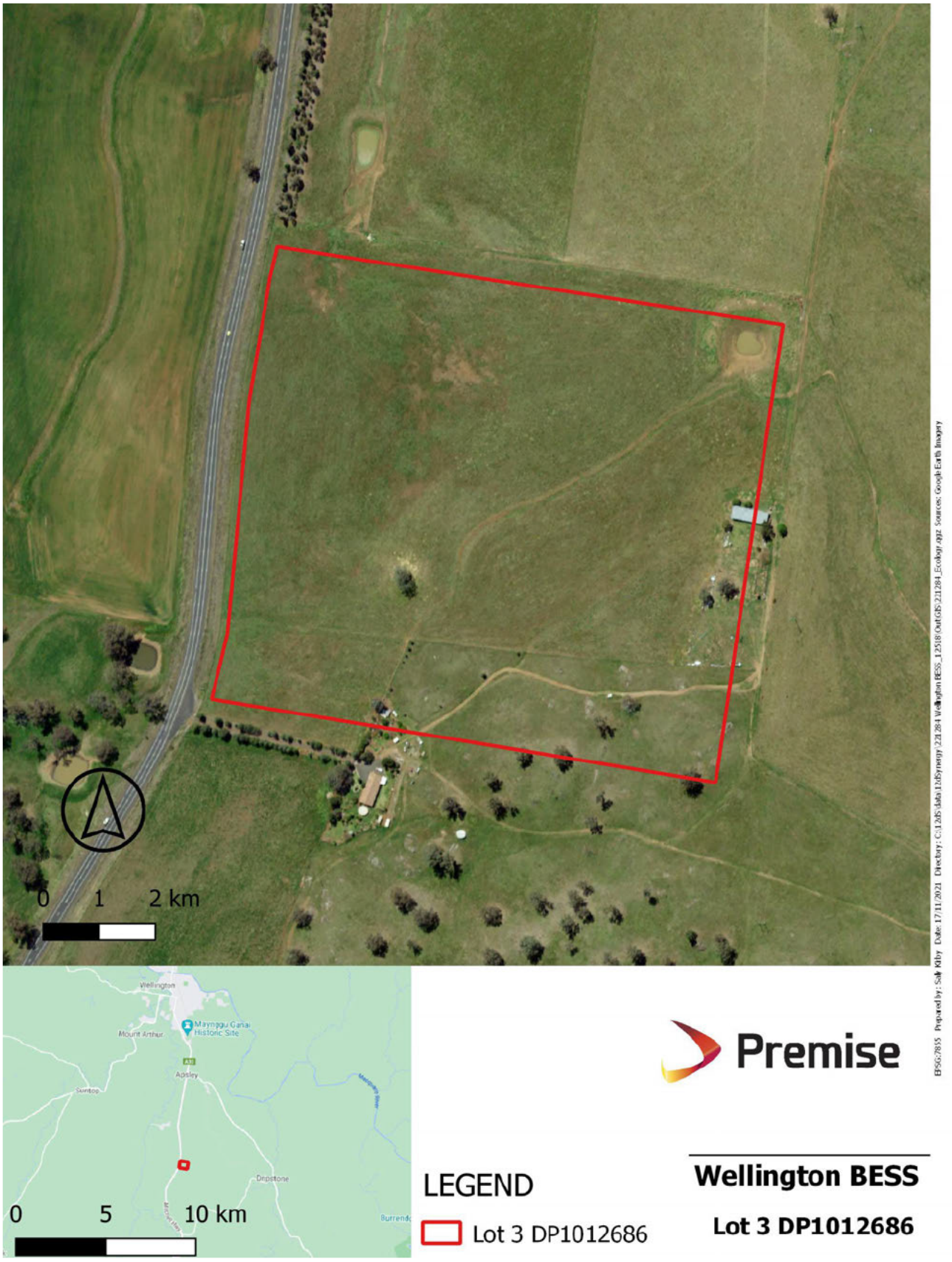


Figure 2 – Concept Site Layout

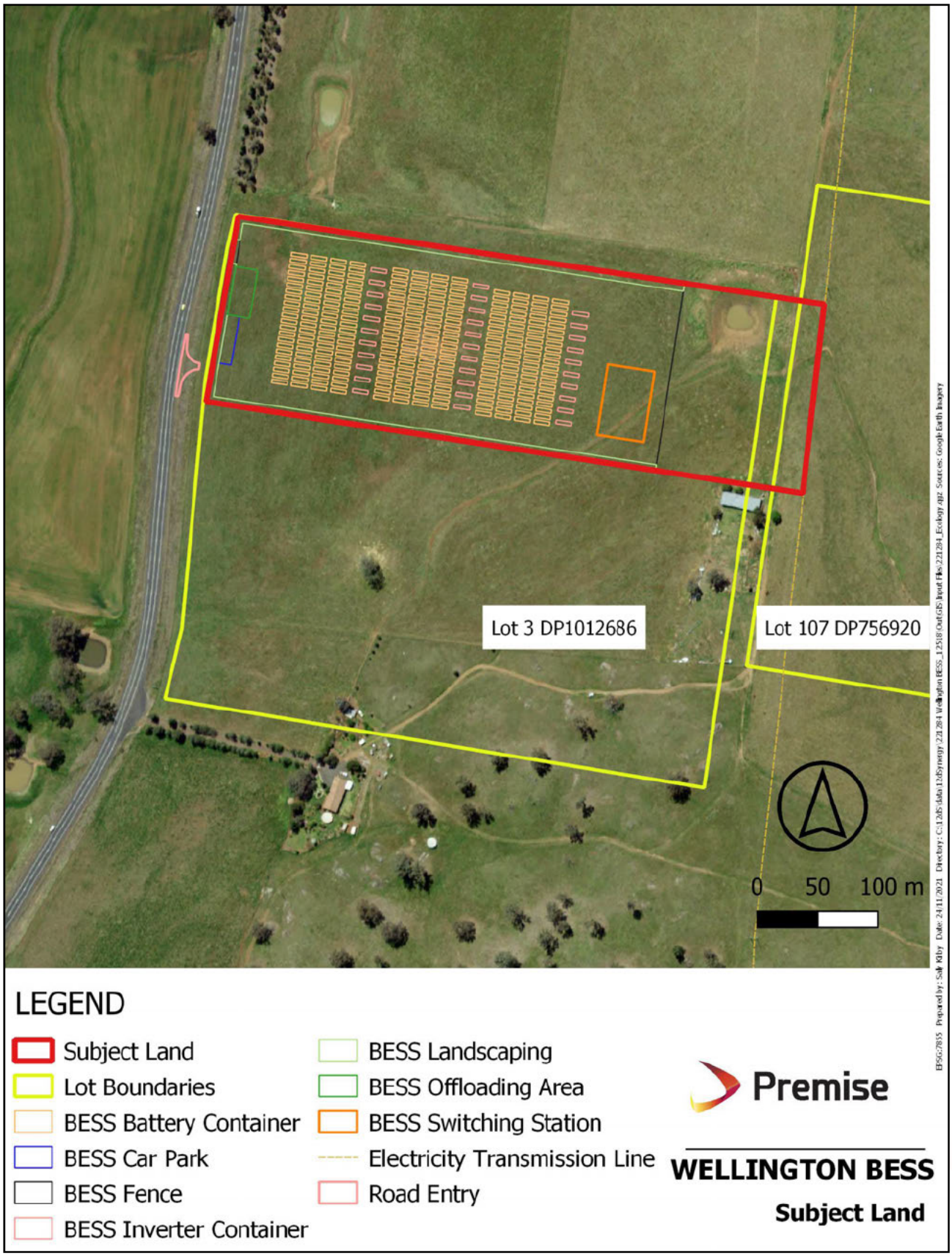


Figure 3 – Subject Land and vegetation survey

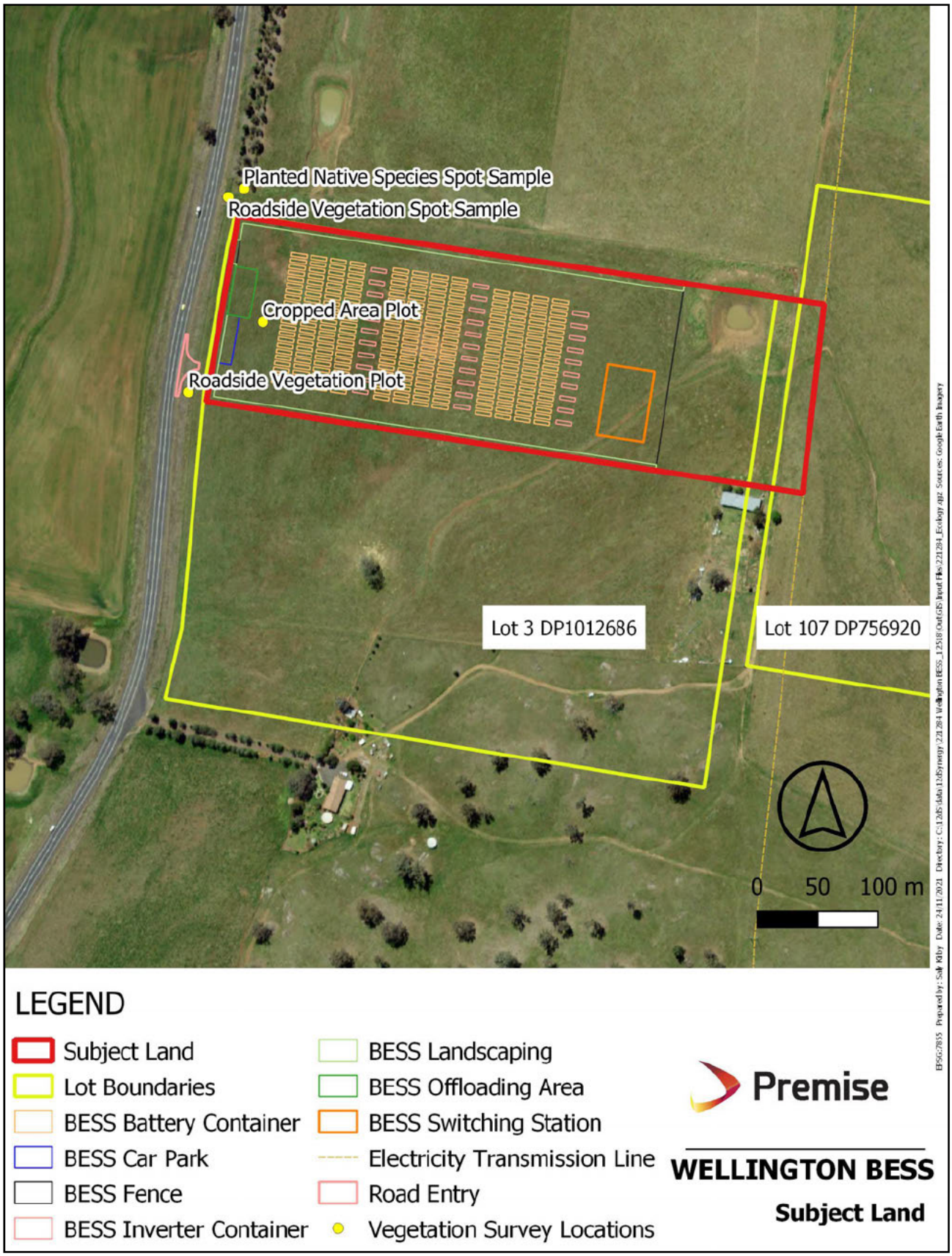
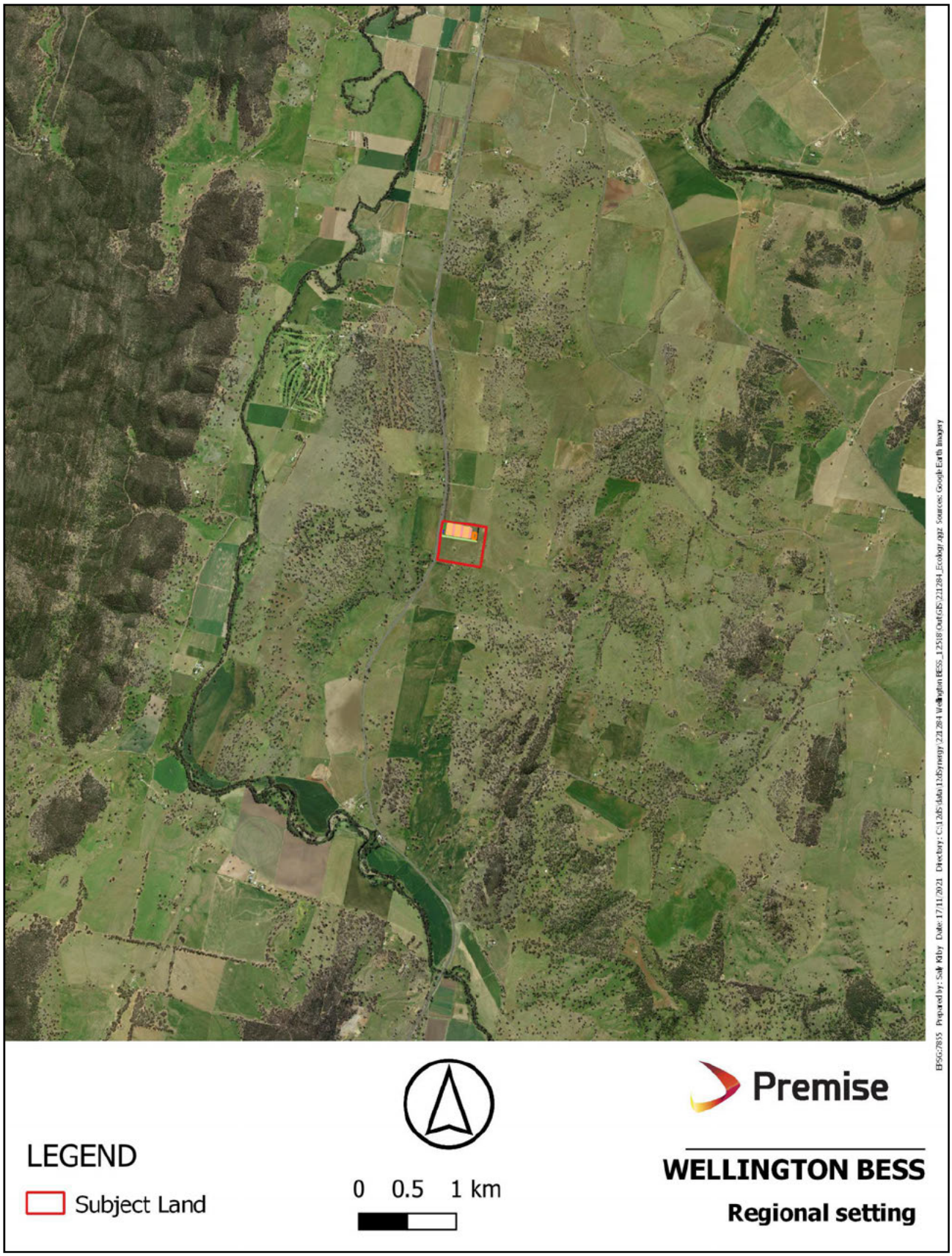


Figure 4 - Regional Setting



3. LAND CATEGORIES ON THE SUBJECT LAND

Native vegetation on rural land in NSW is managed under the Land Management Framework according to categories determined by Section 60H of the LLS Act. Where the LLS Act applies, land can be classified as:

- Category 1 – exempt land, land that is devoid of native vegetation, or is native vegetation that has regenerated on land that was lawfully cleared prior to 1990;
- Category 2 – regulated land, native vegetation that may be cleared with authorisation from Local Land Services;
- Category 2 – vulnerable regulated land, applies to steep or erodible land, riparian areas or special category land; and
- Category 2 – sensitive regulated land, for environmentally sensitive areas.

The subject land for this Land Category Report is 7.65 ha and zoned and in use for primary production. It has a long history of cropping and grazing, and at the time of survey in November 2021 was in an oats crop with cattle grazing. The decision matrix shown in **Table 1** outlines the data sources and steps taken in assessing the subject land to determine whether it meets the Category 1 exempt land criteria within the meaning of the LLS Act. This decision matrix was developed in consultation with the Biodiversity, Conservation and Science Directorate of the Department of Planning, Industry and Environment. Proposed development impact on Category 1 land is not required to be assessed under the Biodiversity Assessment Method, however it is important to note that any prescribed impacts of the proposal will still be considered in a BDAR to be prepared following endorsement of this Land Category Report.

