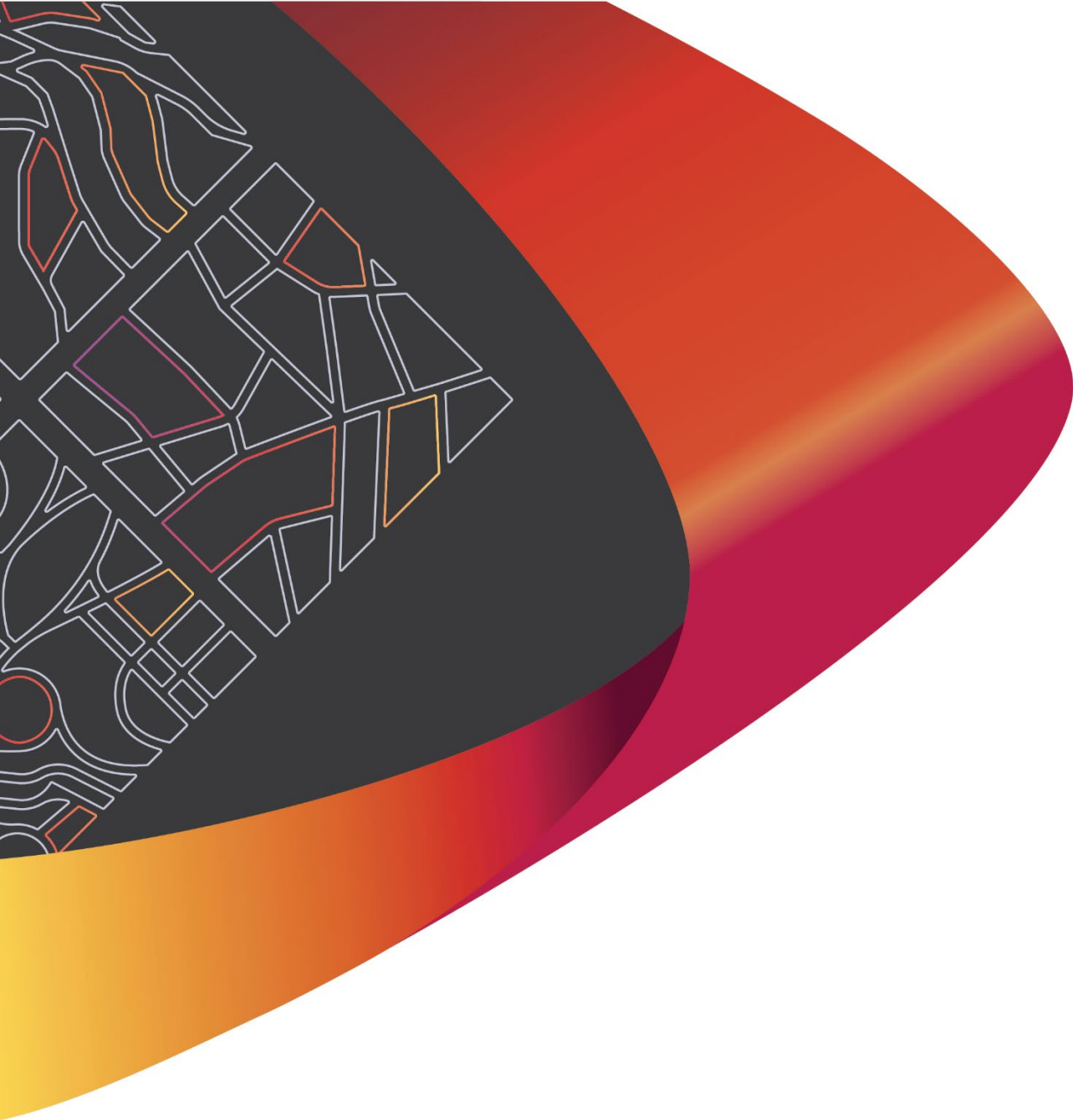




MODIFICATION REPORT

Apsley Battery Energy Storage System

Energy Storage Project No 3 Pty Ltd

P002803

Rev: D

8 May 2026



Premise

PART OF THE
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ABBREVIATIONS

<i>Abbreviation</i>	<i>Abbreviated term</i>
ABS	Australian Bureau of Statistics
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHIMS	Aboriginal Heritage Information Management System
BAR	Bushfire Assessment Report
BC Act	<i>Biodiversity Conservation Act 2016</i>
BDAR	Biodiversity Development Assessment Report
BESS/Battery	Battery Energy Storage System
CEP	Communications and Engagement Plan
CEMP	Construction Environmental Management Plan
ESP3	Energy Storage Project No 3 Pty Ltd
DA	Development Application
DPHI	NSW Department of Planning, Housing and Infrastructure
DRC	Dubbo Regional Council
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
EP&A Act 1979	<i>Environmental Planning and Assessment Act 1979</i>
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue New South Wales
FSS	Fire Safety Study
FTE	Full Time Equivalent
PHA	Preliminary Hazard Analysis
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
OSOM	Oversize/Over mass
MW	Megawatt
MWh	Megawatt hour
TfNSW	Transport for New South Wales
TIA	Traffic Impact Assessment
SIA	Social Impact Assessment
ICNG	Interim Construction Noise Guideline 2009
NPfi	Noise Policy for Industry 2017
NIA	Noise Impact Assessment
VIA	Visual Impact Assessment

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EXECUTIVE SUMMARY

Introduction

Premise Australia Pty Ltd (Premise) has been commissioned by Energy Storage Project No 3 Pty Ltd (ESP3) to prepare a modification application for the Apsley Battery Energy Storage System (Apsley BESS). The Apsley BESS is located at 9010 Mitchell Highway, Apsley, within the Dubbo Regional Council (DRC) Local Government Area (LGA). The Apsley BESS (SSD-35160796) was approved by the NSW Department of Planning, Housing and Infrastructure (DPHI) as State Significant Development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 2 June 2023.

The consent allows for the construction of a 120 megawatt alternating current (MW_{AC}) / 240 megawatt hour alternating current (MWh) battery energy storage system and associated infrastructure, including a 132 kV switching station connecting the facility to the existing transmission network to the east. The project is located within the Central West Orana Renewable Energy Zone (CWO REZ).

The proposed modification maintains the purpose and operational characteristics of the approved project and seeks to include a number of minor changes to reflect the ongoing design process. Advancement in the supply chain means that the modification is seeking to reduce the number and size of battery containers required through utilisation of higher density products which will increase the energy storage capacity by 240 MWh at the point of connection. Other proposed modification changes, each having either no or minor impact, include adjustments to the project footprint to facilitate safe vehicle entry, increases to the construction duration, workforce numbers and vehicle numbers to facilitate a flexible and efficient construction process and the inclusion of high risk over-dimensional vehicle movements that require no modifications to the existing road network. The proposed modification report has considered potential impacts, and is supported by nine (9) technical assessments, each of which concludes that the changes proposed have either no or minimal environmental impact. The development, as modified, remains substantially the same as that originally approved.