Table 1 – Land Categorization Decision Matrix

Data Source	Result	Priority Given	Land Category	Reason
Transitional Native Vegetation Regulatory Map	Category 2 - vulnerable regulated or Category 2 sensitive regulated land	1	2	Cl 108(4) LLS Reg: An area of the State to which Part 5A of the Act applies is, during the period from the commencement of that Part until the area has been designated on a native vegetation regulatory map, taken to be category 2-sensitive regulated land if the land is so designated on a transitional native vegetation regulatory map published by the Environment Agency Head.
Local Land Services, Client, Biodiversity Conservation Trust, DPIE, Local Council	Land part of a TSR, consent or conservation agreement, biodiversity certification, an offset under a PVP, a 'set-aside', subject to a remedial action or publicly funded.	1	2	S60I(2) LLS Act: Land is to be designated as category 2-regulated land if the Environment Agency Head reasonably believes that the land contains native vegetation that was grown or preserved with the assistance of **public funds** (other than forestry purposes), is subject to a private land c**onservation agreement, a set aside or offset** under the NV Act or biodiversity certified under the BC Act.
				Cl113(1) LLS Reg:(1) Land is also to be designated as category 2-regulated land if the Environment Agency Head reasonably believes that the land is (or was previously) subject to a **private native forestry plan, property vegetation plan** or an **incentive property vegetation plan** (being land that was required to be conserved or in respect of which public funding was provided to improve biodiversity), Nature Conservation Trust Act 2001, or proposed plantation under the Plantations and

				Reafforestation Act 1999, to be set aside for nature conservation, for re-vegetation of native vegetation or as a native vegetation offset, or the land is a **travelling stock reserve** (unless the land is located in the Western Division of the State).
Koala Plan of Management	Land is identified as core koala habitat under a Plan of Management approved under State Environmental Planning Policy (Koala Habitat Protection) 2020	1	2	S601(2)(j) LLS Act and Cl111 LLS Reg - land that in the opinion of the Environment Agency Head is **core koala habitat**. (Koala Habitat Protection SEPP 2020 which applies to RU1 Primary Production, RU2 Rural Landscape or RU3 Forestry zones)
Existing approvals for lawful clearing eg development consents, consent authority approved operational plans etc	**Existing approval** for clearing of native vegetation can be unambiguously demonstrated AND is NOT overridden by any of the other specific agreements noted below (Where no definitive evidence, precautionary approach must be applied (i.e. Cat 2 assumed))	2	1	Existing clearing which was previously authorised under other legislation as set out in S60O LLS Act S60H(1) LLS Act: land is to be designated as category 1-exempt land if the Environment Agency head reasonably believes that (a) the land was cleared of native vegetation at 1 January 1990 or b) lawfully cleared between that date and the commencement of Part 5A of the LLS Act (25 August 2017)
Best available aerial photography (including Six Viewer and Google Earth Pro	Woody vegetation (native) present at or before 1 January 1990.	3	2	S60I(1) LLS Act: land is to be designated as category 2-regulated land if the Environment Agency head reasonably believes that the land was (a) **not cleared** of native vegetation at 1 January 1990 OR the land was **unlawfully cleared** of native vegetation after 1 January 1990. Cl113(1)(g) LLS Reg: Land is to be designated as category 2 if the Environment Agency Head reasonably believes that the land contains low conservation grasslands beneath the canopy or dripline of woody vegetation (being woody

				vegetation that satisfied the criteria for classification of the land as Cat 2. (**Scattered Trees**)
Premise groundtruthed vegetation mapping	Native vegetation, remnant woodlands, grasslands	3	2	S60I(1)(a) LLS Act: land is to be designated as category 2-regulated land if the Environment Agency head reasonably believes that the land was not cleared of native vegetation at 1 January 1990 and is not 'low conservation value' grasslands or groundcover.
Floristic data (BAM or IGGAM Transects)	Scientifically robust method - appropriate number of plots, qualified persons, right time of year for maximum native species representation	4	1	S60H(2)(a) LLS Act: land is to be designated as category 1-exempt land if the Environment Agency head reasonably believes that the land contains low conservation value grasslands in accordance with the relevant requirements of the LLS Act and Regulations. S60I(2)(e) requires land to be designated as category 2 - regulated if the Environment Agency Head reasonably believes that the land contains grasslands that are not low conservation value grasslands). See also Cl 109 LLS Reg (low conservation value ground cover) and S60F(3) LLS Act.
	Exotic perennial cover greater than native cover OR Vegetation Integrity Score greater than or equal to 15 where PCT representative of EEC or CEEC, greater than or equal to 17 where PCT associated with threatened species habitat or represents a vulnerable EC, or greater than or equal to 20 where the PCT does not represent a TEC and is not associated with threatened species habitat.			The Interim Grasslands and other Groundcover Assessment Method is a DPIE endorsed method for determining low conservation value grasslands/groundcover

Best available aerial photography (including Six Viewer and Google Earth Pro, landholder records)	Spatial imagery indicates vegetation has been 'significantly disturbed' or 'modified' within the meaning of the LLS Act and in accordance with the LLS Regulations	5	1	S60J(2) LLS Act allows native vegetation that comprises grasslands or other non-woody vegetation to be taken to have been cleared if the native vegetation was significantly disturbed or modified (see cl. 114(1) and(2) LLS Reg).
Best available aerial photography (including Six Viewer and Google Earth Pro, landholder records)	Pre 1990 non-vegetated areas such as public roads, farm tracks and roads and other infrastructure	5	1	S60H(1)(a) LLS Act: land is to be designated as category 1-exempt land if the Environment Agency head reasonably believes that the land was cleared of native vegetation at 1 January 1990.
NSW Land Use2017 v1.2	1.2.0 Managed Resource:	5	2	As per Figure 7 of the Native Vegetation Regulation (NVR) map method statement - Australian Land Use Mapping (ALUM) classification assigned to the NVR map category 2
	1.2.1 Biodiversity			
	1.2.2 Surface Water supply			
	1.2.3 groundwater			
	1.2.4 Landscape			
	1.2.5 Traditional indigenous use			
	1.3.0 Other Minimal use:			
	1.3.1 Defence land - natural areas			
	1.3.2 Stockroute			
	1.3.3 Residual native cover,			
	1.3.4 Rehabilitation			
	5. Intensive Uses			
	5.4.3 Rural residential without agriculture			
	5.7.0 Transport and Communication:			
	5.7.1 Airport/aerodrome			

	5.7.2 Roads,			
	5.7.3 Railways			
	5.7.4 Ports and water transport			
	5.7.5 Navigation and communication			
	6. Water			
	6.1.1 Lake - conservation			
	6.1.4 Lake - saline			
	6.3.1 River - conservation			
	6.5.1 Marsh/wetland - conservation			
	6.5.4 Marsh/wetland - saline			
	6.6.1 Estuary/Coastal water - conservation			
NSW Land Use2017 v1.2	All other Land Use Categories (other than those specifically listed above)	6	1	As per Figure 7 of the Native Vegetation Regulation (NVR) map method statement - Australian Land Use Mapping (ALUM) classification assigned to the NVR map category 1

3.1 Datasets and Resources

The following datasets and resources were used to inform the process of identifying, mapping and justifying Category 1 on the subject land:

- NSW Land Use Mapping 2017 v1.2 (DPIE, 2019) https://geo.seed.nsw.gov.au/Public_Viewer/index.html?viewer=Public_Viewer&locale=en-AU&runWorkflow=AppendLayerCatalog&CatalogLayer=SEED_Catalog.281 (**Figure 5**);
- NSW Six Maps Imagery 2014 https://maps.six.nsw.gov.au/; Satellite Imagery Google Earth Pro 2018 (**Figure 1**);
- Premise Vegetation Survey Results. Field Surveys conducted by qualified and experienced ecologists on the subject land in November 2021 (**Figure 3**);
- NSW Native Vegetation Extent 5 m Raster v1.2 (OEH, 2017b) https://geo.seed.nsw.gov.au/Public_Viewer/index.html?viewer=Public_Viewer&locale=en-AU&runWorkflow=AppendLayerCatalog&CatalogLayer=SEED_Catalog.237.Koala%20Habitat%20Information%20Base%20-%20NSW%20Vegetation%20Extent%20v1.2 **Figure 5**);
- Native Vegetation Regulatory Map Viewer (https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=NVRMap) (**Figure 7**);

3.2 Results

The subject land is considered to be Category 1 land according to the steps outlined in the Decision Matrix, summarised in Table 2.

Table 2 – Application of the Decision Matrix

Source	Justification	Evidence
Land Use Layer	Land use categories include Grazing Modified Pasture, Residential and Farm Infrastructure and Cropping. These land use categories are all consistent with Category 1 land according to NVR Map Method Statement (OEH, 2017a).	**Figure 5**
Aerial imagery, six maps	No woody vegetation on the subject land evident on aerial photography and satellite imagery and confirmed during on ground site investigation in November 2021 discussed in **Section 3.2.1**.	**Figure 1**
NSW Native Vegetation Extent	No woody vegetation on the subject land. The underground connection to the existing transmission line will avoid all woody native vegetation.	**Figure 6**
Transitional NVR Regulatory Map	Not mapped on the transitional Native Vegetation Regulatory Map as Category 2 land.	**Figure 7**
Client and landholder advice	Not part of a Koala Plan of Management or part of a conservation agreement or prior approval.	

Figure 5 – NSW Land Use Layer

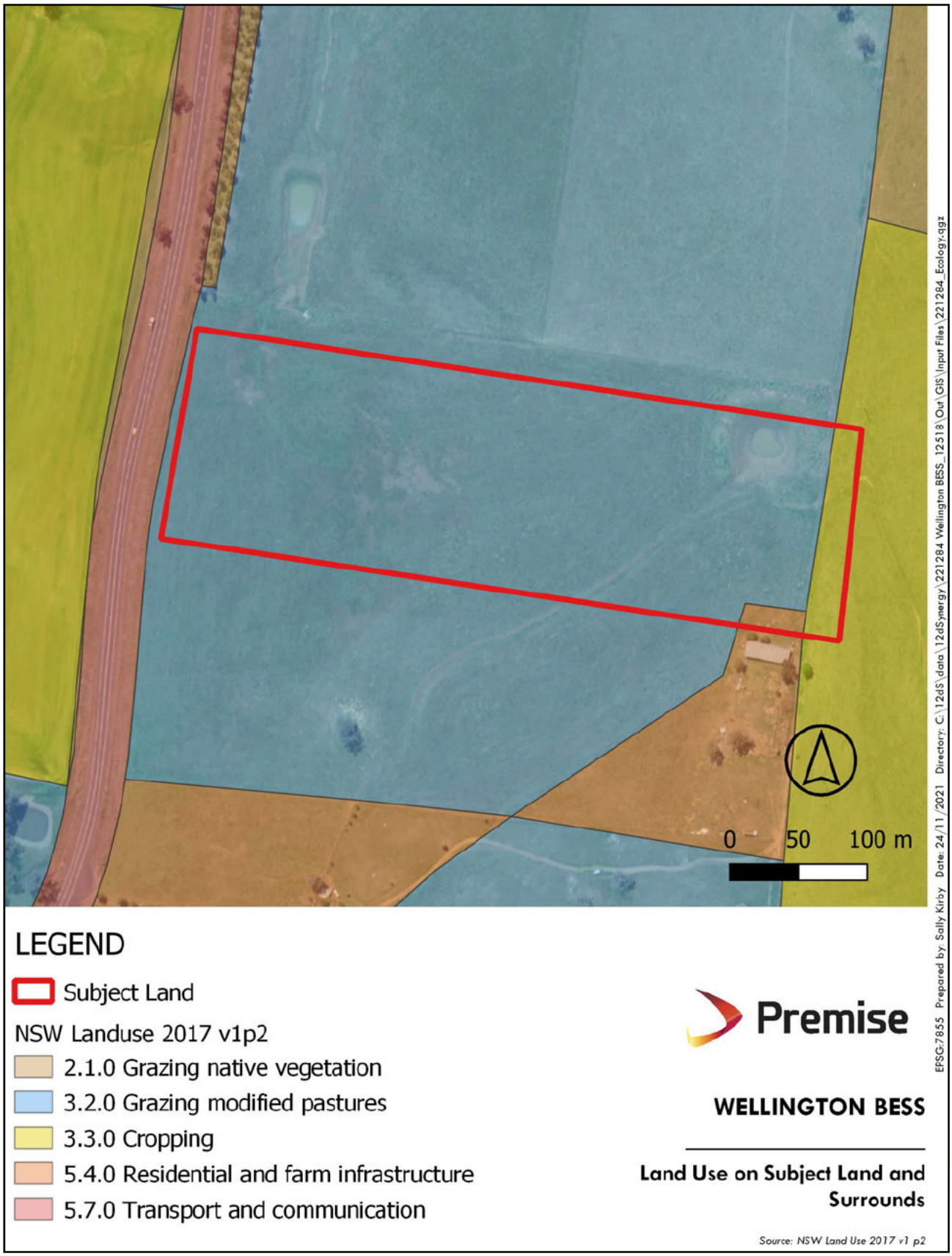


Figure 6 – NSW Woody Extent

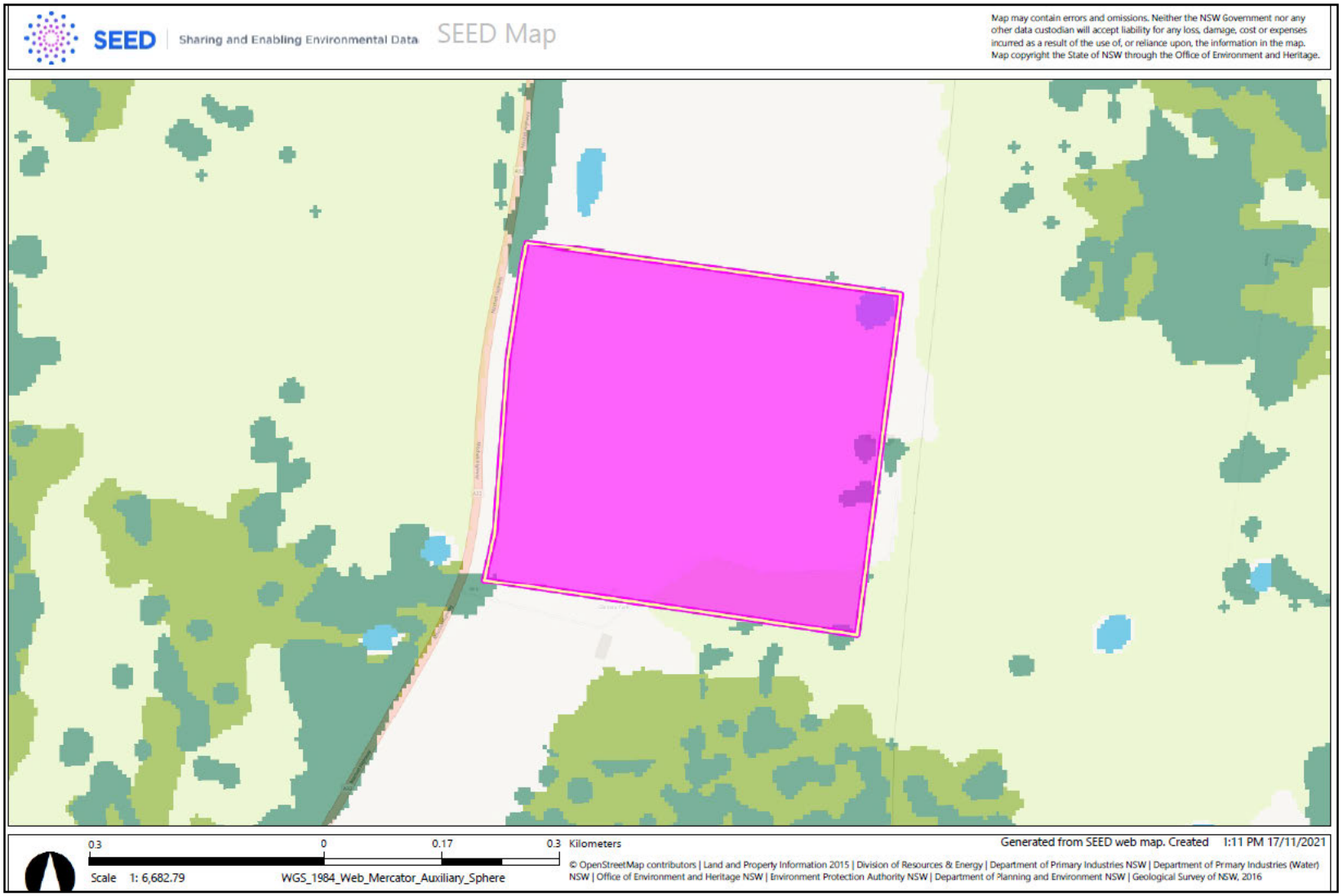
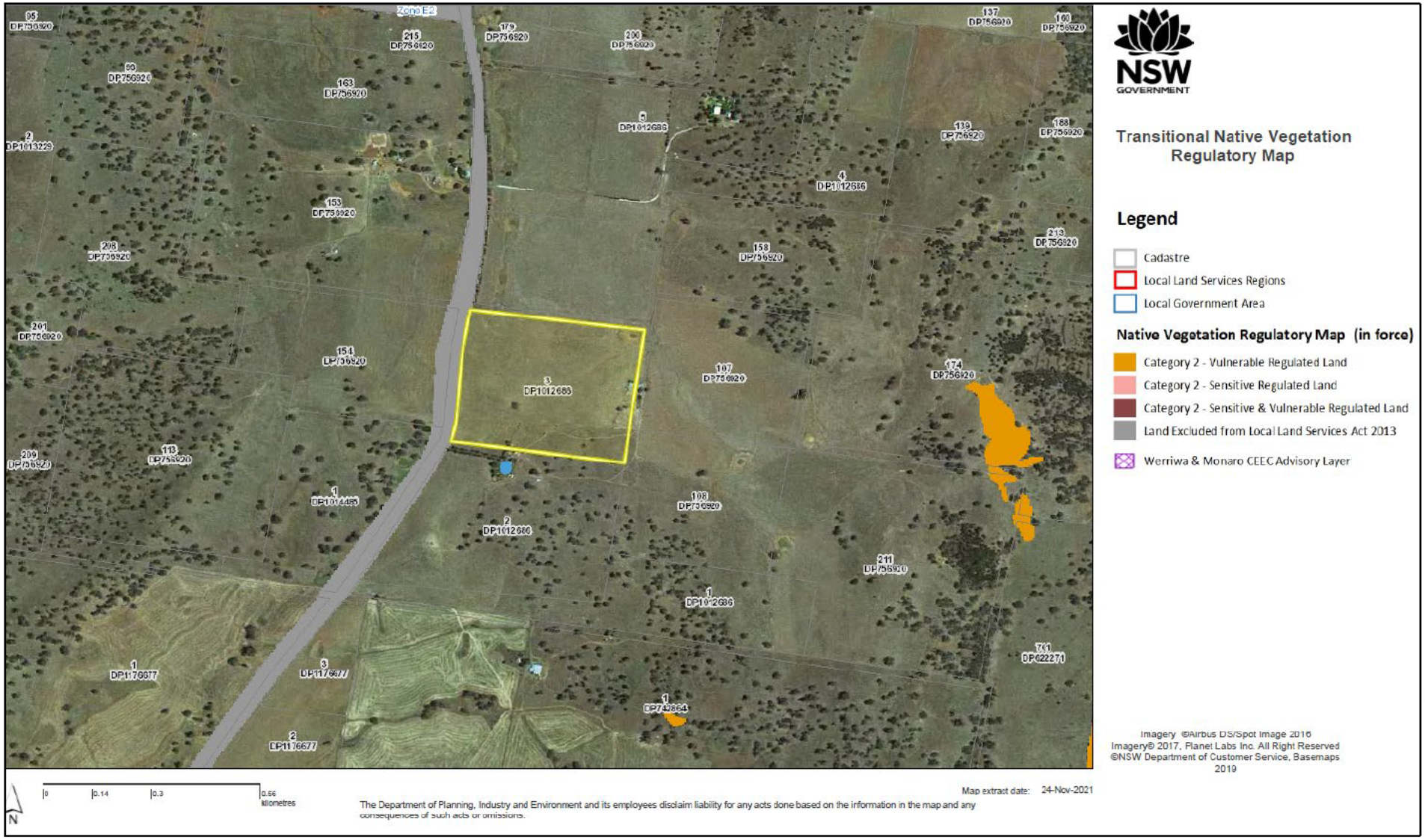


Figure 7 – Transitional Native Vegetation Regulatory Map



3.2.1 VEGETATION SURVEY

A vegetation survey was undertaken on the subject land on 1 November 2021 at survey locations indicated on **Figure 3**. One BAM plot was conducted on the subject land to obtain floristic and structural data to adequately describe the vegetation. The dominant species on the site was Oats (*Avena sativa*) covering 80% of the 20 x 20 m plot. Other common species included introduced Wireweed (*Polygonum aviculare*), Haresfoot clover (*Trifolium arvense*), Common Sowthistle (*Sonchus oleraceus*), Hop Clover (*Trifolium campestre*) and Ryegrass (*Lolium rigidum*). Four native species were recorded, Australian Stonecrop (*Crassula sieberiana*), Sprawling Bluebell (*Wahlenbergia gracilis*), Star Cudweed (*Euchiton sphaericus*) and *Oxalis Perennans*, amounting to 0.5% of the vegetation cover in the 400m^2 plot. There were no trees or shrubs on the subject land. The full species list, cover and distribution for each species is provided in Appendix A.

Photos taken at the plot location are shown in **Figure 8** and **Figure 9**.

Figure 8 – Plot location looking north

Figure 9 – Plot location looking east

4. CONCLUSION

The subject land shown in **Figure 3** is considered Category 1 exempt land. Vegetation removal required for the construction and operation of the Apsley BESS will not require assessment under the Biodiversity Assessment Method (DPIE, 2020). Prescribed impacts will be assessed and included in a Biodiversity Development Assessment Report to be prepared for land not considered to be Category 1 land once the Land Category Report has been endorsed by the Biodiversity Conservation, Science Directorate.

5. REFERENCES

Department of Planning, Industry and Environment (2019c). NSW 2017 Landuse Mapping . Webpage: https://datasets.seed.nsw.gov.au/dataset/nsw-landuse-2017-v1p2-f0ed Department of Planning, Industry and Environment, Sydney.

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APPENDIX A

CURRICULUM VITAE

Sally Kirby and Isobel Colson

SALLY KIRBY

SENIOR ECOLOGIST

Sally is a Senior Ecologist with over 20 years' experience in natural resource management, environmental impact assessment and community engagement. Sally has specialist skills in terrestrial and aquatic ecological processes, habitat assessments, water quality investigations, environmental monitoring and management plans.

QUALIFICATIONS + ACCREDITATIONS

- Bachelor of Science Marine Ecology / Psychology Sydney University (1994)
- Master of Environmental Studies Macquarie University (2000)
- Diploma community co-ordination and facilitation (2017)
- Certificate IV Training and Assessment (2013)
- Certificate of Attainment Management Systems Auditing; Environmental Management Systems (2009)
- Biodiversity Assessment Method Accreditation (application pending 2021)

AWARDS

- Environmental Citizen of the Year Cabonne Shire 2019

WORK HISTORY

Premise | Senior Ecologist (2019 - present)

Career and Experience Overview

Sally has worked in NSW, QLD and the NT in environmental impact assessment roles as an ecologist, natural resource management advisory services, and community organisations in facilitation, community engagement and capacity building. Sally also has experience in the agricultural sector and natural capital accounting.

Relevant EXPERIENCE

Senior Ecologist | Biodiversity Assessments | Development Approvals, Subdivisions, Local Government Infrastructure Works

Cadia Valley Operations, Cabonne Council, Orange City Council, Blayney Shire Council, Walcha Council NSW | 2019, 2020, 2021

Vegetation survey design and assessment, biodiversity values and impact assessment, threatened species survey and habitat assessment, reporting, project management and facilitation.

Senior Ecologist | Community Engagement and Aquatic Assessment

Orange City Council | Orange, NSW | 2020

Co-ordinated community engagement process to inform design of an off-stream wetland as part of Orange City Council's stormwater harvesting scheme. Conducted vegetation surveys and aquatic and terrestrial habitat assessments for the biodiversity impact assessment of the project. Community consultation with stakeholder reference group.

Senior Ecologist | Biodiversity Assessment, Renewable Energy Projects

Central Tablelands Landcare | Co-ordinator (2009 - 2019)

TAFE Western | Teacher NRM (2006 - 2015)

Primary Industries & Natural Resources, NT | Water Advisory Officer (2002 - 2005)

SMEC | Environmental Scientist/Ecologist (1999 – 2002)

Dames and Moore | Environmental Scientist (1995 – 1997)

Condobolin, Mogriguy, Marulan, Gunnedah, Wellington, Dubbo and Orange | 2019, 2020, 2021

Terrestrial ecology surveys and assessment for proposed solar farms in various locations around NSW. Vegetation surveys using BAM, habitat assessment, mapping, threatened species impact assessment and mitigation measures.

Co-ordinator | Grassy Whitebox Woodland Revegetation Projects

NSW Government Environmental Trust | NSW | 2012-2019

Co-ordinated revegetation projects with landholders in the Central Tablelands, funding applications, community engagement, site assessments, advice on species selection, site preparation and ongoing management including feral animal control and weed management. Project management, monitoring and reporting.

Co-ordinator | Pest Animal Co-ordinator Central Tablelands Landcare

CT Local Land Services | Orange | 2018

Co-ordinated educational workshops and assisted with the establishment and management of Pest Animal Management Groups in the Central Tablelands NSW.

Relevant EXPERIENCE CONT.

Co-ordinator | Dung Beetle Monitoring Citizen Science Project

Dung Beetle Solutions Australia | Orange and Bathurst | 2016-2019

Co-ordinated educational workshops, dung beetle breeding and monitoring programs with schools and Landholders in Orange and Molong, NSW.

Co-ordinator | Whole Farm Planning and Aboriginal Reference Groups

TAFE Western | Orange | 2006-2015

Co-ordinated whole farm planning course, taught water quality, GPS, facilitated program including mapping, soil health, water quality, native vegetation, business, strategic planning. Taught Aboriginal Reference Groups how to use GPS, computer and administration skills to collect data for Aboriginal Heritage Information Management System (AHIMS).

Water Advisory Officer | Implementing water licences, bore inspections, groundwater/surface water interactions

Northern Territory Government | Katherine, NT | 2001-2004

Customer service, technical advice, planning approvals, implementing water licenses in the Northern Territory, consulting with landholders about installing water monitoring technology and reporting on water use, investigations into groundwater and surface water interactions, collated reports on Roper River, Daly River and Victoria River Health Projects, Streamwatch Activities with Aboriginal Groups and School Groups throughout NT.

APSLEY BATTERY ENERGY STORAGE SITE

ECOLOGIST

Isobel takes pride in providing accurate assessments and thorough advice to clients to inform environmental management and protection. Isobel has exceptional skill in native plant identification and geographic information systems and a personal interest in fungi.

QUALIFICATIONS + ACCREDITATIONS

- Bachelor of Environmental Science and Management, Charles Sturt University Thurgoona
- Masters Plant and Fungal Taxonomy, Diversity and Conservation, Queen Mary University London
- Certificate IV Conservation and Land Management: National Environment Centre, Thurgoona NSW
- Certificate II Conservation and Land Management: 'Know and Grow Australian Native Plants': TAFE NSW, Orange Agricultural Campus
- Biodiversity Assessment Method Accreditation (application pending 2021)

WORK HISTORY

Premise | Ecologist
(2018 - present)

Kew Gardens | Ecologist
(2018 – 2019)

Career and Experience Overview

ISOBEL IS A SENIOR ECOLOGIST WITH OVER 6 YEARS OF EXPERIENCE WORKING IN NATURAL RESOURCE MANAGEMENT IN WESTERN NSW IN EXTENSION, PROJECT MANAGEMENT AND PLANNING ROLES. SHE HAS EXPERIENCE IN GIS, VEGETATION ASSESSMENT, PROJECT MANAGEMENT AND EVALUATION. HER SPECIAL INTERESTS INCLUDE AUSTRALIAN NATIVE GRASSES AND FUNGI.

Relevant EXPERIENCE

Ecologist | Biodiversity Assessments | Development Approvals, Subdivisions, Local Government Infrastructure Works

Cadia Valley Operations, Cabonne Council, Orange City Council, Blayney Shire Council, Walcha Council NSW | 2019, 2020, 2021

Vegetation survey design and assessment, biodiversity values and impact assessment, threatened species survey and habitat assessment, reporting, project management and facilitation

Senior Ecologist | Biodiversity Assessment, Renewable Energy Projects

Condobolin, Mogriguy, Marulan, Gunnedah, Wellington, Dubbo and Orange | 2019, 2020, 2021

Terrestrial ecology surveys and assessment for proposed solar farms in various locations around NSW. Vegetation surveys using BAM, habitat assessment, mapping, threatened species impact assessment and mitigation measures.

Western Local Land Services |
Monitoring and Evaluation
(2016 – 2018)

Western Local Land Services |
Land Services Officer
(2014-2016)

Ecologist | Bovaca Bio Project
Govt. of Colombia & Kew Gardens | 2018 - 2019

Carried out an assessment of macrofungal diversity in high-altitude forests in Boyacá, Colombia. Involved DNA barcoding, species identification and analysis of species diversity using R statistical software

Project Management | Riparian Restoration Project

Involved working with graziers to develop project plans, contract management, GIS and environmental monitoring.

Project Management | Groundcover Management Project
2014 - 2016

Planning and project management for 30 grazing management projects in Western NSW . Mapping, management of contract milestones, groundcover monitoring and project support to applicants.

Project Management | National Landcare Program Bid 2018
National Landcare | 2018

Developed program logics and environmental monitoring guidelines for successful organisational funding bid for 4 years of National Landcare Program funding from 2019.

APPENDIX B

PLANT SPECIES LIST

Quadrat 1 GDA94 Zone 55	N: 682822 E: 6387125					**WELGQ1**	**WELGQ1**
Common Name	**Scientific Name**	**Native**	**Exotic**	**High Threat Weed**	**BAM Growth Form Group**	**Cover**	**Abundance**
Oats	*Avena sativa*		YES			80	1000
Wireweed	*Polygonum aviculare*		YES			3	500
Haresfoot Clover	*Trifolium arvense*		YES			2	100
Common Sowthistle	*Sonchus oleraceus*		YES			1	50
Hop Clover	*Trifolium campestre*		YES			1	500
Wheat	*Triticum aestivum*		YES			1	30
Clustered Clover	*Trifolium glomeratum*		YES			0.5	200
Wimmera Ryegrass	*Lolium rigidum*		YES			0.5	100
Buchan Weed	*Hirschfeldia incana*		YES			0.5	10
Australian Stonecrop	*Crassula sieberiana*	YES			Forb (FG)	0.2	1000
Prickly Lettuce	*Lactuca serriola*		YES			0.2	30
Scarlet Pimpernel	*Lysimachia arvensis*		YES			0.2	100
Patterson's Curse	*Echium plantagineum*		YES			0.2	20
Sprawling Bluebell	*Wahlenbergia gracilis*	YES			Forb (FG)	0.1	5

Star Cudweed	*Euchiton sphaericus*	YES			Forb (FG)	0.1	20
	Oxalis perennans	YES			Forb (FG)	0.1	2
Toad Rush	*Juncus bufonius*		YES			0.1	50
Four-leaved Allseed	*Polycarpon tetraphyllum*		YES			0.1	30
Shepherd's Purse	*Capsella bursa-pastoris*		YES			0.1	10
Common Peppercress	*Lepidium africanum*		YES			0.1	5
Flaxleaf Fleabane	*Conyza bonariensis*		YES			0.1	10
Rough Poppy	*Papaver hybridum*		YES			0.1	20
Pointed Toadflax	*Kickxia elatine*		YES			0.1	1
St Barnabys Thistle	*Centaurea solstitialis*		YES			0.1	15
Cudweed	*Gamochaeta calviceps*		YES			0.1	10
White Clover	*Trifolium repens*		YES			0.1	10
Sandspurry	*Spergularia rubra*		YES			0.1	3
Saffron Thistle	*Carthamus lanatus*		YES	YES		0.1	1
Mouse-ear Chickweed	*Cerastium glomeratum*		YES			0.1	2
Variegated Thistle	*Silybum marianum*		YES			0.1	1

Premise

APPENDIX C

EPBC PROTECTED MATTERS SEARCH TOOL RESULT

Australian Government

Department of Agriculture, Water and the Environment

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

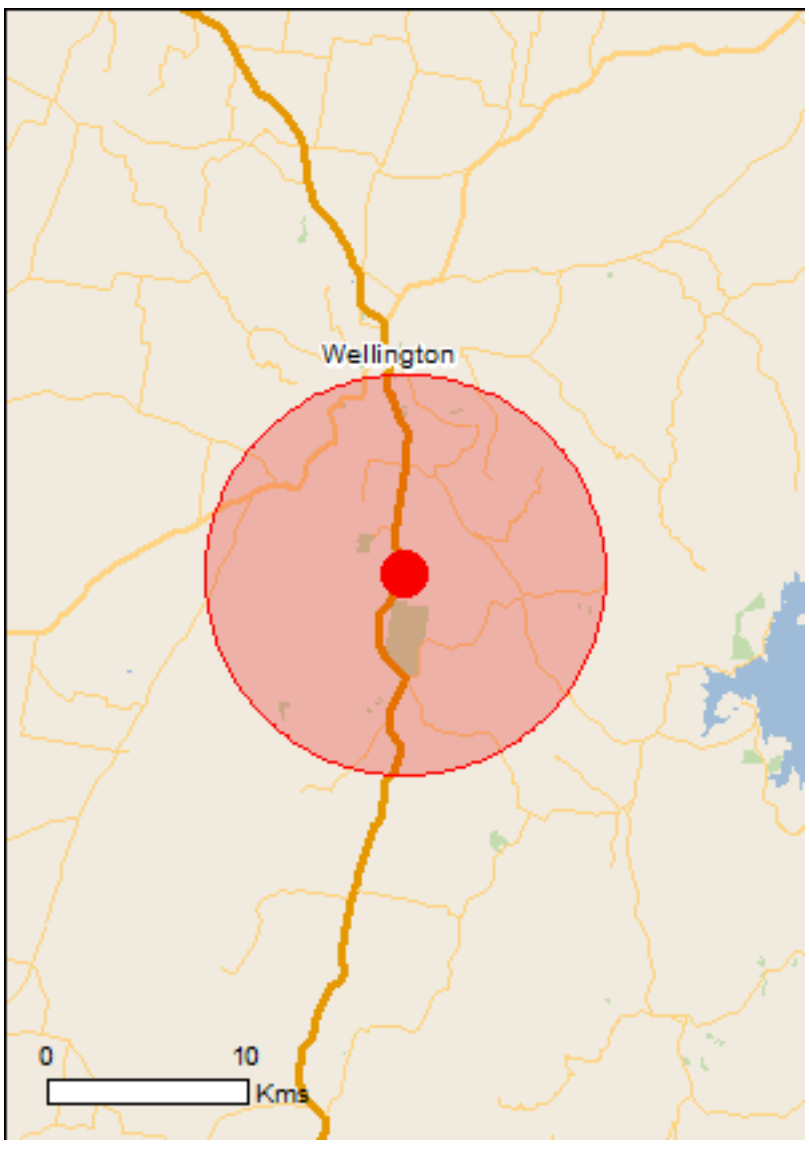
Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about Environment Assessments and the EPBC Act including significance guidelines, forms and application process details.

Report created: 19/10/21 17:16:31

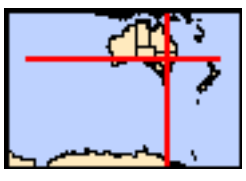
Summary
Details
- Matters of NES
- Other Matters Protected by the EPBC Act
- Extra Information

Caveat
Acknowledgements



Coordinates

Buffer: 10.0Km



Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the Administrative Guidelines on Significance.