In anticipation of the proposed modification, the project team has door knocked and sent letters to all neighbouring properties within a 2km radius of the project, refreshed the project website, launched a toll-free project number, as well as undertaken targeted briefings and engagement with Registered Aboriginal Parties, Dubbo Regional Council officer, NSW Departmental staff, and political representatives. Subject to approval, the project currently anticipates being operational within the summer of 2027/2028.

The modification supports the efficient use of land and infrastructure and remains consistent with the objectives of the EP&A Act, and will assist with maintaining a secure, reliable and diverse energy system in NSW

Proposed Modification

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

- > A reduction in the number of battery containers on site. Through fewer, higher-density containers, the duration is increased by two additional hours.
- > Minor changes to the project layout and development footprint, generally in accordance with the approved project.
- > Adjustments to the site access intersection to satisfy Austroads safe sight distance requirements.
- > Changes to the number of peak construction and operational workforce.
- > Changes to peak vehicle numbers.

- > Administrative changes to the proposed subdivision layout generally in accordance with the approved layout.
- > Introduction of 6 high risk over-dimensional vehicle movements for the project lifecycle, including assessment of the routes.

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

Environmental Issues

To support this modification application, the following technical assessments have been completed to confirm the modified development remains substantially the same:

- > An updated Land Category Report (LCR) and Biodiversity Development Assessment Report (BDAR) has been prepared to assess the modified project layout, including the changes to the access intersection.
- > An Aboriginal Heritage Technical Memorandum (AHTM) has been prepared to assess the modified project layout.
- > An updated Noise Impact Assessment (NIA) has been prepared to assess the adopted battery units and associated equipment.
- > An updated Transport Impact Assessment (TIA) has been prepared to reflect construction access requirements and additional OSOM route associated with the installation of additional equipment
- > A Visual Impact Assessment (VIA) technical memorandum has been prepared to assess the change to the development footprint and layout.
- > An updated Preliminary Hazard Analysis (PHA) has been prepared to reflect the revised battery layout and increased energy storage capacity.
- > A Bush Fire Assessment Report has been prepared to review the changes to the project and evaluate bush fire mitigation requirements.
- > A Rapid Social Impact Assessment has been prepared to assess the impacts of the modified project on the surrounding area.

In summary, this modification report and the supporting technical reports conclude that this proposed modification results in a development that is substantially the same as the approved development and is of minimal environmental impact.

Justification

The NSW Government has recognised that the NSW electricity system requires fundamental transformation, acknowledging that traditional generators are ageing, that the State's transmission system is congested, and that electricity prices continue to place pressure on households and businesses. This recognition has informed a suite of government policies and investment frameworks directed at accelerating the transition to a more reliable electricity system.

The NSW Electricity Infrastructure Roadmap establishes the strategic framework for this transition, centred on the delivery of Renewable Energy Zones as the primary platforms for new generation and storage capacity. The Central West Orana REZ, within which the Apsley BESS is located, is one of the priority zones identified under the Roadmap. Battery storage systems play a critical role within this framework, providing the firming and dispatchable capacity necessary to stabilise the grid and maintain supply reliability during periods of peak demand. Longer duration storage is particularly important in this context, as it enables the grid to manage extended supply constraints and deliver sustained output when the system is under greatest pressure.

The NSW Government has specifically identified a predicted shortfall in firming capacity for the summer of 2027/28. The proposed modification directly responds to this need by increasing the duration of the project from two hours to four hours. This longer duration arrangement supports a stable, secure and reliable energy system during key periods of demand without requiring significant changes to the approved project layout.

The expanded capacity is accommodated within the approved disturbance boundary through an efficient revision of the site layout, with minimal environmental impact. The modification supports the NSW Government's three objectives for the electricity system: reliability, affordability, and sustainability. It represents a material contribution consistent with NSW Electricity Strategy. The Apsley BESS, with an anticipated operational life of at least 30 years, will provide firming capacity to the market, contributing to a more resilient and cost-effective electricity system for NSW.

Conclusion

The assessments presented in this report indicate that the proposed modification would assist with the delivery of a range of benefits to the local region, New South Wales and would assist in a secure, stable, diverse and flexible energy system.

The modification report is supported by technical studies and memorandums which confirm that the modified project will result in no or minimal environmental impacts when considered against what was previously assessed and approved. The modification report confirms that any residual impacts can be suitably managed through the implementation of updated mitigation measures.

The proposed modification is consistent with the objects and matters for consideration in the EP&A Act. This report concludes that this modification would result in either no or minimal additional impacts to the level of environmental impacts and remains substantially the same as the original approval, therefore the project remains within the public interest.



1. INTRODUCTION

1.1 Overview

Premise Australia Pty Ltd (Premise) has been commissioned by Energy Storage Project No 3 Pty Ltd (the applicant; ESP3) to prepare a modification for the Apsley Battery Energy Storage System (BESS), located at 9010 Mitchell Highway, Apsley NSW 2820.

The original project approval was granted for a 120 MW_{AC} / 240 MWh BESS and associated works, including a three-lot subdivision, new site access from the Mitchell Highway, and a 132 kV switching station to facilitate connection to the existing Transgrid transmission network.

The applicant now seeks to modify the approved project pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

This report has been prepared in accordance with the Department of Planning, Housing and Infrastructure publication *State Significant Development Guidelines – Preparing a Modification Report – Appendix E*, published (October 2022).

The report is set out in the following format:

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

1.2 The applicant

The original development application was lodged by ACEnergy Pty Ltd. The project has since been transferred to a project-specific entity, Energy Storage Project No 3 Pty Ltd (ESP3), which is the applicant for Apsley BESS Modification 1. The applicant's address is 10–20 Gwynne Street, Cremorne VIC 3121 (ABN 42 482 525 481).

1.3 The approved project

The consent authority for the Apsley BESS (SSD 35160796) was a delegate of the Minister for Planning and Public Spaces (NSW) (Director, Energy Assessments). The Apsley BESS was approved by the consent authority on 02 June 2023.