World Heritage Properties:	None
National Heritage Places:	None
Wetlands of International Importance:	4
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	4
Listed Threatened Species:	30
Listed Migratory Species:	11

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at http://www.environment.gov.au/heritage

A permit may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	2
Commonwealth Heritage Places:	1
Listed Marine Species:	17
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Australian Marine Parks:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	None
Regional Forest Agreements:	None
Invasive Species:	29
Nationally Important Wetlands:	None
Key Ecological Features (Marine)	None

Details

Matters of National Environmental Significance

Wetlands of International Importance (Ramsar)	[Resource Information]
Name	Proximity
Banrock station wetland complex	800 - 900km upstream
Riverland	700 - 800km upstream
The coorong, and lakes alexandrina and albert wetland	900 - 1000km upstream
The macquarie marshes	200 - 300km upstream

Listed Threatened Ecological Communities		[Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia	Endangered	Community likely to occur within area
Natural Temperate Grassland of the South Eastern Highlands	Critically Endangered	Community may occur within area
Poplar Box Grassy Woodland on Alluvial Plains	Endangered	Community may occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically Endangered	Community likely to occur within area

Listed Threatened Species		[Resource Information]
Name	Status	Type of Presence
Birds		
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Foraging, feeding or related behaviour likely to occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Falco hypoleucos Grey Falcon [929]	Vulnerable	Species or species habitat likely to occur within area
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat likely to occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Leipoa ocellata Malleefowl [934]	Vulnerable	Species or species

Name	Status	Type of Presence
		habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Polytelis swainsonii Superb Parrot [738]	Vulnerable	Species or species habitat known to occur within area
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area
Fish		
Galaxias rostratus Flathead Galaxias, Beaked Minnow, Flat-headed Galaxias, Flat-headed Jollytail, Flat-headed Minnow [84745]	Critically Endangered	Species or species habitat may occur within area
Maccullochella macquariensis Trout Cod [26171]	Endangered	Species or species habitat may occur within area
Maccullochella peelii Murray Cod [66633]	Vulnerable	Species or species habitat known to occur within area
Macquaria australasica Macquarie Perch [66632]	Endangered	Species or species habitat may occur within area
Mammals		
Chalinolobus dwyeri Large-eared Pied Bat, Large Pied Bat [183]	Vulnerable	Species or species habitat known to occur within area
Dasyurus maculatus maculatus (SE mainland population) Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat known to occur within area
Nyctophilus corbeni Corben's Long-eared Bat, South-eastern Long-eared Bat [83395]	Vulnerable	Species or species habitat likely to occur within area
Petrogale penicillata Brush-tailed Rock-wallaby [225]	Vulnerable	Species or species habitat may occur within area
Phascolarctos cinereus (combined populations of Qld, NSW and the ACT) Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
Pteropus poliocephalus Grey-headed Flying-fox [186]	Vulnerable	Roosting known to occur within area
Plants		
Androcalva procumbens [87153]	Vulnerable	Species or species habitat likely to occur within area
Austrostipa wakoolica [66623]	Endangered	Species or species habitat likely to occur within area
Euphrasia arguta [4325]	Critically Endangered	Species or species habitat may occur within area
Prasophyllum petilum Tarengo Leek Orchid [55144]	Endangered	Species or species habitat may occur within area

Name	Status	Type of Presence
Prasophyllum sp. Wybong (C.Phelps ORG 5269) a leek-orchid [81964]	Critically Endangered	Species or species habitat may occur within area
Swainsona recta Small Purple-pea, Mountain Swainson-pea, Small Purple Pea [7580]	Endangered	Species or species habitat known to occur within area
Tylophora linearis [55231]	Endangered	Species or species habitat may occur within area
Zieria obcordata Granite Zieria [3240]	Endangered	Species or species habitat may occur within area
Reptiles		
Aprasia parapulchella Pink-tailed Worm-lizard, Pink-tailed Legless Lizard [1665]	Vulnerable	Species or species habitat likely to occur within area

Listed Migratory Species [Resource Information]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Migratory Marine Birds		
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat likely to occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat may occur within area
Migratory Wetlands Species		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area

Other Matters Protected by the EPBC Act

Commonwealth Land [Resource Information]

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Name
Commonwealth Land - Australian Postal Commission
Commonwealth Land - Australian Telecommunications Commission

Commonwealth Heritage Places [Resource Information]

Name	State	Status
Historic		
Wellington Post Office	NSW	Listed place

Listed Marine Species [Resource Information]

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardea ibis Cattle Egret [59542]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Chrysococcyx osculans Black-eared Cuckoo [705]		Species or species habitat likely to occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
Hirundapus caudacutus White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat likely to occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
Myiagra cyanoleuca Satin Flycatcher [612]		Species or species habitat likely to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat may occur within area
Rostratula benghalensis (sensu lato) Painted Snipe [889]	Endangered*	Species or species habitat likely to occur within area

Extra Information

Invasive Species [Resource Information]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resouces Audit, 2001.

Name	Status	Type of Presence
Birds		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Turdus merula Common Blackbird, Eurasian Blackbird [596]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
Mammals		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Capra hircus Goat [2]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Feral deer Feral deer species in Australia [85733]		Species or species habitat likely to occur within area
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
Plants		
Asparagus asparagoides Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]		Species or species habitat likely to occur within area
Lycium ferocissimum African Boxthorn, Boxthorn [19235]		Species or species habitat likely to occur within area
Nassella neesiana Chilean Needle grass [67699]		Species or species habitat likely to occur within area
Nassella trichotoma Serrated Tussock, Yass River Tussock, Yass Tussock, Nassella Tussock (NZ) [18884]		Species or species habitat likely to occur within area
Opuntia spp. Prickly Pears [82753]		Species or species habitat likely to occur within area
Pinus radiata Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780]		Species or species habitat may occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur

Name	Status	Type of Presence
		within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Tamarix aphylla Athel Pine, Athel Tree, Tamarisk, Athel Tamarisk, Athel Tamarix, Desert Tamarisk, Flowering Cypress, Salt Cedar [16018]		Species or species habitat likely to occur within area
Ulex europaeus Gorse, Furze [7693]		Species or species habitat likely to occur within area

Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-32.63595 148.95176

Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

-Office of Environment and Heritage, New South Wales
-Department of Environment and Primary Industries, Victoria
-Department of Primary Industries, Parks, Water and Environment, Tasmania
-Department of Environment, Water and Natural Resources, South Australia
-Department of Land and Resource Management, Northern Territory
-Department of Environmental and Heritage Protection, Queensland
-Department of Parks and Wildlife, Western Australia
-Environment and Planning Directorate, ACT
-Birdlife Australia
-Australian Bird and Bat Banding Scheme
-Australian National Wildlife Collection
-Natural history museums of Australia
-Museum Victoria
-Australian Museum
-South Australian Museum
-Queensland Museum
-Online Zoological Collections of Australian Museums
-Queensland Herbarium
-National Herbarium of NSW
-Royal Botanic Gardens and National Herbarium of Victoria
-Tasmanian Herbarium
-State Herbarium of South Australia
-Northern Territory Herbarium
-Western Australian Herbarium
-Australian National Herbarium, Canberra
-University of New England
-Ocean Biogeographic Information System
-Australian Government, Department of Defence
Forestry Corporation, NSW
-Geoscience Australia
-CSIRO
-Australian Tropical Herbarium, Cairns
-eBird Australia
-Australian Government – Australian Antarctic Data Centre
-Museum and Art Gallery of the Northern Territory
-Australian Government National Environmental Science Program
-Australian Institute of Marine Science
-Reef Life Survey Australia
-American Museum of Natural History
-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania
-Tasmanian Museum and Art Gallery, Hobart, Tasmania
-Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the Contact Us page.

Department of Agriculture Water and the Environment
GPO Box 858
Canberra City ACT 2601 Australia
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APPENDIX D

AHIMS SEARCH RESULT

AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Wellington BESS

Client Service ID : 626990

Premise Australia Pty Ltd

154 Peisley Street
Orange New South Wales 2800

Attention: Mark Raikhman

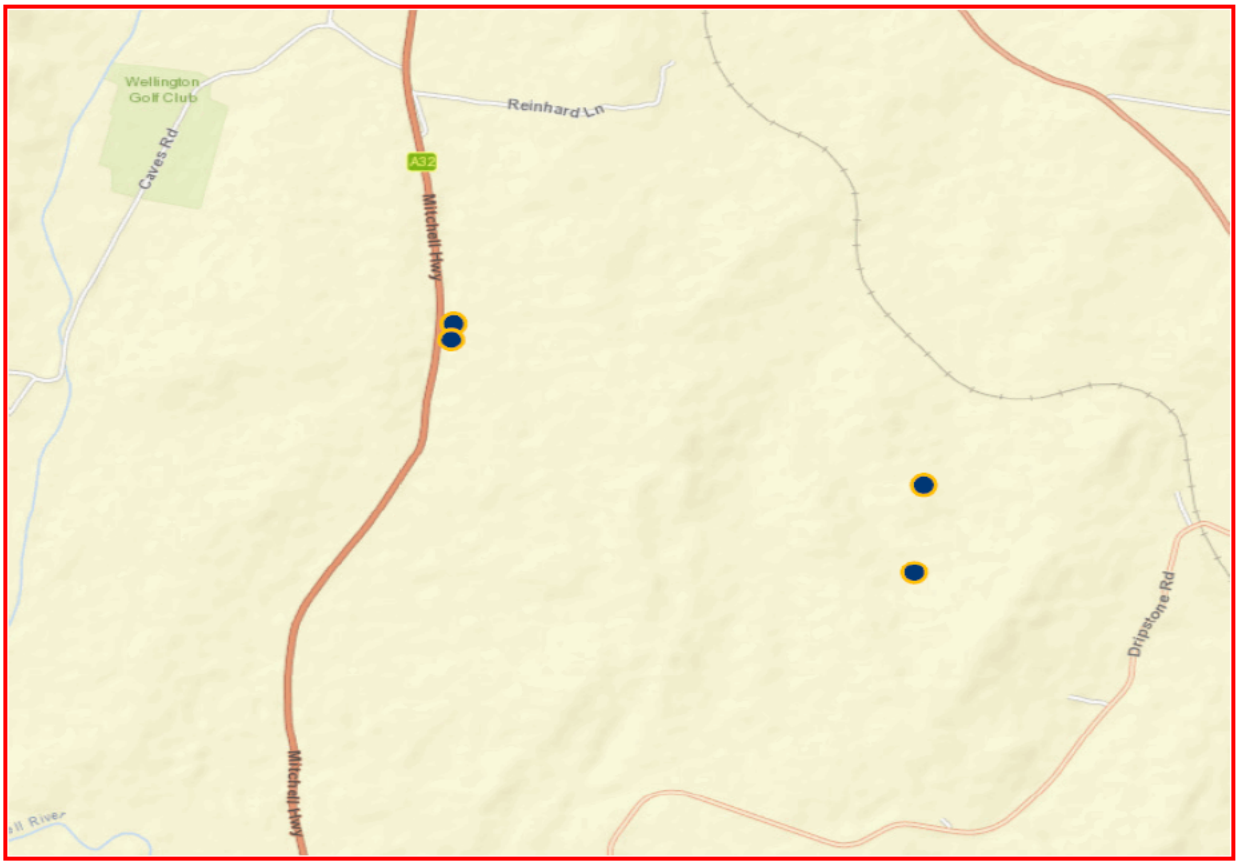
Email: mark.raikhman@premise.com.au

Date: 30 September 2021

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -32.66, 148.93 - Lat, Long To : -32.62, 148.99, conducted by Mark Raikhman on 30 September 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

4	**Aboriginal sites are recorded in or near the above location.**
0	**Aboriginal places have been declared in or near the above location. ***

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Level 6, 10 Valentine Ave, Parramatta 2150
Locked Bag 5020 Parramatta NSW 2124
Tel: (02) 9585 6345

ABN 34 945 244 274
Email: ahims@environment.nsw.gov.au
Web: www.heritage.nsw.gov.au

APPENDIX E

ABORIGINAL HERITAGE SURVEY SUMMARY

Premise Australia Pty Ltd
82 620 885 832
154 Peisley Street, ORANGE NSW 2800
PO Box 1963, ORANGENSW 2800
02 6393 5000
premise.com.au

Our Ref: 221284_Site Survey Summary .docx

2 December 2021

Danny Wilkinson
ACEnergy Pty Ltd
502, 689 Burke Road
Camberwell, 3124, VIC

Via Email: danny.w@acenergy.com.au

BATTERY ENERGY STORAGE SYSTEM (BESS) APSLEY, NSW –ACHAR SURVEY SUMMARY

On Wednesday 1st December 2021 an Aboriginal Heritage survey was completed at 9010 Mitchell Highway, Apsley, NSW for the proposed Battery Energy Storage System (BESS) site. The study area included areas located in Lot 3 DP1012686, Lot 107 DP756920, an unconstructed Crown road reserve and within the Mitchell Highway road reserve . The survey was undertaken by Premise Archaeologist Latisha Ryall who was accompanied by WVWAC RAP Murray Clines and ACEnergy Pty Ltd Project Development Manager Danny Wilkinson

The survey was undertaken by foot using a hand held GPS to record tracks, relevant to the proposed transects outlined in the Draft ACHAR Methodology, issued to RAPS on 25 November 2021. Slight modifications to the transects were made on site in discussions with RAPs on the coverage area and site accessibility. Some areas could not be accessed due to recent wet weather and heavy rainfall events, resulting in wet ground cover, and at times a muddy landscape, however all attempts to access as much coverage was undertaken. Surveyors were spaced at a maximum of 15 m apart across the transect survey areas.

The survey traversed transects in an east west direction covering the proposed development impact area on the northern boundary of the site and also covered an area approximately 300 m to the south. The survey also covered a north west aligned transect to the east for the proposed transmission line connection for a total distance of approximately 350m. The survey also traversed a portion along the Mitchell Highway on the western boundary of the site, to assess the proposed access point.

Two (2) previously recorded AHIMS sites were also assessed to inform landform context of the study area. Both sites were photographed and are located outside of the study area at an approximate distance of 65 m and 160m north west of the proposed development.

Two isolated finds were located during the survey, within a 20m proximity distance however are located out of the proposed development area. The artefacts consisted of flaked quartz <15mm in size.

Observation undertaken during the survey indicated that the proposed development area was relatively flat, currently used for cropping and grazing and located on a mild slope from east to west down towards the Mitchell Highway. The surrounding landscape consists of low undulating hills, with scattered remnant trees and remnant woodlands on surrounding hilltops. A farm dam is located in the north eastern portion of the site and native trees and shrubs have been planted along the Mitchell Highway to the north west. To the south of the study area, the landform rose to a high point on the eastern side. Evidence of small rocky outcrops were visible throughout the survey towards the southern portion of the study area. One old growth tree was located in the study area and was assessed for cultural modification, however, did not reveal cultural scarring with natural deterioration noted. Most of the study area consisted of agricultural oat crops.

Most of the study area showed dense ground coverage, resulting in poor surface visibility and exposure of the ground surface. Areas where ground surface exposure showed higher visibility were located along vehicle tracks or slightly raised contour banks or disturbance from grazing cattle. Soils in the study area ranged from red/brown clays in the northern portion of the site, transitioning to red silty loams in the southern portion of the study area in seasonal drainage locations. This is consistent with the Bodangora soil landscape of the area, which is used primarily for dryland cropping of wheat, canola, oats and legume crops.

Overall the study area had been heavily modified through historical cropping ang grazing. Evidence of ephemeral drainage lines were observed on the western boundary in a north east – south west orientation, however no artefactual material was observed during this area. Towards the southern boundary of Lot 3 the soil profile transitioned from clay to silty sand; again no artefactual material was observed in this area and is located out of the development impact area.

The proposed access area was heavily modified by the construction of the Mitchell Highway and road reserve, with dense ground coverage and evidence of introduced fills. No artefactual material was observed in this area.

The below image provides a track route undertaken by one surveyor during the site survey with approximate locations of isolated artefact finds shown as red dots.

A preliminary summary from the survey indicates that the study area has been heavily modified through historical agricultural use and construction of the Mitchell Highway. The survey did not indicate a high potential for archaeological significance in the proposed development area.

Reporting relating to the archaeological survey will be incorporated into the ACHAR. Please note this is a preliminary overview only of the survey results, with additional consultation to be undertaken with RAPS.

No cultural knowledge was provided on site by the WVWAC representative. Recommendations from RAPs will be provided on review of the archaeological survey section of the ACAHR.

Kind regards,

LATISHA RYALL
Archaeologist

APPENDIX F

DOORKNOCK ENGAGEMENT

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

3rd November 2021

Dear Resident,

A BATTERY ENERGY STORAGE SYSTEM PROPOSAL FOR APSLEY

We are writing to tell you about a proposal for a Battery Energy Storage System (BESS) in your local area that is being developed by ACEnergy Pty Ltd.

ACEnergy specialises in Renewable Energy project development throughout Australia. We have a proven track record with over 24 projects in our portfolio. We are focused on developing utility-scale solar farm & Battery Energy Storage System projects.

ACEnergy is proposing to build a Battery Energy Storage System BESS in Apsley, on approximately 6 hectares of land located at 9010 Mitchell Highway, Apsley adjacent to a 132 kilovolt (kV) transmission line. The proposed BESS System includes a 160-megawatt (MW), 640 MW hour stand-alone battery, that will be used to store and provide power to the local energy grid.

The proposal is in the early stages and we want to work closely with the community as we develop this important project. As we progress through each stage of local and state government approval processes, we will provide more detailed information about the project and invite you to ask questions and provide feedback on the proposal.

We will soon be making a request to the Department of Planning, Industry and Environment for the Secretary's Environmental Assessment Requirements (SEARs), which will specify what approvals are required for this proposal. The Department will publish the SEARs on their website once they have reviewed our request.

When the SEARs have been received, we will hold information sessions for the local community where you will be able to talk to members of our team, ask questions and provide your feedback.
In the meantime, you can contact us to discuss the project on 1800 577 442, by email at info@apsleybess.com.au or visit our website at https://apsleybess.online/.

We understand the importance of keeping the local community informed and we look forward to talking to you more about this exciting project.

Kind Regards,

Danny Wilkinson
PROJECT DEVELOPMENT MANAGER

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

13th December 2021

Dear Resident,

A BATTERY ENERGY STORAGE SYSTEM PROPOSAL FOR APSLEY

We previously wrote to you on the 3rd of November 2021 to inform you of the above project that is being developed by ACEnergy Pty Ltd. We are reissuing our engagement following a technical issue with email responses directed to info@apsleybess.com.au. If you have provided feedback on the project but have not yet received a response, we now ask that you reissue your response to info@apsleybess.com.au and planning.orange@premise.com.au. We apologize for any inconvenience and look forward to receiving your comments.

ACEnergy specialises in Renewable Energy project development throughout Australia. We have a proven track record with over 24 projects in our portfolio. We are focused on developing utility-scale solar farm & Battery Energy Storage System projects.

ACEnergy is proposing to build a Battery Energy Storage System BESS in Apsley, on approximately 6 hectares of land located at 9010 Mitchell Highway, Apsley adjacent to a 132 kilovolt (kV) transmission line. The proposed project includes a 160-megawatt (MW) BESS System, that will be used to store and provide power to the local energy grid.

The proposal is in the early stages and we want to work closely with the community as we develop this important project. As we progress through each stage of local and state government approval processes, we will provide more detailed information about the project and invite you to ask questions and provide feedback on the proposal.

We will soon be making a request to the Department of Planning, Industry and Environment for the Secretary's Environmental Assessment Requirements (SEARs), which will specify what approvals are required for this proposal. The Department will publish the SEARs on their website once they have reviewed our request.

When the SEARs have been received, we will hold information sessions for the local community where you will be able to talk to members of our team, ask questions and provide your feedback.
In the meantime, you can contact us to discuss the project on 1800 577 442, by email at info@apsleybess.com.au and planning.orange@premise.com.au or visit our website at https://apsleybess.online/.

We understand the importance of keeping the local community informed and we look forward to talking to you more about this exciting project.

Kind Regards,

Danny Wilkinson
PROJECT DEVELOPMENT MANAGER

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

[redacted]

From: info@apsleybess.com.au
Sent: Friday, 14 January 2022 10:46 AM
To: [redacted]
Subject: Fwd: ACEnergy Apsley BESS - Engagement

-------- Original Message --------
Subject: ACEnergy Apsley BESS - Engagement
Date: 2021-11-15 12:15
From: info@apsleybess.com.au
To: [redacted]

Dear [redacted],

I hope you are well.

We spoke last on Wednesday the 27th of November regarding a 160-megawatt
(MW) Battery Energy Storage System (BESS) being developed by ACENERGY on land at 9010 Mitchell Highway.

Please see below responses in relation to your concerns and queries:

1. Project Layout

The batteries would be housed in fully enclosed containers, similar to standard shipping containers. In the coming months we'll complete a range of studies that will feed into the project layout. As we progress the project design we'd be happy to provide you with more information about what the project will look like.

2. Access Arrangements

At this stage, the site does not have access to Mitchell Highway.
Current Access to the site is via a 160 metre-long driveway associated with a dwelling to the south of the development which forms part of 9010 Mitchell Highway. No vehicles would access the battery site via 9092 Mitchell Highway. Site Access during construction and operation will be via the public road network and subject to finalized project design.
Access arrangements are to be organised in consultation with Council and Transport for NSW.

3. Visual Impact

There is the potential for visual impacts resulting from the development. Visual impacts will be assessed as part of a development application for the project and will be subject to finalized project design. We'd be happy to keep you informed about the outcomes of our visual assessment as we prepare the development application.

4. Mining Titles and Geology

The development site is covered by two NSW Exploration Mining Titles
including: EL8735 over the eastern portion of the site, held by Colossus Metals Pty Ltd and EL8971 over the western portion of the site, held by Silver City Minerals. Consultation with associated mining title companies has occurred and will inform the assessment process. Geology will be assessed as part of a development application for the project.
We'd be happy to keep you informed about the outcomes of our assessments as we prepare the development application.

In the coming months we'll complete a range of studies that will feed into the project design and development application. The first step is submitting a scoping report to the NSW Department of Planning, Industry and Environment. We'd be happy to let you know when we submit this report as it will provide an outline of the project, our community consultation plans and it will identify the key matters for assessment when we prepare our Environmental Impact Statement.

If you have any additional questions, please feel free to contact me directly.

My contact details are [redacted] and [redacted].

Kind regards,
[redacted]

APPENDIX G

REGULATORY BODY AND COMMUNITY ENGAGEMENT CORRESPONDENCE

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

5th November 2021

To whom it may concern,

A BATTERY ENERGY STORAGE SYSTEM PROPOSAL FOR APSLEY

We are writing to tell you about a proposal for a Battery Energy Storage System (BESS) that is being developed by ACEnergy Pty Ltd.

ACEnergy specialises in Renewable Energy project development throughout Australia. We have a proven track record with over 24 projects in our portfolio. We are focused on developing utility-scale solar farm & Battery Energy Storage System projects.

ACEnergy is proposing to build a Battery Energy Storage System BESS in Apsley, on approximately 6 hectares of land located at 9010 Mitchell Highway, Apsley adjacent to a 132 kilovolt (kV) transmission line. The proposed BESS System includes a 160-megawatt (MW), that will be used to store and provide power to the local energy grid.

The proposed BESS is defined as electricity generating works under the *Wellington Local Environmental Plan 2012* and is permitted with consent under Section 34 (1)(b) of *State Environmental Planning Policy (Infrastructure) 2007*. The project has a capital investment value of more than $30 million and is therefore State Significant Development (SSD).

The proposal is in the early stages and we want to work closely with you as we develop this important project.

We will soon be making a request to the Department of Planning, Industry and Environment for the Secretary's Environmental Assessment Requirements (SEARs), which will specify what approvals are required for this proposal. The Department will publish the SEARs on their website once they have reviewed our request.

When the SEARs have been received, further engagement with key stakeholders will occur.

If you have any comments regarding the project, please respond in writing to info@apsleybess.com.au.

Kind Regards,

Danny Wilkinson
PROJECT DEVELOPMENT MANAGER

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

ACEnergy Pty Ltd
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502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

9th December 2021

To whom it may concern,

A BATTERY ENERGY STORAGE SYSTEM PROPOSAL FOR APSLEY

We previously wrote to you on the 5th of November 2021 to inform you of the above project that is being developed by ACEnergy Pty Ltd. We are reissuing our engagement following a technical issue with email responses directed to info@apsleybess.com.au. If you have provided feedback on the project but have not yet received a response, we now ask that you reissue your response to info@apsleybess.com.au and planning.orange@premise.com.au. We apologize for any inconvenience and look forward to receiving your comments.

ACEnergy specialises in Renewable Energy project development throughout Australia. We have a proven track record with over 24 projects in our portfolio. We are focused on developing utility-scale solar farm & Battery Energy Storage System projects.

ACEnergy is proposing to build a Battery Energy Storage System BESS in Apsley, on approximately 6 hectares of land located at 9010 Mitchell Highway, Apsley adjacent to a 132 kilovolt (kV) transmission line. The proposed project includes a 160-megawatt (MW) BESS System, that will be used to store and provide power to the local energy grid.

The proposed BESS is defined as electricity generating works under the *Wellington Local Environmental Plan 2012* and is permitted with consent under Section 34 (1)(b) of *State Environmental Planning Policy (Infrastructure) 2007*. The project has a capital investment value of more than $30 million and is therefore State Significant Development (SSD).

The proposal is in the early stages and we want to work closely with you as we develop this important project.

We will soon be making a request to the Department of Planning, Industry and Environment for the Secretary's Environmental Assessment Requirements (SEARs), which will specify what approvals are required for this proposal. The Department will publish the SEARs on their website once they have reviewed our request.

When the SEARs have been received, further engagement with key stakeholders will occur.

If you have any comments regarding the project, please respond in writing to info@apsleybess.com.au and planning.orange@premise.com.au.

Kind Regards,

Danny Wilkinson
PROJECT DEVELOPMENT MANAGER

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

[redacted]

From: info@apsleybess.com.au
Sent: Tuesday, 11 January 2022 10:33 AM
To: [redacted]
Subject: Fwd: FW: ACEnergy, Apsley BESS - 9010 Mitchell Highway, Apsley
Attachments: Engagement Letter_Apsley BESS_002.pdf; BFPL map.pdf

-------- Original Message --------
Subject: FW: ACEnergy, Apsley BESS - 9010 Mitchell Highway, Apsley
Date: 2022-01-10 13:10
From: Alan Bawden [redacted]
To: "'info@apsleybess.com.au'" <info@apsleybess.com.au>

Dear Recipient,

The NSW RFS has received and reviewed your comments below and the attached document.

The NSW RFS advises, based on the property details provided, that the subject land is not mapped bush fire prone land by Council. (copy of map attached)

However, the subject land may be considered as a grassland hazard. As such, APZ, access, water and a Fire Management Plan are standard requirements for any approval.

The NSW RFS will provide DPiE with the EA requirements, when SEARs are requested

Regards

Alan Bawden
Supervisor - Development Assessment and Planning
Planning and Environment Services (North)
NSW RURAL FIRE SERVICE
51 Moonee Street Coffs Harbour
Locked Bag 17 GRANVILLE NSW 2142
[redacted]
www.rfs.nsw.gov.au www.facebook.com/nswrfs www.twitter.com/nswrfs
PREPARE.ACT.SURVIVE

-----Original Message-----
From: Planning & Environment Services
<CustomerService.Centre@rfs.nsw.gov.au>
Sent: Monday, 10 January 2022 9:43 AM
To: Alan Bawden [redacted]
Subject: FW: ACEnergy, Apsley BESS

-----Original Message-----
From: info@apsleybess.com.au <info@apsleybess.com.au>
Sent: Thursday, 9 December 2021 1:39 PM
Subject: Fwd: ACEnergy, Apsley BESS

Dear Recipient,

Due to a technical issue we are reissuing our notification for the above project.

Please see attached correspondence.

Kind regards,

ACEnergy Pty Ltd

-------- Original Message --------
Subject: ACEnergy, Apsley BESS
Date: 2021-11-05 12:46
From: info@apsleybess.com.au
To:

Dear Recipient,

Please see attached correspondence for the above project.

Kind regards,

ACEnergy Pty Ltd

Our ref: DOC21/1135020
Your ref: 221284_LAND_CAT_001

Sally Kirby
Senior Ecologist
Premise Pty Ltd
sally.kirby@premise.com.au

Dear Sally,

Apsley Battery Energy Storage Site – Land Category Assessment

Thank you for your e-mail dated 8 December 2021 to the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Planning, Industry and Environment inviting comments on the land categorisation assessment report for the proposed Apsley Battery Energy Storage Site.

BCS is happy to endorse the land categorisation assessment outcomes displayed on Figure 3 of the submitted report, which identifies Category 1 – Exempt Land within the boundary of the area labelled "Subject Land".

BCS notes that this does not include the development component labelled "Road Entry" displayed in Figure 3, which is located outside of the Subject Land boundary and within Excluded Land on the Transitional Native Vegetation Regulatory Map.

Section 3 of the land categorisation assessment states:

"*Category 1 land is not required to be assessed under the Biodiversity Assessment Method, however it is important to note that any prescribed impacts of the proposal will still be considered in a BDAR to be prepared following endorsement of this Land Category Report".*

The assessor should note that assessment of biodiversity values within the site must also consider threatened entities identified under other legislation where relevant. As an example, potential impacts to Matters of National Environmental Significance under the *Environment Protection and Biodiversity Conservation Act 1999* on Category 1 – exempt land must be considered.

If you require any further information regarding this matter, please contact Ben Ellis, Principal Project Officer, via ben.ellis@environment.nsw.gov.au or (02) 8275 1838.

Yours sincerely

Samantha Wynn

Samantha Wynn
Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

18 January 2022

APPENDIX H

ENGAGEMENT REGISTER

Community Groups and Regulators

Name	Type	Email	Reason for Engagment	Send Date	Format	Secondary Send Date	Secondary Format
Dubbo Regional Council	Regulator	council@dubbo.nsw.gov.au	ACHAR preparation	23/09/2021	Agency Letter	-	-
National Native Title Tribunal (NNTT)	Regulator	enquiries@nntt.gov.au	ACHAR preparation	23/09/2021	Agency Letter	-	-
Wellington Local Aboriginal Land Council (LALC)	LALC	wellingtonlalc@yahoo com	Within LALC. ACHAR preparation	23/09/2021	Agency Letter	-	-
Office of the Registrar (ORALRA)	Regulator	adminofficer@oralra.nsw.gov.au	ACHAR preparation	23/09/2021	Agency Letter	-	-
Native Title Services Corporation Limited	Regulator	information@ntscorp.com.au	ACHAR preparation	23/09/2021	Agency Letter	-	-
Central West Local Land Services (CWLLS)	Regulator	admin.centralwest@lls.nsw.gov.au	ACHAR preparation	23/09/2021	Agency Letter	-	-
Heritage NSW	Regulator	heritagemailbox@environment.nsw.gov.au	ACHAR preparation	23/09/2021	Agency Letter	-	-
Wellington Local Aboriginal Land Council	LALC	GeospatialSearch@NNTT.gov.au	Within LALC. ACHAR preparation	23/09/2021	Agency Letter	-	-
Dubbo Regional Council	Council	Shaun.Reynolds@dubbo.nsw gov.au	Feedback on Proposed Project	05/08/2021	Phone/Email	-	-
Dubbo Regional Council	Council	council@dubbo.nsw.gov.au	Notification of projects proximity	12/11/2021	Email	09/12/2021	Email
RFS NSW (General Enquiries)	RFS	webmaster@rfs.nsw.gov.au	Proximity of Bush Fire Prone Lanc	05/11/2021	Email	09/12/2021	Email
RFS NSW (Planning and Environment Services Service)	RFS	customerservice.centre@rfs.nsw gov.au	Proximity of Bush Fire Prone Lanc	05/11/2021	Email	09/12/2021	Email
Fire and Rescue NSW (General enquiries)	Fire and Rescue NSW	info@fire.nsw.gov.au	Proximity of Bush Fire Prone Lanc	05/11/2021	Email	09/12/2021	Email
Fire and Rescue NSW Advised Department	Fire and Rescue NSW	firesafety@fire.nsw.gov.au	Proximity of Bush Fire Prone Lanc	05/11/2021	Email	09/12/2021	Email
Envrionmental Protection Agency (EPA)	Regulator	info@epa.nsw.gov.au	Due Diligence. No real requireme	05/11/2021	Email	09/12/2021	Email
TfNSW Development Department	Regulator	development.sydney@transport.nsw.gov.au	Traffic related impacts of develo	05/11/2021	Email	09/12/2021	Email
Natural Resource Access Regulator (NRAR)	Regulator	landuse.enquiries@dpie.nsw.gov.au	Due Diligence. Farm dam located	05/11/2021	Email	09/12/2021	Email
NSW Farmers Association Wellington Branch	Community	dornwyn@activ8.net.au	Site is located on BSAL designate	05/11/2021	Email	09/12/2021	Email
Dubbo Field Naturalist & Conservation Society	Community	contact@dubbofieldnats.org.au	Local Environmental Responsibili	05/11/2021	Email	09/12/2021	Email
Mid Macquarie Landcare	Community	info@mml.org.au	Local Land Care Group	05/11/2021	Email	09/12/2021	Email
Transition Dubbo	Community	transitiondubbo@gmail.com	Group Targets Action on Climate	05/11/2021	Email	09/12/2021	Email
Dubbo Environmental Group	Community	marg@deg.org.au	Local Environmental Group.	05/11/2021	Email	09/12/2021	Email
Central West Environment Council	Community	ckinross@csu.edu.au	Umbrella group with network of	05/11/2021	Email	09/12/2021	Email
Colossus Metals Pty ltd	Mining Company	dellmcp1@gmail.com	Mining Exploration Licence (EL87	05/11/2021	Email	09/12/2021	Email
Silver City Minerals Limited	Mining Company	sonu@cicerogroup.com.au	Mining Exploration Licence (EL89	05/11/2021	Email	09/12/2021	Email
Crown Lands	Regulator	cl.enquiries@crownland.nsw.gov.au	Crown Land Surrounding Develop	24/11/2021	Email/Phone Call	09/12/2021	Email/Phone Call

Local non-associated landowners

Receptor	Type	Direction	Distance from Site (m)	Address	Locality	Send Date	Format	Secondary Send Date	Format
1	Dwelling-R10	North-West	1820	205 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
2	Dwelling-R3	North	480	9091 MITCHELL HIGHWAY	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
3	Dwelling-R2	North	1830	9230 MITCHELL HIGHWAY	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
4	Dwelling-R4	North-East	862	9092 MITCHELL HIGHWAY	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
5	Dwelling-R7	South	850	8950 MITCHELL HIGHWAY	NEUREA	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
6	Dwelling-R1	North	1950	9 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
7	Dwelling-R9	West	1710	275 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
8	Dwelling-R6	South	690	8958 MITCHELL HIGHWAY	NEUREA	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
9	Dwelling-R8	West	1910	275 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
10	Dwelling-R5 (Assoxciated Landowner)	South	62	9010 MITCHELL HIGHWAY	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
11	Wellington Caves	North West	2120	101 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
12	Caravan Park	North West	2120	101 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
13	Japanese Garden (Osawano Japanese Garden)	North West	2240	94 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
14	Wellington Golf Club	North West	2203	158 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
15	Wellington Bottle House	North West	2160	87 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock
16	Caves Wood Gallery and Gifts	North West	2160	85 CAVES ROAD	APSLEY	03/11/2021	Letter/Door	13/12/2021	Letter/Doorknock

APPENDIX I

COUNCIL CORRESPONDENCE

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

12th November 2021

To whom it may concern,

A BATTERY ENERGY STORAGE SYSTEM PROPOSAL FOR APSLEY

We are writing to tell you about a proposal for a Battery Energy Storage System (BESS) that is being developed by ACEnergy Pty Ltd.

ACEnergy specialises in Renewable Energy project development throughout Australia. We have a proven track record with over 24 projects in our portfolio. We are focused on developing utility-scale solar farm & Battery Energy Storage System projects.

ACEnergy is proposing to build a Battery Energy Storage System BESS in Apsley, on approximately 6 hectares of land located at 9010 Mitchell Highway, Apsley adjacent to a 132 kilovolt (kV) transmission line. The proposed BESS System includes a 160-megawatt (MW), that will be used to store and provide power to the local energy grid.

The proposed BESS is defined as electricity generating works under the *Wellington Local Environmental Plan 2012* and is permitted with consent under Section 34 (1)(b) of *State Environmental Planning Policy (Infrastructure) 2007*. The project has a capital investment value of more than $30 million and is therefore State Significant Development (SSD).

The proposal is in the early stages and we want to work closely with you as we develop this important project.

We will soon be making a request to the Department of Planning, Industry and Environment for the Secretary's Environmental Assessment Requirements (SEARs), which will specify what approvals are required for this proposal. The Department will publish the SEARs on their website once they have reviewed our request.

When the SEARs have been received, further engagement with key stakeholders will occur.