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

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



Table 1 - Approved project summary

Project element	Approved project
Disturbance area	~ 6 ha
Site	9010 Mitchell Highway, Apsley, being Lot 3 DP 1012686 Approved overhead electrical transmission line to connect the approved switching station, within Lot 3, to the adjacent overhead transmission line network, located in Lot 107 DP756920, and spans across a portion of unconstructed Crown Road (no lot or DP).
Delivery capacity	120 megawatts (MW)
Energy storage capacity	240 MW hours (MWh)
BESS Lifespan	30 years, with the possibility of upgrades to extend the operational life
Infrastructure	> Enclosed lithium-ion phosphate batteries with a capacity of up to 120 MW and 240 MW-hours, with associated power conversion systems, switchgear and a control building; > An underground or overhead 132 kV transmission line to connect the BESS to the adjacent Transgrid overhead electricity transmission line ; > Cabling and collector units, storage area, internal access tracks, on-site parking, security fencing, lighting, temporary construction laydown area, noise barriers and vegetation screening
Site Access	> Development of a new access treatment to the Mitchell Highway including a rural Basic Left (BAL) and rural Basic Right (BAR) turning treatment.
Access route	> Vehicles to access the site via the Mitchell Highway and the new access point including a rural Basic Left (BAL) and rural Basic Right (BAR) turning treatment. > BESS infrastructure anticipated to be delivered to either the Port of Sydney or the Port of Newcastle and transported to the site via roads approved for heavy vehicle use and then the proposed access driveway.
Construction	> Construction to commence in mid-2024 and occur over a 5 month period, including a peak period of 3 months. > Construction to occur during standard construction hours. However, it is anticipated that some activities that are inaudible, and would not result in amenity impacts to surrounding receivers, may be required to occur outside of standard hours in accordance with an Out-of-Hours Construction Protocol. > Approximately 20,000L of water per day would be required during construction, delivered to site via water haulage trucks. Based on the assumptions in the EIS this equates to around 0.5 ML of water during the construction period.
Operations and maintenance	The project would be operated remotely with occasional maintenance activities generally be undertaken by up to 4 personnel within the following hours, the exception being where urgent emergency maintenance is required: > Weekdays: 7am to 6pm > Saturday: 8am to 1pm > Sundays and Public Holidays: no work

Project element	Approved project
Subdivision	> A three lot subdivision: • Lot 1 – 5.1 ha and to host the battery. To be leased by the applicant and retained in the ownership of the landowner. • Lot 2 – 0.9 ha, to host the substation and to be dedicated to Transgrid; and • Lot 3 – 12.5 ha, the residual lot, to be held by the land owner.
Decommissioning and rehabilitation	> The site would be progressively rehabilitated during and following the construction period, including removal of the temporary construction facilities. > At the end of operational life, above ground components would be removed and land rehabilitated to pre-development conditions.
Workforce	Up to 50 construction jobs and 4 operational jobs
Hours of Operation	24 hours, 7 days a week



Legend

- Site
- Lot
- Road
- Watercourse
- Transmission Line Easement
- Overhead Transmission Line
- 11kV
- 132kV
- LV

- Indicative Site Access Point
- Indicative Site Access
- Indicative Security Fence
- Indicative Shared Access
- Indicative Landscaped Area
- Indicative BESS Area
- Indicative Substation
- Indicative Transformer
- Indicative Noise Barrier

- Indicative Transmission Line Connection



**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 1
Approved Project**

1.4 The site and locality

1.4.1 THE SITE

The Apsley BESS is situated within a rural setting approximately 10 kilometres south of Wellington, within the Dubbo Regional Council local government area. The surrounding land is characterised by agricultural use, with adjacent rural properties supporting grazing and cropping activities. The development and associated works are proposed over Lot 3 DP 1012686 and Lot 107 DP 756920, together with the Crown road separating the two lots and on land within the Mitchell Highway road reserve. An existing dwelling house is located in the northern portion of Lot 2 DP 1012686, held, in the same ownership as Lot 3 DP 1012686, with a shed present in the eastern portion of Lot 3 DP 1012686. A north-south electrical easement traverses the land to the east of the site. The modified site area is approximately 21 hectares, with the proposed disturbance area of the BESS and associated infrastructure comprising approximately 6 hectares.

Under existing conditions, no direct vehicular access to the site is available from the Mitchell Highway (Classified Road 7). The Mitchell Highway runs along the western frontage of the site in a north-south alignment, operating as a single lane in each direction with a posted speed limit of 100 km/h in the vicinity of the site. Current access to the landholding is provided via an existing 160-metre driveway serving the dwelling house located within Lot 2 DP 1012686.

Two Exploration and Mining Titles apply to the site, held by Colossus Metals Pty Ltd and Austin Metals Ltd (previously known as Silver City Minerals Ltd). Groundwater investigations indicate a standing water level of approximately 20 metres below the surface. No watercourses are present within the site, with the exception of an isolated farm dam located in the north-eastern corner of the landholding. The site contains no native trees or shrubs. These site conditions are consistent with the conditions at the time of the original approval.

It is noted that the site is now mapped as bush fire prone land (vegetation category 3).

The existing condition of the site is depicted in **Figure 2**

1.4.2 THE LOCALITY

Approximately seven (7) non-associated residential receivers are located within a two-kilometre radius of the site. The nearest non-associated developed receiver is situated approximately 400 metres from the BESS installation.

The Apsley BESS site is well separated from sensitive natural features, including waterways and sensitive landscape environments.

In a regional context, the site is located approximately 150 kilometres north-west of Bathurst, 90 kilometres north of Orange, and approximately 60 kilometres south-east of Dubbo. The regional context and nearby receivers are depicted in **Figure 3** and **Figure 4**.



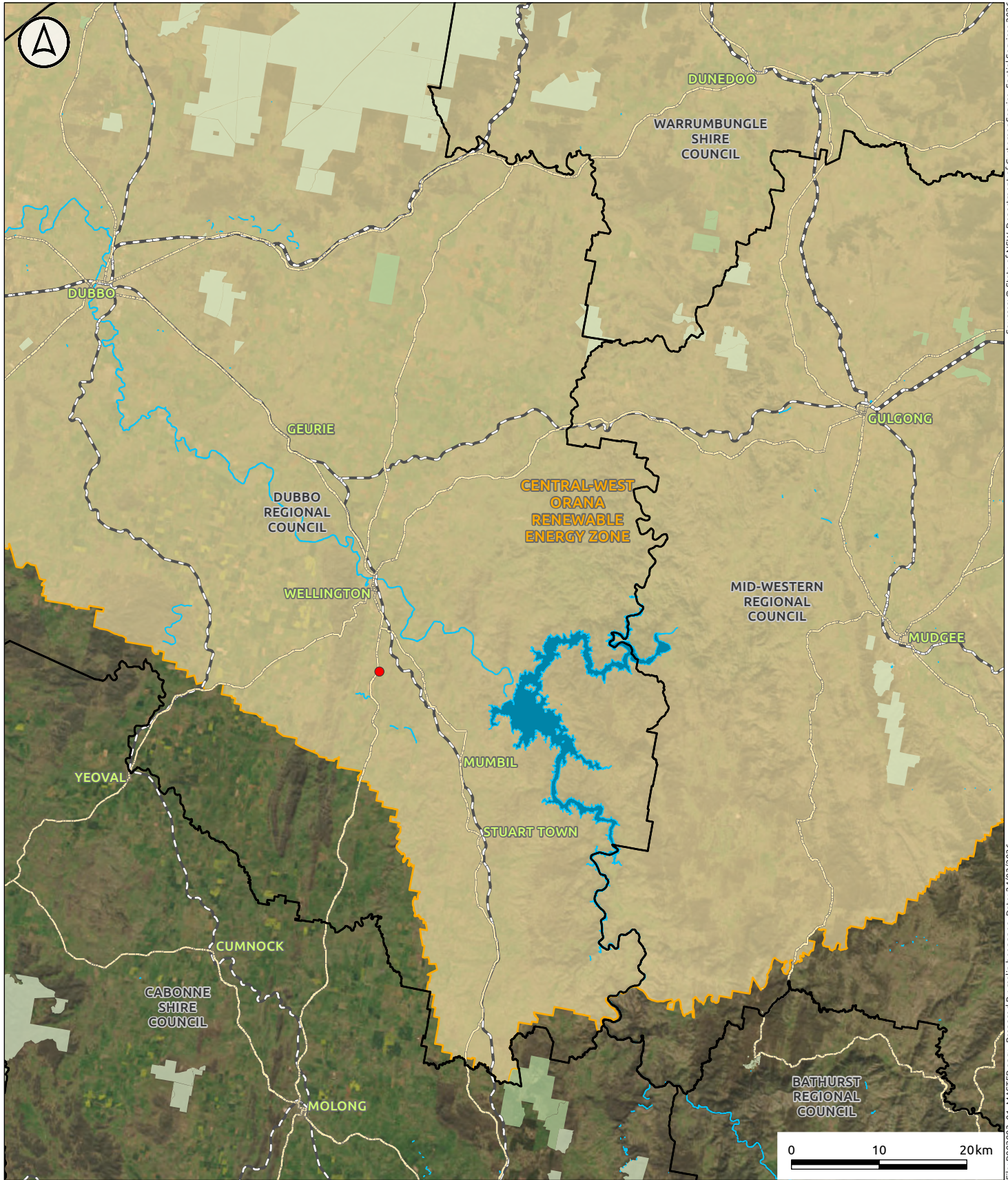


- Legend**
- Site
 - Major Road
 - Railway
 - Named Water Body
 - Named Watercourse
 - NPWS Reserve

Premise

**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 2
Local Context**

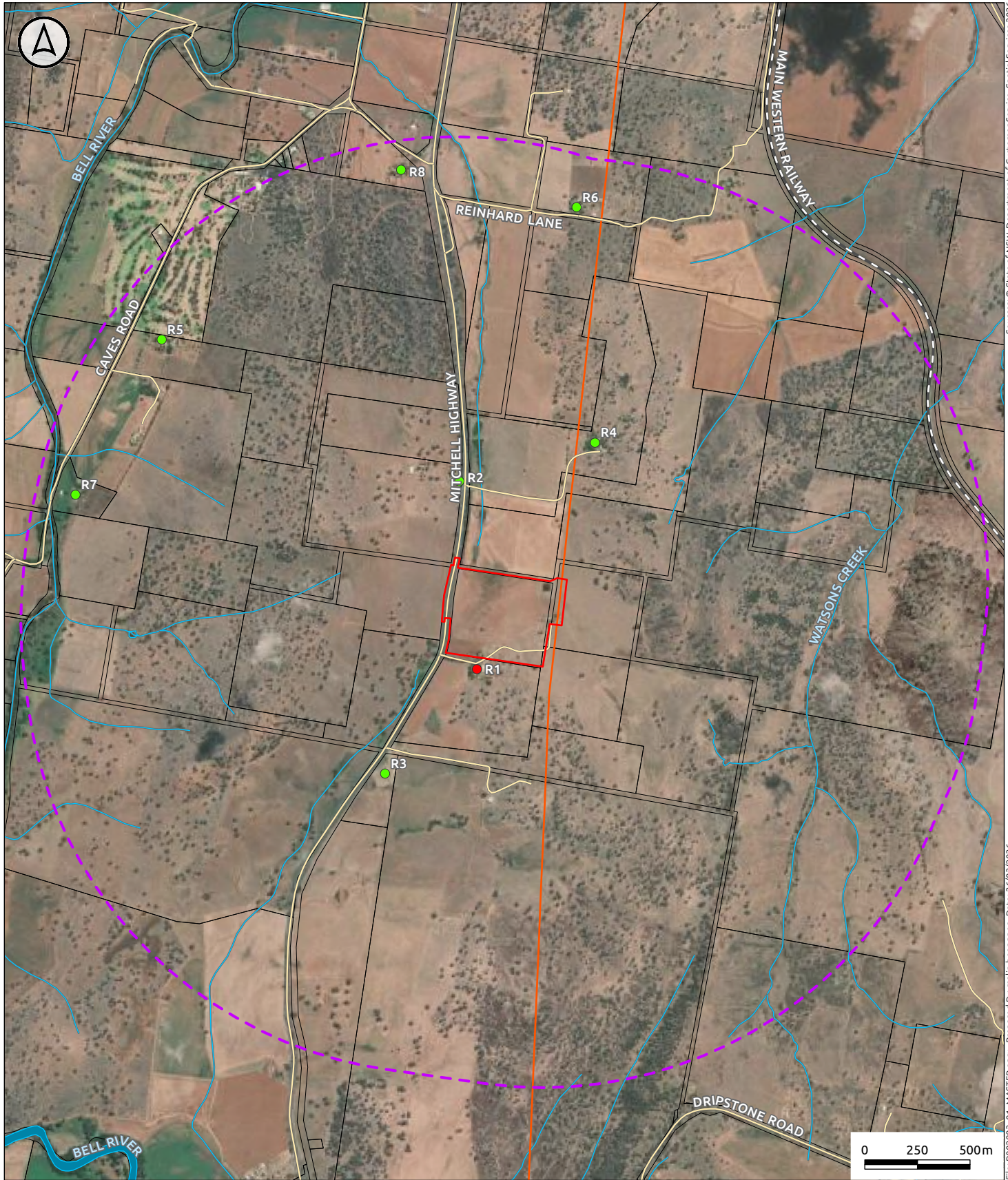


- Legend**
- Site
 - Renewable Energy Zone
 - Local Government Area
 - Major Road
 - Railway
 - Named Water Body
 - State Forest
 - NPWS Reserve



**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 3
Regional Context**



Legend

- Site
- 2 km Buffer
- Lot
- Road
- Railway
- Named Water Body
- Watercourse

Overhead Transmission Line

- 132kV

Receivers Within 2 km

- Associated
- Non-Associated



**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 4
Receivers**

1.5 Simple description of proposed modification

The proposed modification seeks to make the following changes:

- > Decrease in the number of battery containers. The project will utilise smaller higher-density battery containers to achieve an additional two hours of energy storage.
- > Minor changes to the project layout and development footprint, generally in accordance with the approved project, reflecting updated design.
- > Adjustments to the site access intersection to satisfy Austroads safe sight distance requirements.
- > Changes to the number of peak construction and operational workforce.
- > Changes to peak vehicle numbers.
- > Administrative changes to the subdivision layout, generally in accordance with the approved subdivision layout.
- > Introduction of 6 high risk over-dimensional vehicle movements for the project lifecycle, including assessment of the routes.