If you have any comments regarding the project, please respond in writing to info@apsleybess.com.au.

Kind Regards,

Danny Wilkinson
PROJECT DEVELOPMENT MANAGER

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

9th December 2021

To whom it may concern,

A BATTERY ENERGY STORAGE SYSTEM PROPOSAL FOR APSLEY

We previously wrote to you on the 12th of November 2021 to inform you of the above project that is being developed by ACEnergy Pty Ltd. We are reissuing our engagement following a technical issue with email responses directed to info@apsleybess.com.au. If you have provided feedback on the project but have not yet received a response, we now ask that you reissue your response to info@apsleybess.com.au and planning.orange@premise.com.au. We apologize for any inconvenience and look forward to receiving your comments.

ACEnergy specialises in Renewable Energy project development throughout Australia. We have a proven track record with over 24 projects in our portfolio. We are focused on developing utility-scale solar farm & Battery Energy Storage System projects.

ACEnergy is proposing to build a Battery Energy Storage System (BESS) in Apsley, on approximately 6 hectares of land located at 9010 Mitchell Highway, Apsley adjacent to a 132 kilovolt (kV) transmission line. The proposed project includes a 160-megawatt (MW) BESS system, that will be used to store and provide power to the local energy grid.

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Kind Regards,

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PROJECT DEVELOPMENT MANAGER

ACEnergy Pty Ltd
ABN 89 628 883 447
502/689 Burke Road, Camberwell, VIC 3124, Australia
+61 3 9813 2307
admin@acenergy.com.au

Hugh Shackcloth-Bertinetti

From: David Walker
Sent: Friday, 12 November 2021 3:33 PM
To: [redacted]
Subject: FW: ACEnergy Apsley BESS 9010 Mitchell Highway, Apsley
Attachments: ATT00001.txt; ATT00002.txt; ATT00003.txt; ATT00004.txt; ATT00005.txt; ATT00006.txt; ATT00007.txt; ATT00008.txt; ATT00009.txt; ATT00010.txt

Follow Up Flag: Follow up
Flag Status: Completed

DAVID WALKER
Town Planning Discipline Lead

Premise

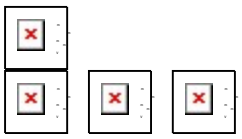
T [redacted] **| M** [redacted]
E [redacted]
A 154 Peisley St, Orange NSW 2800

From: Shaun Reynolds [redacted]
Sent: Thursday, 12 August 2021 4:55 PM
To: [redacted]
Subject: FW: ACEnergy Apsley BESS 9010 Mitchell Highway, Apsley

Hi Danny, noted that Council would not be the consent authority, and the Department of Planning would seek Council's feedback during the pre-development and assessment phases, however if presented to Council, the below would be the primary matters of consideration.

- Access to the property would be via the Mitchell Highway, a classified road. Envisaged there would be significant heavy vehicle movements into the site during construction phase. Transport for New South Wales would be the jurisdiction here with regards to road treatments into the property. This area is controlled by the Western Region office in Parkes. I suggest consultation be undertaken with them with regards to their requirements;
- The land is mapped as groundwater vulnerability according to the Wellington LEP 2012. Application to consider impacts on the groundwater below the site in terms of impacts on water table level and pollution of groundwater;
- Impacts on native fauna and flora to be considered, in particular native flora and the Biodiversity Conservation Act 2016. Impacts on native flora include native grasses;
- Consider impacts of bushfire protection (grassland risk) and matters of consideration or this type of development under the Planning for Bush Fire Guidelines 2019;
- Consider any EME impacts on nearest residential development;
- Consider Aboriginal Archaeology impacts;
- Visual impacts of the development need to be considered. Plans should demonstrate screening of the development such as landscaping around the sites perimeter.

Hope this is of assistance, Shaun



Shaun Reynolds
Statutory Planning Services Team Leader
Building & Development Services | Dubbo Regional Council
[redacted]
http://dubbo.nsw.gov.au

How was your experience today?
Click on one of the icons below to let us know!

We acknowledge the Wiradjuri people, the traditional custodians of the land. We pay respects to Elders past, present and emerging of the Wiradjuri Nation.

From: [redacted]
Sent: Thursday, 5 August 2021 2:03 PM
To: Shaun Reynolds [redacted]
Subject: ACEnergy Apsley BESS 9010 Mitchell Highway, Apsley

[**EXTERNAL Message:** Be cautious of clicking on links or opening attachments.]

Hi Shaun,

Thanks for taking my call today.

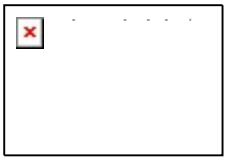
As explained, we are in the preliminary stages of developing a Battery Energy Storage System on the premises of 9010 Mitchell Highway, Apsley. The development is deemed state significant development due to the asset value and although council are not the determining authority, we would appreciate some initial feedback form council regarding the development.

I have attached a site plan and locality plan to this email for review.

I look forward to receiving your response.

Kind Regards

Danny Wilkinson | Project Development Manager



ACENERGY Pty Ltd
502, 689 Burke Road, Camberwell, 3124, VIC
O: +[redacted]
M: +[redacted]
E: [redacted]
W: www.acenergy.com.au

--

APPENDIX J

TRANSPORT FOR NSW CORRESPONDENCE

Mark Raikhman

From: David Walker
Sent: Friday, 14 January 2022 12:44 PM
To: Mark Raikhman
Subject: FW: Apsley BESS 9010 Mitchell Highway, Apsley

DAVID WALKER
Town Planning Discipline Lead

Premise

T [redacted] **| M** [redacted]
E [redacted]
A 154 Peisley St, Orange NSW 2800

From: [redacted]
Sent: Thursday, 28 October 2021 7:46 PM
To: Stuart Redman [redacted]; David Walker [redacted]
Cc: Jane Bai [redacted] 'Liang Zhao' [redacted]
Subject: FW: Apsley BESS 9010 Mitchell Highway, Apsley

Hi Stuart,

Please ensure the TIAR takes into consideration all of the points raised by Alexandra below.

Kind Regards

Danny Wilkinson | Project Development Manager

ACENERGY Pty Ltd
502, 689 Burke Road, Camberwell, 3124, VIC
O: [redacted]
M: [redacted]
[redacted]
W: www.acenergy.com.au

--

From: Alexandra Power [redacted]
Date: Thursday, 28 October 2021 at 4:44 pm
To: [redacted]
Cc: Development Western <development.west@transport.nsw.gov.au>
Subject: Apsley BESS 9010 Mitchell Highway, Apsley

Hello Danny,

Apologies for the delay in providing this response. I have identified below the matters that would need to be considered as a part of the Traffic Impact Assessment to be prepared for the BESS for 9010 Mitchell Highway, Apsley.

In relation to the access from reviewing the location you would need to consider the Safe Intersection Sight Distance for the posted speed zone as per Austroads Guide to Road Design Part 4A (see table below).

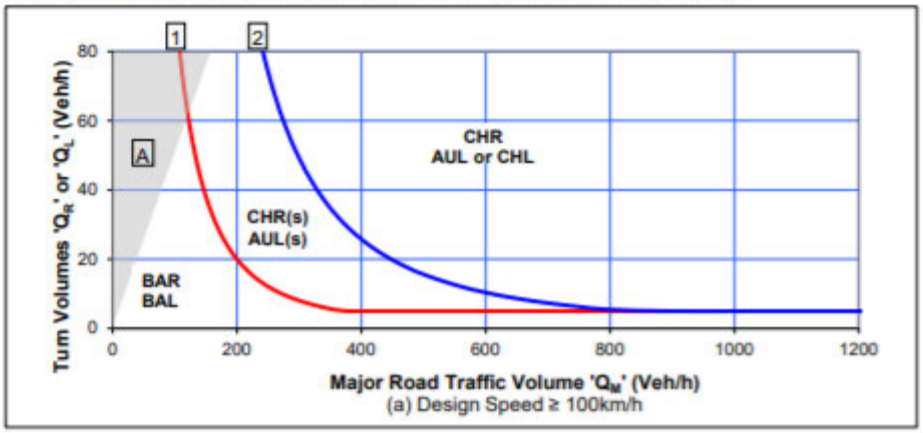
Table 3.2: Safe intersection sight distance (SISD) and corresponding minimum crest vertical curve s sealed roads (S < L)

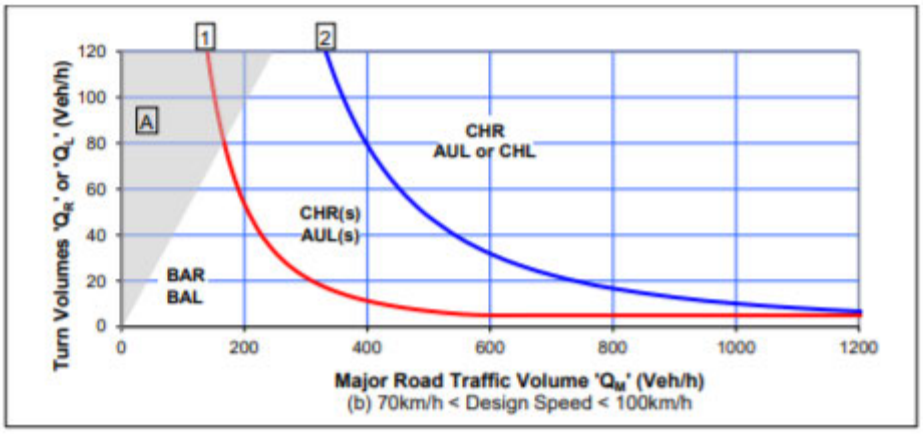
Design speed (km/h)	Based on safe intersection sight distance for cars[1] $h_1 = 1.1$; $h_2 = 1.25$, $d = 0.36$[2]; Observation time = 3 sec					
	$R_T = 1.5$ sec[3]		$R_T = 2.0$ sec		$R_T = 2.5$ s	
	SISD (m)	K	SISD (m)	K	SISD (m)	
40	67	4.9	73	6	–	
50	90	8.6	97	10	–	
60	114	14	123	16	–	
70	141	22	151	25	–	
80	170	31	181	35	–	
90	201	43	214	49	226	
100	234	59	248	66	262	
110	–	–	285	87	300	
120	–	–	324	112	341	
130	–	–	365	143	383	

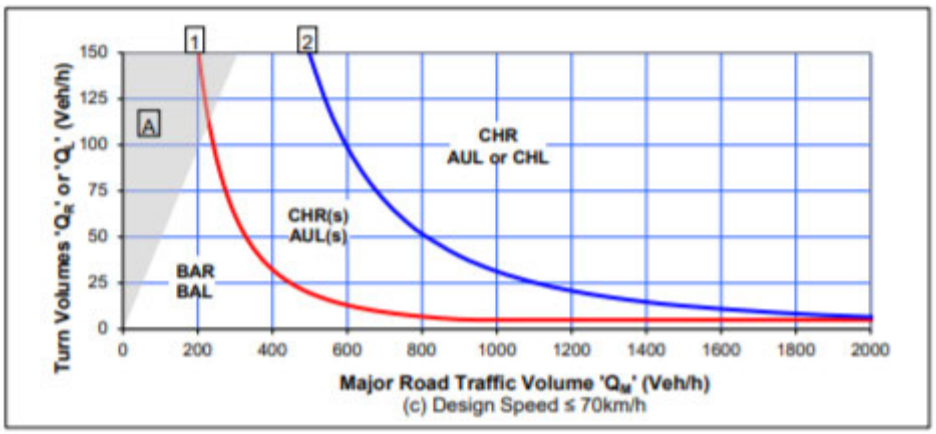
The location of the access would need to take into account the road environment in addition to the SISD requirements, in this regard take into account the curve alignments in either direction, the fall of the road, pavement of the road, the design vehicle (largest vehicle accessing the site during construction), vegetation, signage and opposing accesses etc.

A strategic design would need to accompany any development application for the access and should be prepared considering intersection upgrades required to facilitate the development traffic which should be based on the turning warrants as per Figure 3.25 of Part 6 of *Austroads Guide to Traffic Management* (see below).

Figure 3.25: **Warrants** for turn treatments on major roads at unsignalised intersections







Note: the minimum right-turn treatment for multilane roads is a CHR(s).

Source: TMR (2016a).

Generally the Traffic Impact Assessment should be prepared to encompass the following:

- TfNSW requests that the Environmental Impact Statement be supported by an Traffic Impact Assessment (TIA) prepared by a suitably qualified person in accordance with the *Austroads Guide to Traffic Management Part 12*, the Roads and Maritime *Supplements to Austroads* and the *RTA Guide to Traffic Generating Developments*. The TIA is to address the following.
- Project schedule:
  - Hours and days of work, number of shifts and start and end times, and
  - Phases and stages of the project, including construction, operation and decommissioning.
- Traffic volumes:
  - Existing background traffic,
  - Project-related traffic for each phase or stage of the project, and
  - Projected cumulative traffic at commencement of operation, and a 10-year horizon post-commencement.
- Traffic characteristics:

  - Number and ratio of heavy vehicles to light vehicles,
  - Peak times for existing traffic,
  - Peak times for project-related traffic including commuter periods,
  - Proposed hours for transportation and haulage, and
  - Interactions between existing and project-related traffic.
- A description of all over size and over mass vehicles and the materials to be transported
- The origins, destinations and routes for:
  - Commuter (employee and contractor) light vehicles and pool vehicles,
  - Heavy (haulage) vehicles, and
  - Over size and over mass vehicles.
- Road safety assessment of key haulage route/s.
- The impact of traffic generation on the public road network and measures employed to ensure traffic efficiency and road safety during construction, operation and decommissioning of the project,
- The need for improvements to the road network, and the improvements proposed such as road widening and intersection treatments, to cater for and mitigate the impact of project related traffic.
- Proposed road facilities, access and intersection treatments are to be identified and be in accordance with Austroads Guide to Road Design including provision of Safe Intersection Sight Distance (SISD).
- Local climate conditions that may affect road safety during the life of the project (e.g. fog, wet and dry weather, icy road conditions).
- The layout of the internal road network, parking facilities and infrastructure.
- Impact on rail corridors and level crossings detailing any proposed interface treatments.
- Impact on public transport (public and school bus routes) and consideration for alternative transport modes such as walking and cycling.
- Identification and assessment of potential impacts of the project, such as blasting, lighting, visual, noise, dust and drainage on the function and integrity of all affected public roads.
- Controls for transport and use of any dangerous goods in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*, the *Australian Dangerous Goods Code* and *Australian Standard 4452 Storage and Handling of Toxic Substances.*

I hope this provides some assistance and am happy to discuss further.

Kind regards

Alexandra Power
Team Leader Development Services-Renewables West
Regional and Outer Metropolitan Division | TfNSW
T [redacted]

Please be advised that I work flexible hours.

Before printing, please consider the environment

received this email in error, please contact the sender immediately and delete the message from your computer.

APPENDIX K

VISUAL ASSESSMENT MEMO

78 Macgregor Terrace, Bardon 4064
PO Box 189 Red Hill 4059
ABN 72166862157

MEMO

To: Mark Raikhman, Premise

From: Suzie Rawlinson, Director

Date: 14th January, 2022

Re: **Apsley Battery Energy Storage Systems Project**
Landscape and visual amenity preliminary advice

---

1. Introduction

The Apsley Battery Energy Storage Systems (BESS) project is in the Central West and Orana region of NSW and located approximately nine kilometres south of Wellington. The Apsley BESS project site ('the site') is located on the eastern side of the Mitchell Highway and would include batteries, inverters, a switching station and connection to the existing 132Kv transmission line. The proposal includes the provision for screening vegetation around the perimeter of the site.

This memo contains a preliminary review of the existing landscape and visual conditions of the site, key regional and local planning provisions that identify landscape and visual amenity values of the region, identifies the potential visibility of the site, and the next steps for analysis of this project.

2. Landscape and visual characteristics of the site

The site is located along the eastern side of the Mitchell Highway, about two kilometres south of the Wellington Caves (refer to **Figure A**: Site location). The site is currently under rural use, consisting of cleared farmland used for cattle grazing pasture. The site contains no trees or shrubs, and there is no vegetation along the adjacent highway verge, allowing clear views to the site from the Mitchell Highway. Beyond the site, the rural landscape includes scattered trees in fields, along field boundaries and watercourses, within road verges and more dense areas of vegetation on steeper slopes to the west of the site. This vegetation would contain the site in views from the surrounding local area.

The site is located between the Bell River and Watsons Creek in a broad valley, about four kilometres east of the Catombal Range, (refer to **Figure B**: Topography). The site landform is gently undulating, gradually sloping towards the site and including a small dam at the north-eastern corner of the site.

The site is enclosed by a network of hills and ranges, to the east and west of the site. The Catombal Range is a linear range about four kilometres west of the site, running north-south between Washington and Cumnock. This range includes several hills and peaks such as Mount Arthur (541m AHD), Mount Wellesley (643m AHD) and Mount Duke (553m AHD), about 11 kilometres, 9.5 kilometres and 8 kilometres northwest of the site. Mount Arthur Reserve is located in the northern part of the Catombal Range, a 2,123-hectare local heritage listed (Wellington LEP 2012) reserve

containing all three peaks and includes several walking trails and scenic lookouts. Closer to the site, a small group of hills is located about 500 metres west of the site, to the west of the Mitchell Highway, rising to about 380m AHD. To the east of the site, the landform also rises, including several hills and ridges, rising up to between 400 and 500 metres AHD.

There are about nine non associated dwellings located within two kilometres of the site, on rural land to the north, south and west of the site (refer to Figure C: Topography detail). The closest dwelling is located about 400 metres north of the site, on elevated land. There is also a dwelling to the north east and about 700 metres from the site and two further dwellings located about 600 to 700 metres to the south of the site. Further north there are another two dwellings located between 1.7 and 2 kilometres from the site and to the west, there is a group of three dwellings located on the eastern banks of the Bell River, between 1.6-1.8 kilometres from the site. All these dwellings are located in the RU1 Primary Production zone. Camelford Park (Wellington LEP 2012) a local heritage listed property, is located about one kilometre to the south of the site, with a homestead located about 2.8 kilometres to the south of the site, on the northern banks of the Bell River. There is unlikely to be a view from this location.