Consideration of alternatives to the modification are outlined in **Table 2**.

Table 2 - Consideration of alternatives

Option summary		Assessment
1	Proceed with the application as approved	This option is not preferred as: > The current approved project footprint is unable to accommodate the approved intersection treatment. > The approved project does not provide for the delivery of a high-voltage transformer, required to connect the project to the existing transmission network.
2	Proceed with the modification as proposed	This is the preferred option as: > The modifications to the project would enable the project to assist with the identified 2027/2028 reliability shortfall.

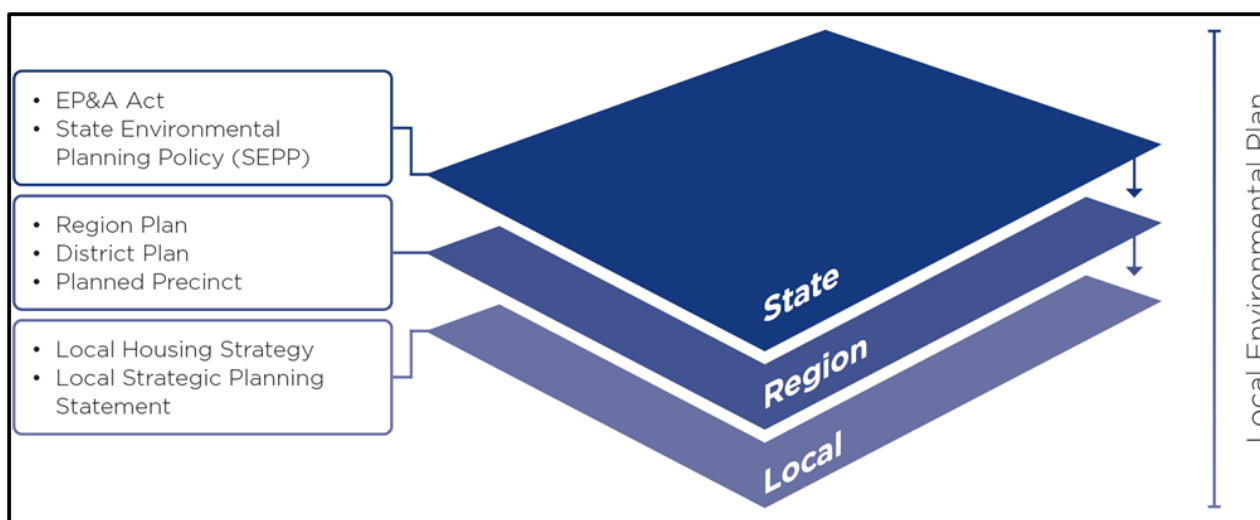
2. STRATEGIC CONTEXT

2.1 Introduction

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

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

Figure 5 – Strategic Planning Framework



(Source: NSW DPE Strategic Planning Toolkit)

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

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

With regard to the Apsley BESS, the key strategic planning documents include the *Central West and Orana Regional Plan 2041* and the *Dubbo Local Strategic Planning Statement (2020)*.

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

These plans are discussed in the following sections.

2.2 NSW Electricity Strategy and Electricity Infrastructure Road Map

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

The NSW Electricity Strategy strives to:

- > Deliver a Renewable Energy Zone in the Central-West Orana region;

- > Save energy, especially at times of peak demand, via the Energy Security Safeguard;
- > Support the development of new electricity generators;
- > Set a target to bolster the state's energy resilience; and
- > Make it easier and more efficient to do energy business in NSW.

The strategy encourages new private investment in NSW's electricity system over the next decade to support an estimated 1200 jobs, primarily in regional NSW.

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

The NSW Electricity Strategy acknowledges that confirmed renewables are now the most cost-competitive form of new generation and cost less than the current wholesale electricity price.

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

2.3 Energy Security Target Monitor Report 2025

The 2025 Energy Security Target Monitor (ESTM) Report, prepared by the NSW Department of Climate Change, Energy, the Environment and Water, provides an assessment of whether sufficient firm capacity exists within the NSW electricity system to meet forecast demand over a 10-year horizon.

The report identifies that, while NSW is expected to maintain adequate firm capacity in the short term, forecast shortfalls in firm capacity are expected to emerge from 2027–28, with a further shortfall projected in 2033–34 associated with the retirement of major coal-fired power stations.

Importantly, the ESTM Report also highlights that capacity adequacy does not fully capture all energy security risks, noting that there remains a risk of energy shortfalls during periods where generation is unavailable (such as maintenance outages or coincident failures), particularly during peak demand conditions.

The increased capacity of Apsley BESS will contribute to the firming capacity to improved grid stability and reliability by providing additional dispatchable storage to support peak demand and periods of reduced generation availability.

2.4 Benefit-Sharing Guideline

The Benefit-Sharing Guideline was published by DPHI in November 2024 to guide the implementation of the benefits that energy scale projects may be able to provide to local and regional communities. While the framework generally relates to solar energy, wind energy, hydrogen and transmission projects, it also accounts for both associated and stand-alone BESS projects, highlighting the need for two gigawatts of long-duration energy storage. The framework is relevant to stand-alone BESS projects in terms of benefit sharing to the local neighbourhoods and local community, and private agreements with landowners and adjacent landowners.

The approved project has a condition of consent requiring the project enter into a voluntary planning agreement (VPA) prior to the commencement of construction. The Project has made a second VPA offer to DRC in accordance with the Benefit-Sharing Guideline. It is noted that this change will need to be reflected in the modified development consent conditions as discussed in **Section 3.2.4**.

2.5 Central West and Orana Regional Plan 2041

The *Central West and Orana Regional Plan 2041* (the Regional Plan) outlines a 20-year strategic framework and vision for the Central West and Orana region to support ongoing prosperity and growth, by addressing housing jobs, infrastructure, healthy environment and access to greenspaces and connected communities.

The Regional Plan sets out the vision for the Central West and Orana as “a healthy, connected and resilient region, with a prosperous economy”. This vision is underpinned by four themes, that identify objectives supported by strategies and actions to achieve these objectives. The following objectives are relevant to the Apsley BESS Mod 1:

- > Objective 2: Support the State’s transition to Net Zero by 2050 and deliver the Central–West Orana Renewable Energy Zone.
- > Objective 17: Coordinate smart and resilient utility infrastructure.

The Apsley BESS directly supports the State’s transition to Net Zero by 2050 and delivery of the Central–West Orana Renewable Energy Zone (Objective 2). The BESS and associated infrastructure will store excess electricity and release it during peak demand, contributing to a more reliable and balanced energy supply within the Central–West Orana Renewable Energy Zone.

The proposed modification also coordinates smart and resilient utility infrastructure (Objective 17) by enhancing grid stability, reinforcing the security of the national network, and providing a reliable and flexible energy resource that can respond to fluctuations in demand.

2.6 Dubbo LSPS 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 of the Dubbo Regional Council Local Government Area.

2.7 Conclusion

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

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

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

3. DESCRIPTION OF MODIFICATION

3.1 Simple overview of the modifications

Apsley BESS Modification 1 can be summarised as the following:

- > Decrease in the number of battery containers from 138 to 96. The project will utilise smaller, higher-density battery containers to achieve an additional two hours of energy storage.
- > Minor changes to the project layout and development footprint, generally in accordance with the approved project, reflecting updated design. This includes an increase of the disturbance area from 6.4 ha to 7.7 ha.
- > Adjustments to the site access intersection to satisfy Austroads safe sight distance requirements.
- > Changes to the number of peak construction workforce from 50 to 100 workers, and operational workforce from four to eight, including the addition of two remote workers.
- > Increase to approved vehicle numbers, including an increase in peak vehicle movements, and increasing heavy vehicle movements per day from 18 to 50.
- > Administrative changes to the subdivision layout, generally in accordance with the approved subdivision layout.
- > Introduction of 6 high risk over-dimensional vehicle movements for the project lifecycle, including assessment of the routes.

The modified project has been summarised in **Table 3** and a modified layout has been shown in **Figure 6**.

Table 3 – Modification summary

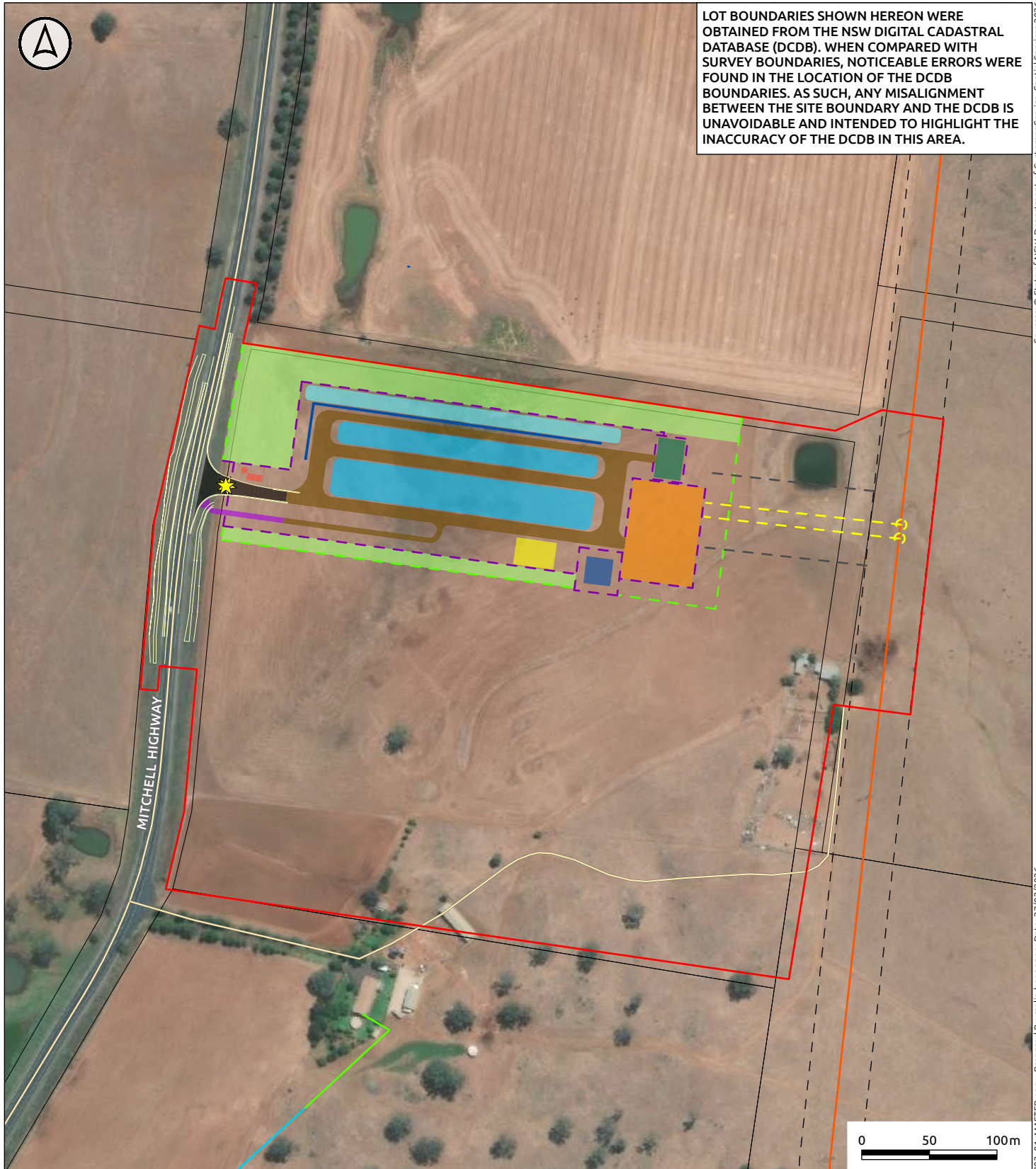
Project element	Approved project	Modified project
Disturbance area	6.4 ha	7.7 ha
Site details	> 9010 Mitchell Highway, Apsley, being Lot 3 DP 1012686 > Approved overhead electrical transmission line to connect the approved switching station, within Lot 3, to the adjacent overhead transmission line network, located in Lot 107 DP756920, and spans across a portion of unconstructed Crown Road (no lot or DP).	> No change. > Proposed modifications to the project footprint are within land parcels previously approved. The site boundary for the modified figures is based on surveyed boundaries.
Delivery capacity	120 MW	No change
Energy storage capacity	240 MWh	480 MWh (at point of connection)
BESS Lifespan	30 years, with the possibility of upgrades to extend the operational life	No change.
Infrastructure	> Enclosed lithium-ion phosphate batteries with a capacity of up to 120 MW and 240 MWh, with associated	> Fewer, smaller battery containers to achieve four-hour storage duration at the point of connection, which equates to 480MWh.