There is an existing transmission line immediately to the east of the site, including a corridor containing 132kV transmission lines, which pass through the rural landscape.

3. Planning considerations

Regional and local

The site is within the Central West and Orana region and guided by the *Central West and Orana Regional Plan 2036* and local planning guidance is provided in the *Dubbo Local Strategic Planning Statement* (LSPS), *Wellington Local Environmental Plan 2012* and *Wellington Development Control Plan 2013*.

Central West and Orana Regional Plan 2036

The *Central West and Orana Regional Plan 2036* (the Plan) is the NSW Government's strategy for guiding land use planning decisions for the Central West and Orana Region for the next 20 years. The vision for the Central West and Orana region is to be: '*The most diverse regional economy in NSW with a vibrant network of centres leveraging the opportunities of being at the heart of NSW*'. The supporting goals and directions for the vision include at number 1 to '*Protect the region's diverse and productive agricultural land*' (Goal 1, Direction 1:). The region also has significant potential for renewable energy industries with '*vast open spaces and higher altitude tablelands with potential for wind power generation, large-scale solar energy and bioenergy generation*' (Goal 1, Direction 9).

The region has a strong agricultural history, include the Central West's '*scenic tablelands*' that support a range of agricultural uses including viticulture, forestry and grazing (page 13). The regional priorities for Wellington relate mainly to supporting the local tourism industry and agricultural sector (page 70).

Dubbo Local Strategic Planning Statement, 2020

Dubbo Local Strategic Planning Statement (LSPS) is Council's strategy for guiding land use planning decisions for the next 20 years. The vision of the LSPS is: '*We will take advantage of technological innovation to become a smart city while protecting our natural environment, and being recognised as the inland capital of regional NSW*'. Supporting planning priorities for the vision include at number 1 to '*Plan for the delivery of infrastructure to support growth*' while protecting and enhancing '*rural lands*' (Planning Priority 20).

The township of Wellington is located at the foot of Mount Arthur between the Macquarie and Bell Rivers and traversed by the Mitchell Highway. The '*undulating topography and fertile soils'* around Wellington support cropping, cattle, wool and lamb production. The area has recently seen an increase in the development of wind and solar farms, because of its proximity to the Transgrid network. Wellington is also considered to have '*growing tourist activities'* with three main attractions near the town, including the Wellington caves (about two kilometres northwest of the site), Burrendong Dam (about 15 kilometres east of the site) and Mount Arthur (about 10 kilometres northwest of the site).

The NSW State Government Renewable Energy Zone Pilot is identified as an opportunity for Wellington, which '*may generate significant number of construction jobs'*. Several solar and wind farm projects (approved and proposed) are located around Wellington, including the Wellington North and Suntop Solar Farm projects (west of Wellington). State significant scale renewable energy projects (electricity generating works) are identified in the LSPS as a '*form of primary production*', generally located in rural zones with access to the transmission grid. The LSPS further states that rural land should be '*protected until there is a strong justification for development which cannot be met by existing zoned land'* (Planning Priority 20).

Wellington Local Environmental Plan, 2012

The aims to '*encourage development that complements and enhances the unique character and amenity of Wellington, including its settlements, localities and rural areas'* (cl.1.2(2)(a)). It also aims to facilitate and encourage '*sustainable growth and development'* that protects and enhances '*areas of a high scenic*' value and areas that have potential to contribute to improved '*scenic outcomes'* (cl.1.2(2)(c)(iii))

The Proposal site is located in the RU1 Primary Production zone, which aims to '*encourage diversity in primary industry enterprises and systems appropriate for the area'* whilst minimising '*conflict between land uses within this zone'* (Land Use Table, zone RU1 objectives).

The nearest heritage items to the site include Camelford Park and Wellington Caves. Camelford Park is located about one kilometre to the south, including a homestead about 2.8km from the site. The Wellington Caves is located about one kilometre northwest of the Proposal site. An objective of the heritage conservation clause is to conserve the heritage significance of heritage items including '*settings and views*' (cl.5.10).

Wellington Development Control Plan 2013

The DCP supports the LEP by outlining requirements for development to meet community expectations and address key environmental planning issues relevant to the LGA. The DCP aims to '*ensure development positively responds to the character of the surrounding area and recognises the significance of heritage items and their settings, important vegetation and the neighbourhood setting'*. It also aims to protect prime agricultural areas from *'incompatible development, encouraging the appropriate location of buffers'* (s.A4).

The site is located in the RU1 Primary Production zone. The landscaping code (s.D4) aims to '*conserve the scenic values of the rural landscapes'*, ensuring that adequate landscaping is provided, in accordance with the type, scale and location of the proposed development. Development requirements for '*scenic landscapes and other rural areas'* include:

- *New buildings in the rural landscape should be in a style (design, height, scale, bulk, materials and external colours) sympathetic to the cultural or scenic landscape character*

- *Buildings should be constructed of a non-reflective material. Colours to blend in with locality landscape - preferably to be of a darker shade. Zincalume or other highly reflective roofing or wall cladding is to be avoided in prominent areas.*
- *Visibility of new buildings from regionally or locally significant public view situations should be minimised by planting trees and shrubs between the view sites and the structure and immediately adjacent to the structure. Landscape planting should reflect existing landform and natural vegetation. Buildings can be partly excavated into the natural surface on slopes and/or be split level.*
- *Roads, driveways and other excavations visible from regionally or locally significant view situations should follow contours and natural vegetation lines and not be at right angles to contours.*
- *Consent must not be granted to the erection of a building on a ridgeline if the building would be visible from a regionally or locally significant viewing situation and appears as a skyline structure from that location.*

4. Potential visibility of the project

The potential visibility of the project (refer to Figure C: Potential Visual Catchment) has been identified through an analysis based on a digital surface model (includes terrain only) derived from LiDAR point cloud data. This analysis shows the pattern of potential visibility and is a basis for fieldwork verification. This analysis considers views to the infrastructure within the proposed batteries and inverters as these would have the greatest potential for a visual impact.

Based on this analysis, the site is expected to have a small visual catchment, with the visual catchment being mainly within one kilometre of the development footprint and contained to the north, east and west of the site by undulating landform on the lower slopes of the surrounding ranges and hills. This analysis shows views being contained to areas near to the site, including:

- fields to the south, contained mainly within the associated land holding
- a short section of the Mitchell Highway to the west of the site
- east facing fields to the west of the site extending about 100 to 150 metres
- mostly flat fields to the north of the site extending to about 1 kilometre, and also south facing slopes of the hills about two kilometres to the north of the site
- west facing fields to the east of the site extending about 300 metres and including some elevated areas about 1km to the southeast of the site, and
- flat fields to the south of the development footprint, extending about 100 metres to the south of the site and contained within the land holding.

Not all areas of the project development footprint would be seen from any area within this visual catchment. The colour shading on this map (refer to Figure D: Potential Visual Catchment detail) shows the approximate percentage of the BESS that would be seen within this potential visual catchment.

Views from private residential dwellings

While there are several existing residential dwellings scattered across the surrounding rural landscape, the visual catchment does not extend to include many private residential dwellings. In particular, the

residential dwellings to the south of the site are not expected to have views of the project based on this preliminary analysis. There may be a view from the several properties to the north, which are located on elevated slopes, about 400 metres and 700 metres from the site respectively. There is also unlikely to be a view from those residential dwellings over a kilometre from the site to the north, west and south of the site, due to intervening landform and vegetation.

Views from the Camelford Park Homestead

The potential visual catchment of this proposal (refer to Figure D: Potential Visual Catchment detail) does not extend to the southwest towards the Camelford Park Homestead heritage property. This is due to the undulating landform and existing vegetation on intervening fields and along the Bell River.

Views from surrounding recreational areas

The Wellington Caves (about two kilometres northwest of the site) is not located within the potential visual catchment of the site (refer to Figure C: Potential Visual Catchment) and there is not expected to be a view from this location due to intervening landform and vegetation. Other recreational areas in the vicinity of the site, including the Burrendong Dam (about 15 kilometres east of the site) and the Mount Arthur Reserve (about 10 kilometres northwest of the site) are located a substantial distance from the site and are unlikely to have a view to this proposal.

Views from the Mitchell Highway

This proposal is located on the Mitchell Highway and there would be close range views of the proposal from the Highway along a short section, adjacent to the site. The undulating landform limits views from more distant areas (refer to Figure C and Figure D). In these views, the development footprint (batteries and inverters) would be seen, with a backdrop of vegetation formed by the surrounding forested areas on elevated land.

5. Next steps

During the preparation of an EIS, a detailed visual assessment would be prepared that would further analyse the potential visual impact of the project. This would include field verification of the visibility analysis and an assessment of representative viewpoints of the project. This assessment would identify the potential visual impact from surrounding roads and the Mitchell Highway, and verify that there are no views from lookouts, trails and recreation areas (such as the golf course) in areas surrounding the site. This assessment would also consider the potential impact on views from private residential dwellings, particularly those residential dwellings within a kilometre and to the north of the site. Further analysis would be undertaken to determine the location, width and species for the proposed screening vegetation, to respond to the views from the highway and residential dwellings with views to the site.

References

DPIE, 2020, *Central West and Orana Regional Plan 2036*, URL: https://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/Central-West-and-Orana/Central-West-and-Orana-regional-plan (accessed 21/12/2021).

Dubbo Regional Council, 2020, *Dubbo Local Strategic Planning Statement*, URL: https://www.dubbo.nsw.gov.au/Builders-Developers/Planning-Controls-Tools-and-Resources/local-strategic-planning-statement-2020 (accessed 21/12/2021).

Wellington Council, 2013, *Wellington Development Control Plan 2013*, URL: https://www.dubbo.nsw.gov.au/Builders-Developers/Planning-Controls-Tools-and-Resources/development-control-plan (accessed 21/12/2021).

Wellington Council, 2012, *Wellington Local Environmental Plan 2012*, URL: https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2012-0578 (accessed 21/12/2021).

iris

Apsley BESS | Visual impact analysis

Figure A: Site location

Site boundary

5km distance from the site

Proposed BESS development

Existing power lines

132kV

SOURCE:
Cadastral Boundary: NSW Department of Finance, Services and Innovation 2021
Transmission Lines: © Spatial Services 2019
Imagery: © Spatial Services 2014

N
W E
S

0 1 2
Kilometres

A3 Scale: 1:40,000

File:ApseyBESS-Fig1-SiteLocationAerial-211219 Date: 19/12/2021

The information shown on this plan may be insufficient for some types of design. GEOVIEW should be consulted as to the suitability of the information shown herein prior to the commencement of any works based on this plan.

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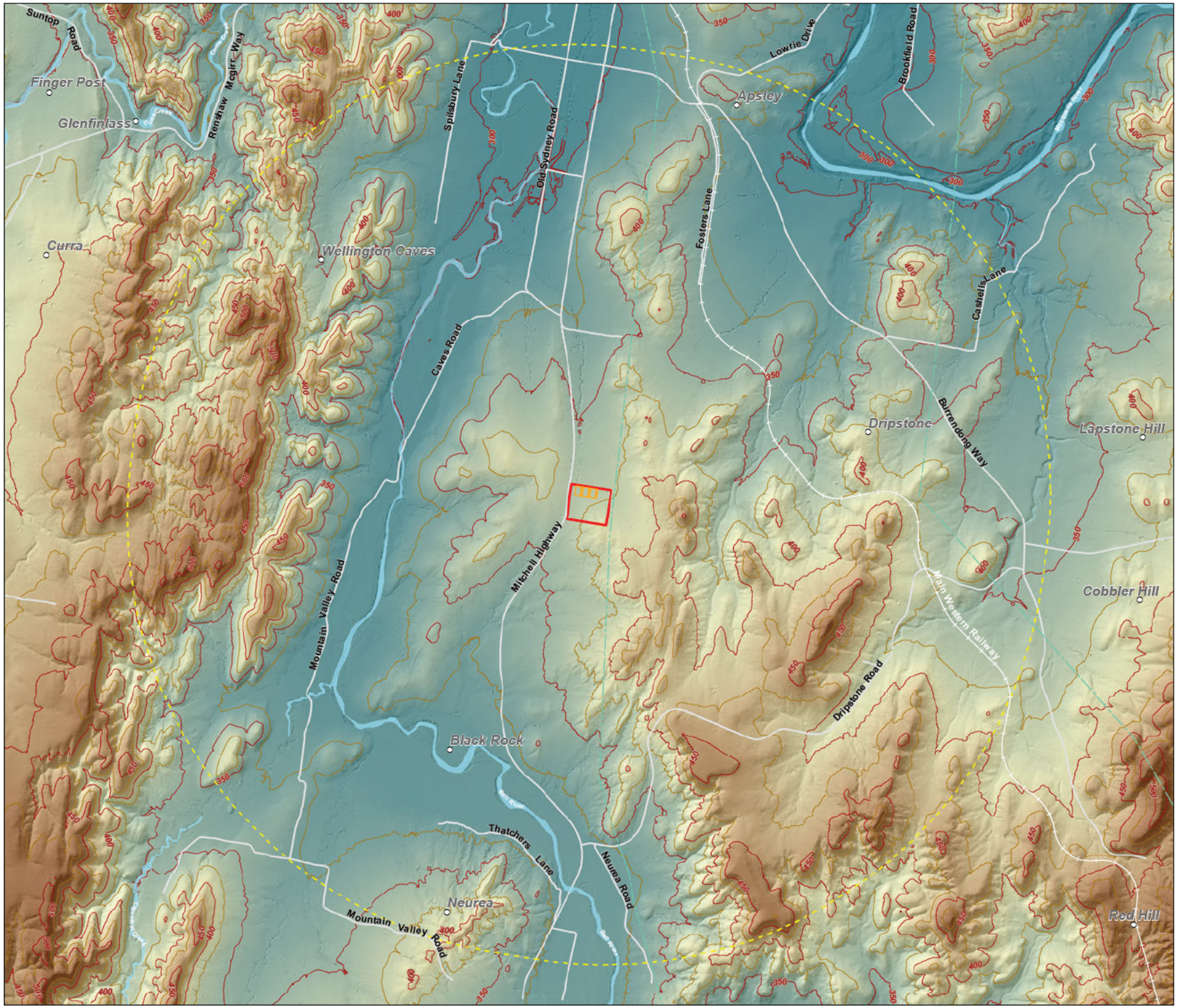

iris

Apsley BESS |
Visual impact analysis

Figure B:
Topography

SOURCE:
Cadastral Boundary: NSW Department of Finance, Services and Innovation 2021
Transmission Lines: © Spatial Services 2019
Surface analysis: Derived from LiDAR - EUCHAREENA & WELLINGTON 2009, 1 metre Resolution Digital Elevation Model © Department Finance, Services and Innovation

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A3 Scale: 1:40,000

File:Aps eyBESS-F g2-Topography-211219 Date: 19/12/2021

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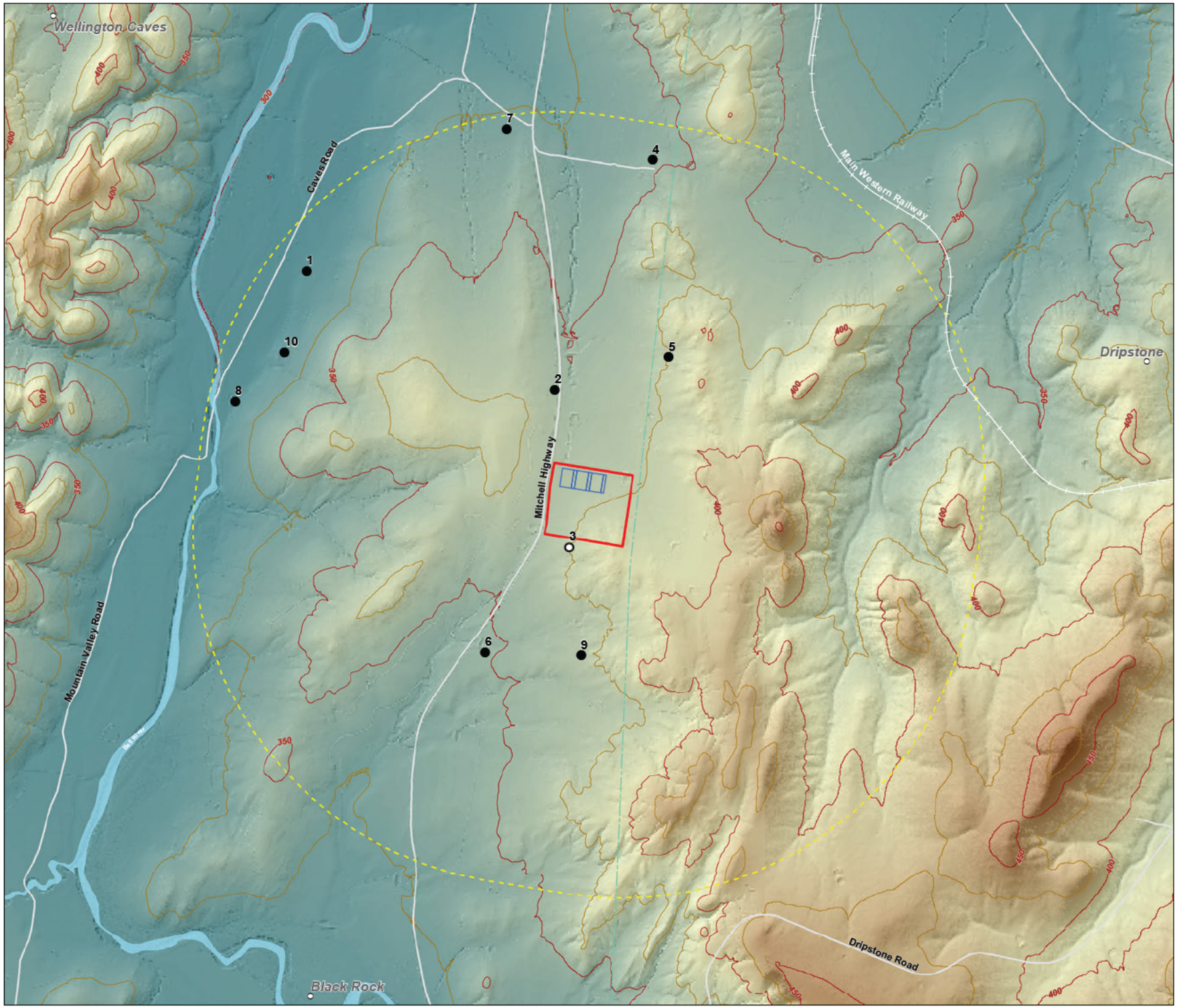

iris

Apsley BESS |
Visual impact analysis

Figure C:
Topography detail

- Site boundary
- Contour (50m)
- Contour (25m)
- 2km distance from the site
- Proposed BESS development