Project element	Approved project	Modified project
	power conversion systems, switchgear and a control building; > An underground or overhead 132 kV transmission line to connect the BESS to the adjacent Transgrid overhead electricity transmission line; > Cabling and collector units, storage area, internal access tracks, on-site parking, security fencing, lighting, temporary construction laydown area, noise barriers and vegetation screening	> No change to transmission line connection. > Cabling and collector units, storage area, internal access tracks, on-site parking, security fencing, lighting, temporary construction laydown area, harmonic filter, detention basin, noise barriers and vegetation screening.
Site Access	Development of a new access treatment to the Mitchell Highway including a rural Basic Left (BAL) and rural Basic Right (BAR) turning treatment.	> No change to level of treatment (BAR/BAL). > To accommodate safe sight distance requirements, the main access treatment has been shifted north by 25 metres. > An emergency egress access route has been incorporated into the project layout, to the south of the proposed main access route.
Access route	> Vehicles would access the site via the Mitchell Highway and the new access point including a rural Basic Left (BAL) and rural Basic Right (BAR) turning treatment. > BESS infrastructure anticipated to be delivered to either the Port of Sydney or the Port of Newcastle and transported to the site via roads approved for heavy vehicle use and then the proposed access driveway.	> No change to level of treatment (BAR/BAL). > BESS infrastructure is anticipated to be transported to the site from either Port of Newcastle, or an Australian manufacturer in Melbourne. A high risk OSOM route assessment has been completed for OSOM vehicles travelling from Port of Newcastle and Melbourne, and is provided in Appendix K.
Construction	> Construction expected to commence in mid-2024 and occur over a 5 month period, including a peak period of 3 months. > Construction would occur during standard construction hours. However, it is anticipated that some activities that are inaudible, and would not result in amenity impacts to surrounding receivers, may be required to occur outside of standard hours in accordance with an Out-of-Hours Construction Protocol.	> Construction expected to commence towards the end of 2026 and will occur over a 12-18 month period No change to construction peak period. > No change to construction hours. > Approximately 80,000L of water per day would be required during peak construction activities. The total water required is expected to be approximately 1.2 ML of water during the construction period.

Project element	Approved project	Modified project
	> Approximately 20,000 L of water per day would be required during construction, delivered to site via water haulage trucks. Based on the assumptions in the EIS this equates to around 0.5 ML of water during the construction period.	
Operations and maintenance	The project would be operated remotely with occasional maintenance activities generally be undertaken by up to 4 personnel within the following hours, the exception being where urgent emergency maintenance is required: > Weekdays: 7am to 6pm > Saturday: 8am to 1pm > Sundays and Public Holidays: no work	> No change to remote operation of the project, which may include up to 2 full time equivalent (FTE) remote operational jobs. > No change to occasional maintenance activities, with flexibility for up to 6 workers to attend the site. > No change to approved hours for maintenance activities.
Subdivision	A three lot subdivision: > Lot 1 – 5.1 ha and to host the battery. To be leased by the applicant and retained in the ownership of the landowner. > Lot 2 – 0.9 ha, to host the substation and to be dedicated to Transgrid; and > Lot 3 – 12.5 ha, the residual lot, to be held by the land owner. The approved subdivision is shown in Figure 8.	No change to the subdivision of the land into three lots. Administrative changes, generally in accordance with the approved subdivision layout, to the subdivision layout to reflect the updated project design as shown in Figure 9. The modified lots sizes are as follows: > Lot 1 – 5.8 ha to host the battery. > Lot 2 – 0.4 ha, to host the substation; and > Lot 3 – 12.9 ha, the residual lot.
Decommissioning and rehabilitation	> The site would be progressively rehabilitated during and following the construction period, including removal of the temporary construction facilities. > At the end of operational life, above ground components would be removed and land rehabilitated to pre-development conditions.	No change.
Workforce	Up to 50 construction jobs and 4 operational jobs	During peak construction period (3 months), an additional 50 FTE construction jobs (100 in total). During operations, 2 remote roles, and up to 6

Project element	Approved project	Modified project
		full time equivalent (FTE) workers for routine maintenance.
Hours of Operation	24 hours, 7 days a week	No change.

A discussion addressing why the modification is considered to be substantially the same as the approved Apsley BESS is provided in **Section 4.1.2**.



LOT BOUNDARIES SHOWN HEREON WERE OBTAINED FROM THE NSW DIGITAL CADASTRAL DATABASE (DCDB). WHEN COMPARED WITH SURVEY BOUNDARIES, NOTICEABLE ERRORS WERE FOUND IN THE LOCATION OF THE DCDB BOUNDARIES, AS SUCH, ANY MISALIGNMENT BETWEEN THE SITE BOUNDARY AND THE DCDB IS UNAVOIDABLE AND INTENDED TO HIGHLIGHT THE INACCURACY OF THE DCDB IN THIS AREA.

Legend

- Site
- Indicative Site Access Point
- Lot
- Road
- Transmission Line Easement

Overhead Transmission Line

- 11kV
- 132kV
- LV

Modified Infrastructure

- Indicative Site Access
- Indicative BESS Area
- Indicative O&M Facility
- Indicative Project Substation
- Indicative Construction Laydown Area
- Indicative Detention Basin
- Indicative Harmonic Filter
- Indicative Landscape Area
- Indicative Internal Shared Access

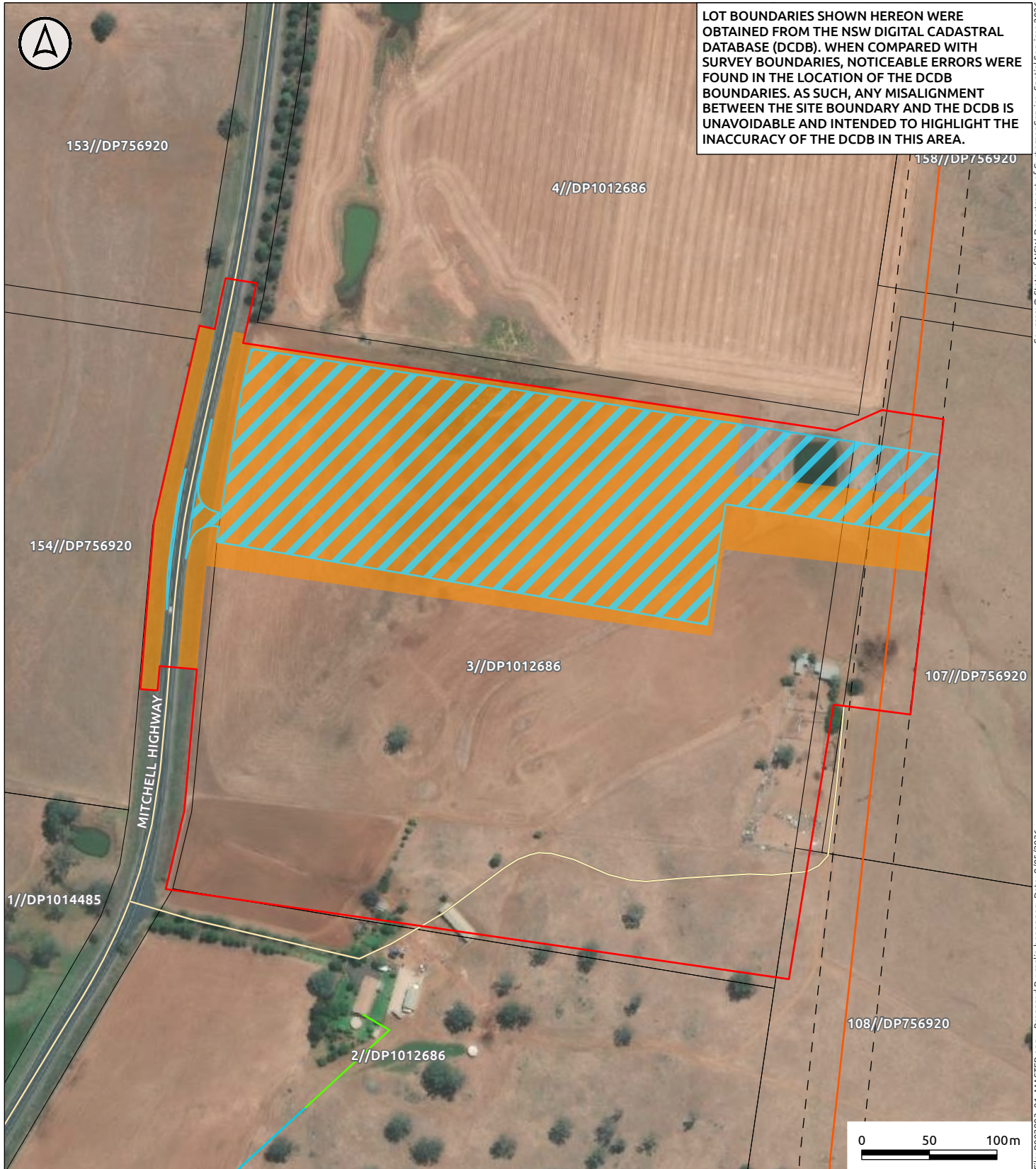
- Indicative Emergency Access/Egress
- Indicative Fire Services
- Intersection Upgrade
- Indicative Noise Wall
- Indicative External Fence
- Indicative Security Fence
- Indicative Transmission Line Connection
- Indicative Transmission Line Easement