Existing power lines

- 132kV

Elevation

- High (525m)
- Low (284m)

- Private dwelling (associated)
- Private dwelling (non-associated)

SOURCE:
Cadastral Boundary: NSW Department of Finance, Services and Innovation 2021
Transmission Lines: © Spatial Services 2019
Surface analysis: Derived from LiDAR - EUCHAREENA & WELLINGTON 2009, 1 metre Resolution Digital Elevation Model © Department Finance, Services and Innovation

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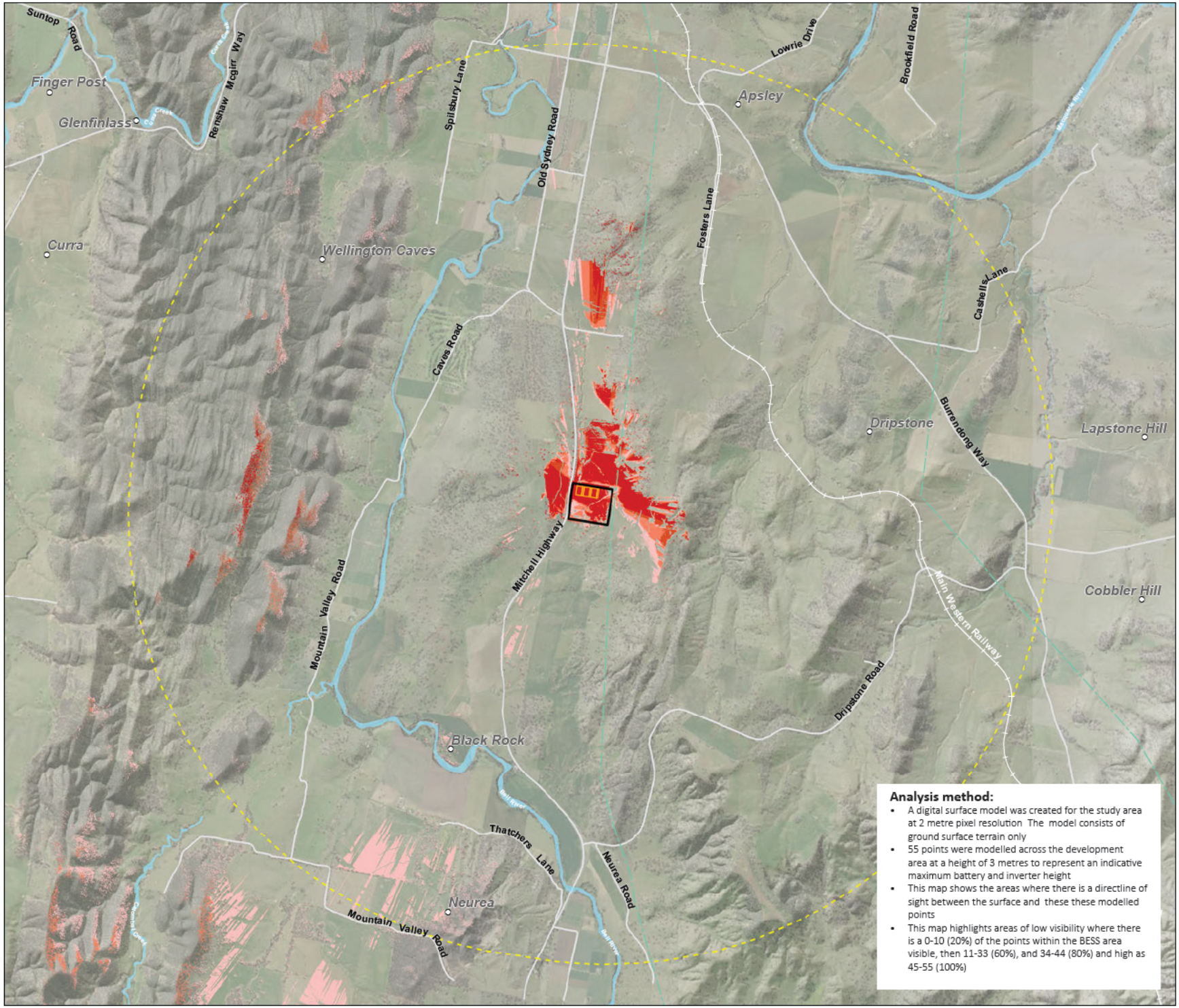
A3 Scale: 1:20,000

File:ApseyBESS-Fig2-Topography-211221 Date: 21/12/2021

GEOVIEW



iris

Apsley BESS |
Visual impact analysis

Figure D:
Potential Visual Catchment

Site boundary
2km distance from the site
Battery and inverter area (modelled at 3m high)

Existing power lines
132kV

Potential visual catchment
Small area of development visible
Large area of development visible

SOURCE:
Cadastral Boundary: NSW Department of Finance, Services and Innovation 2021
Transmission Lines: © Spatial Services 2019
Imagery: © Spatial Services 2014
Surface analysis: Derived from LiDAR - EUCHAREENA & WELLINGTON 2009, 1 metre Resolution Digital Elevation Model © Department Finance, Services and Innovation

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Kilometres

A3 Scale: 1:40,000

File:ApsleyBESS-Fig3-VisualCatchment-211219 Date: 19/12 2021

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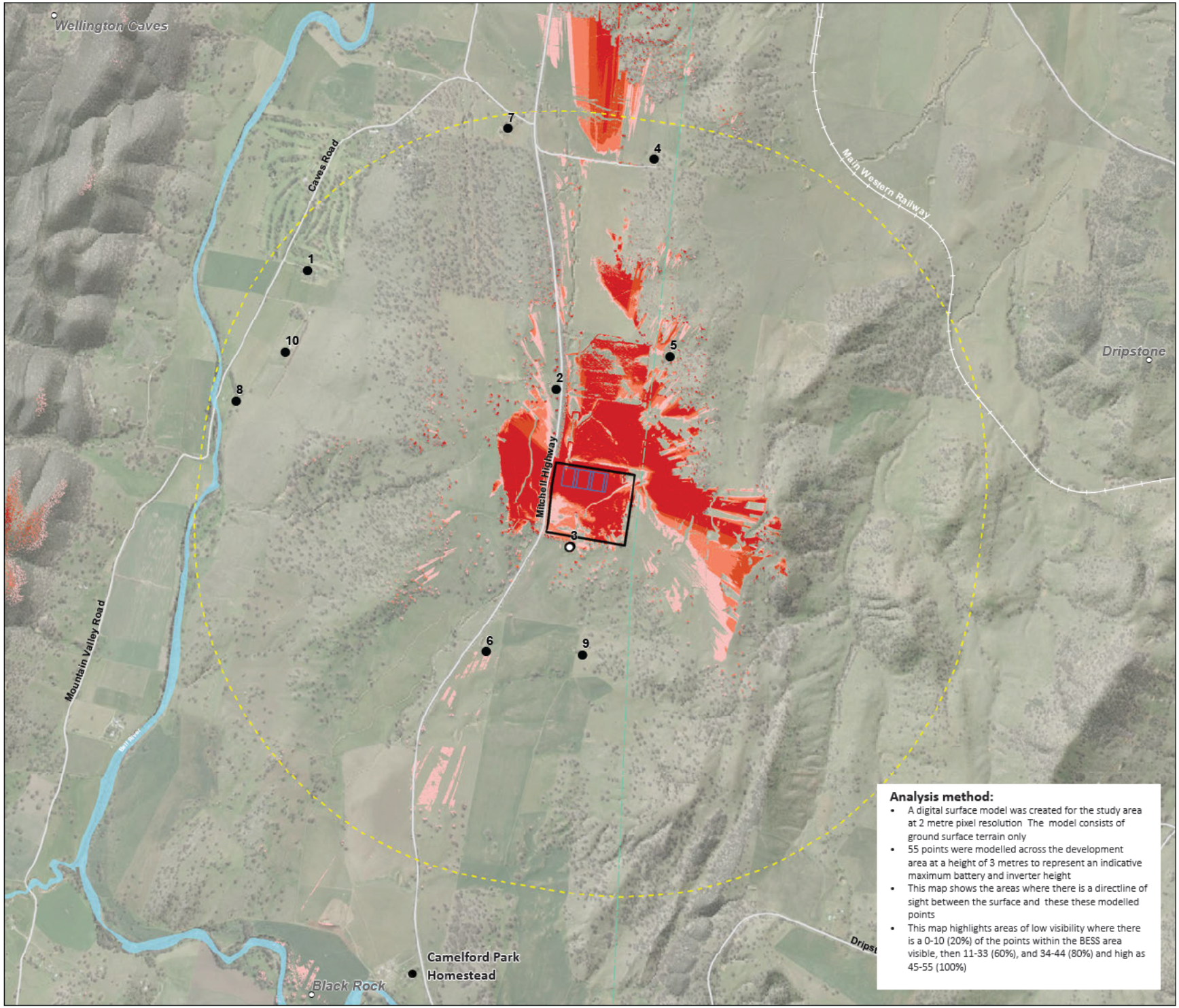
GIS & mapping solutions for infrastructure, town planning & environmental management



iris

Apsley BESS | Visual impact analysis

Figure E: Potential Visual Catchment detail

- Site boundary
- 2km distance from the site
- Battery and inverter area (modelled at 3m high)
- 132kV
- Private dwelling (associated)
- Private dwelling (non-associated)

Potential visual catchment

- Small area of development visible
- Large area of development visible

Analysis method:

- A digital surface model was created for the study area at 2 metre pixel resolution The model consists of ground surface terrain only
- 55 points were modelled across the development area at a height of 3 metres to represent an indicative maximum battery and inverter height
- This map shows the areas where there is a directline of sight between the surface and these these modelled points
- This map highlights areas of low visibility where there is a 0-10 (20%) of the points within the BESS area visible, then 11-33 (60%), and 34-44 (80%) and high as 45-55 (100%)

SOURCE:
Cadastral Boundary: NSW Department of Finance, Services and Innovation 2021
Transmission Lines: © Spatial Services 2019
Imagery: © Spatial Services 2014
Surface analysis: Derived from LiDAR - EUCHAREENA & WELLINGTON 2009, 1 metre Resolution Digital Elevation Model © Department Finance, Services and Innovation

N W E S

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Kilometres

A3 Scale: 1:20,000

File:ApsleyBESS-Fig3-VisualCatchment-211221 Date: 21/12/2021

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APPENDIX L

NSW CROWN LANDS CORRESPONDENCE

Hugh Shackcloth-Bertinetti

From: Karen Hocking [redacted]
Sent: Tuesday, 7 December 2021 2:03 PM
To: Hugh Shackcloth-Bertinetti
Subject: RE: ACEnergy, Apsley BESS - 21/00422#48 - REQ/ACS/2021/826
Attachments: Engagement Letter_Apsley BESS.pdf; Crown Land.png; Site Layout.jpeg; Response Letter ACEnergy - REQ_ACS_2021_804 - Battery Storage - Wellington.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon Mr Bertinetti

Please find attached response letter as requested.

Kind regards

Karen Hocking
Senior Property Management Officer
Land & Asset Management | Department of Planning, Industry and Environment
T [redacted] | **E** [redacted]
Level 1, 45 Wingewarra Street, Dubbo NSW 2830
www.dpie.nsw.gov.au

Please note: **As a result of Covid19 I am currently working remotely. Contact via telephone and email will continue during this time.**

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we 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.

From: Karen Hocking
Sent: Monday, 6 December 2021 11:39 AM
To: info@apsleybess.com.au
Subject: HPE CM: RE: ACEnergy, Apsley BESS - 21/00422#48 - REQ/ACS/2021/804

Good morning

Please find attached response to your enquiry.

Kind regards

Karen Hocking
Senior Property Management Officer

Land & Asset Management | Department of Planning, Industry and Environment
T [redacted] | E [redacted]
Level 1, 45 Wingewarra Street, Dubbo NSW 2830
www.dpie.nsw.gov.au
Please note: As a result of Covid19 I am currently working remotely. Contact via telephone and email will continue during this time.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we 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.

-----Original Message-----
From: info@apsleybess.com.au <info@apsleybess.com.au>
Sent: Wednesday, 24 November 2021 4:50 PM
To: Lands-Water CL Enquiries Mailbox <cl.enquiries@crownland.nsw.gov.au>
Subject: ACEnergy, Apsley BESS

To whom it may concern,

Please see attached correspondence for the above project.

Kind regards,

ACEnergy Pty Ltd

APPENDIX M

SOCIAL IMPACT SCOPING WORKSHEET

Social Impact Assessment (SIA) Worksheet

Project name: Apsley Battery Energy Storage System

Date: Jan-22

CATEGORIES OF SOCIAL IMPACTS	POTENTIAL IMPACTS ON PEOPLE		PREVIOUS INVESTIGATION OF IMPACT		CUMULATIVE IMPACTS		ELEMENTS OF IMPACTS Based on preliminary investigation					ASSESSMENT LEVEL FOR EACH IMPACT				PROJECT REFINEMENT	MITIGATION / ENHANCEMENT MEASURES
what **social impact categories** could be affected by the project activities	What impacts are likely, and what concerns/aspirations have people expressed about the impact? Summarise how each relevant stakeholder group might experience the impact. **NB. Where there are mu tiple stakeholder groups affected differently by an impact, or more than one impact from the activity, p ease add an additional row.**	Is the impact expected to be **positive or negative**	Has this impact previously been investigated (on this or other project/s)?	If "yes - this project," briefly describe the previous investigation. If "yes - other project," identify the other project and investigation	Wi l this impact combine with others from this project (think about when and where), and/or w th impacts from other projects (cumulative)?	If yes, identify which other impacts and/or projects	Will the project activity (without mitigation or enhancement) cause a material social impact in terms of its You can also consider the various magn tudes of these characteristics **extent** i.e. number of people potentially affected?	**duration** of expected impacts? **(i.e. construction vs operational phase)**	**intensity** of expected impacts i.e. scale or degree of change?	**sensitivity** or vulnerability of people potentia ly affected?	**level of concern/interest** of people potentially affected?	Level of assessment for each social impact	What methods and data sources wi l be used to investigate this impact? Secondary data	Primary Data - Consultation	Primary Data - Research	Has the project been refined in response to preliminary impact evaluation or stakeholder feedback?	What **mitigation / enhancement measures** are being considered?
surroundings	Increased noise to receivers during construction	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	no	No	no	Unknown	Minor assessment of the impact	Required	Lim ted - if required (e.g. local council)	Not required	No	Management through appropriate on s te controls during construction
surroundings	Increased noise to receivers during operation	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	No	No	No	Unknown	Minor assessment of the impact	Required	Lim ted - if required (e.g. local council)	Not required	No	Adopt standard measures (working within standard hours etc). Conduct noise impact assessment and adopt suitable m tigation/management measures.
surroundings	Changes to the landscape and visual amen ty	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	No	No	No	Yes	Minor assessment of the impact	Required	Lim ted - if required (e.g. local council)	Not required	Yes	Visibility of site and context of receiving environment considered in site selection. Visual impacts to be assessed in detail in assessment and the need for, or extent of, visual mitigation measues ident fied
health and wellbeing	Changes in air qua ity during construction	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	No	No	Yes	Unknown	Standard assessment of the impact	Required	Targeted consultation	Potentially targeted research	No	To be determined during assessment
access	Increased traffic during construction causing short term disruption	negative	Yes - other project	Broken Hill and Hume BESS projects	Unknown		No	No	No	No	Unknown	Minor assessment of the impact	Required	Lim ted - if required (e.g. local council)	Not required	No	Management through appropriate on s te controls during construction
access	Increased traffic during operation causing disruption	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	No	No	No	Unknown	Minor assessment of the impact	Required	Lim ted - if required (e.g. local council)	Not required	No	Management through appropriate on s te controls during construction
health and wellbeing	Changes to landscape and visual amenity	Negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	Yes	Yes	Yes	Yes	Unknown	Deta led assessment of the impact	Required	Broad consultation	Targeted research	No	Project refinement as required to avoid impact where possible
cu ture	Potential for impacts to unknown items or s tes of Aboriginal heritage	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	No	No	No	Unknown	Minor assessment of the impact	Required	Lim ted - if required (e.g. local council)	Not required	No	Project refinement as required to avoid impact where possible
way of life	Reduction in power prices in the locality	Positive	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	Yes	Yes	Yes	Yes	No	Deta led assessment of the impact	Required	Broad consultation	Targeted research	No	None required
livelihoods	Increased employment opportunities during construction phase	Positive	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	Yes	Yes	Yes	Yes	Unknown	Deta led assessment of the impact	Required	Broad consultation	Targeted research	No	Buy/use local resources where possible
livelihoods	Increased employment opportunities during operational phase	Positive	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	Yes	No	No	Unknown	Standard assessment of the impact	Required	Targeted consultation	Potentially targeted research	No	Buy/use local resources where possible
way of life	Concern about introduction of project into local ty and nature of changes	negative	Yes - other project	Broken Hill and Hume BESS projects	No	Not required	No	Yes	No	No	Unknown	Standard assessment of the impact	Required	Targeted consultation	Potentially targeted research	No	To be determined during assessment

Premise