Premise

**ENERGY STORAGE PROJECT
NO 3 PTY LTD**

Apsley BESS

**Figure 6
Modified Project**



LOT BOUNDARIES SHOWN HEREON WERE OBTAINED FROM THE NSW DIGITAL CADASTRAL DATABASE (DCDB). WHEN COMPARED WITH SURVEY BOUNDARIES, NOTICEABLE ERRORS WERE FOUND IN THE LOCATION OF THE DCDB BOUNDARIES, AS SUCH, ANY MISALIGNMENT BETWEEN THE SITE BOUNDARY AND THE DCDB IS UNAVOIDABLE AND INTENDED TO HIGHLIGHT THE INACCURACY OF THE DCDB IN THIS AREA.

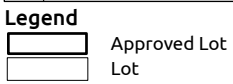
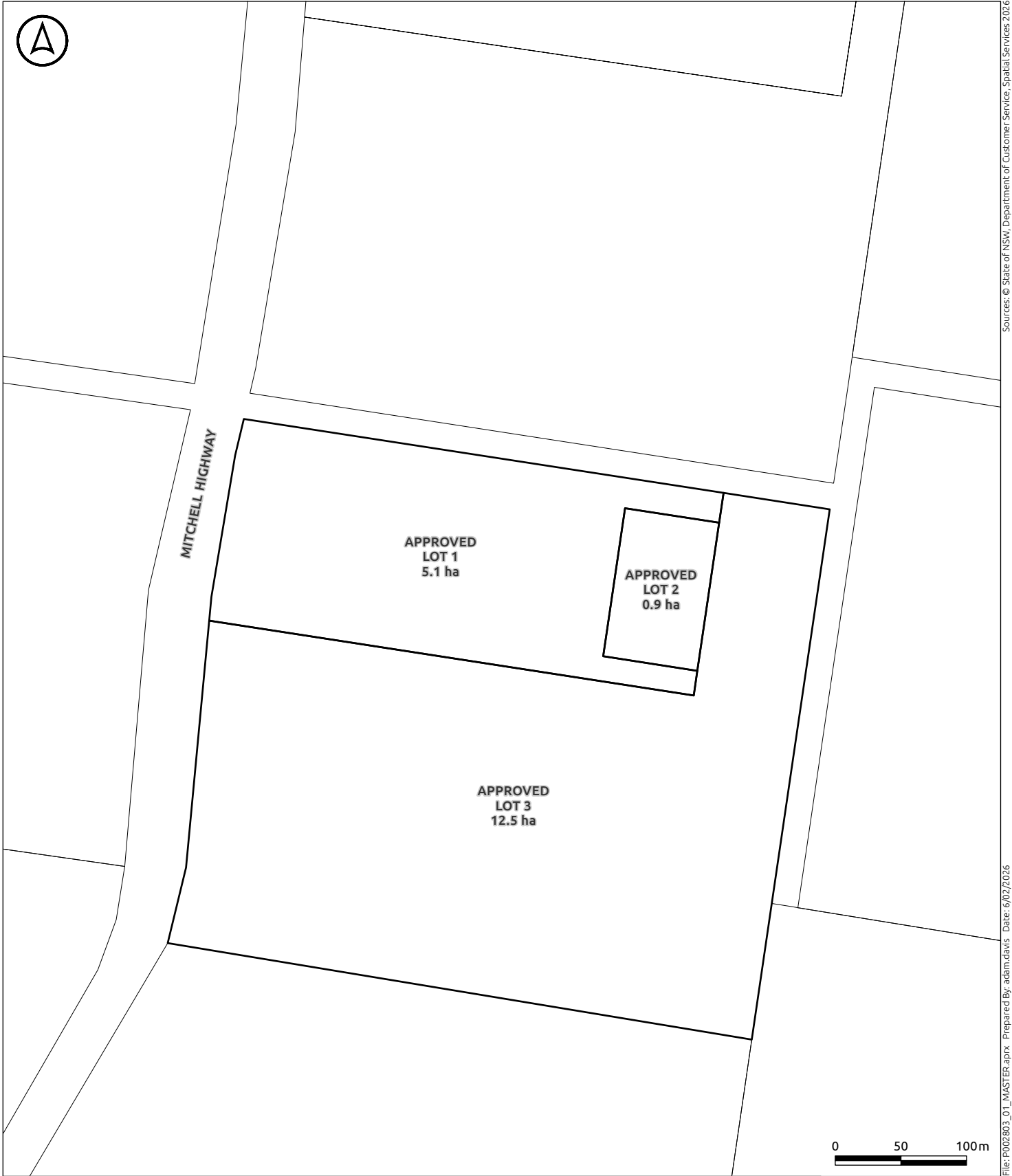
- Legend**
- Site
 - Lot
 - Road
 - Transmission Line Easement
 - Overhead Transmission Line**
 - 11kV
 - 132kV
 - LV

- Approved Disturbance Area
- Modified Disturbance Area



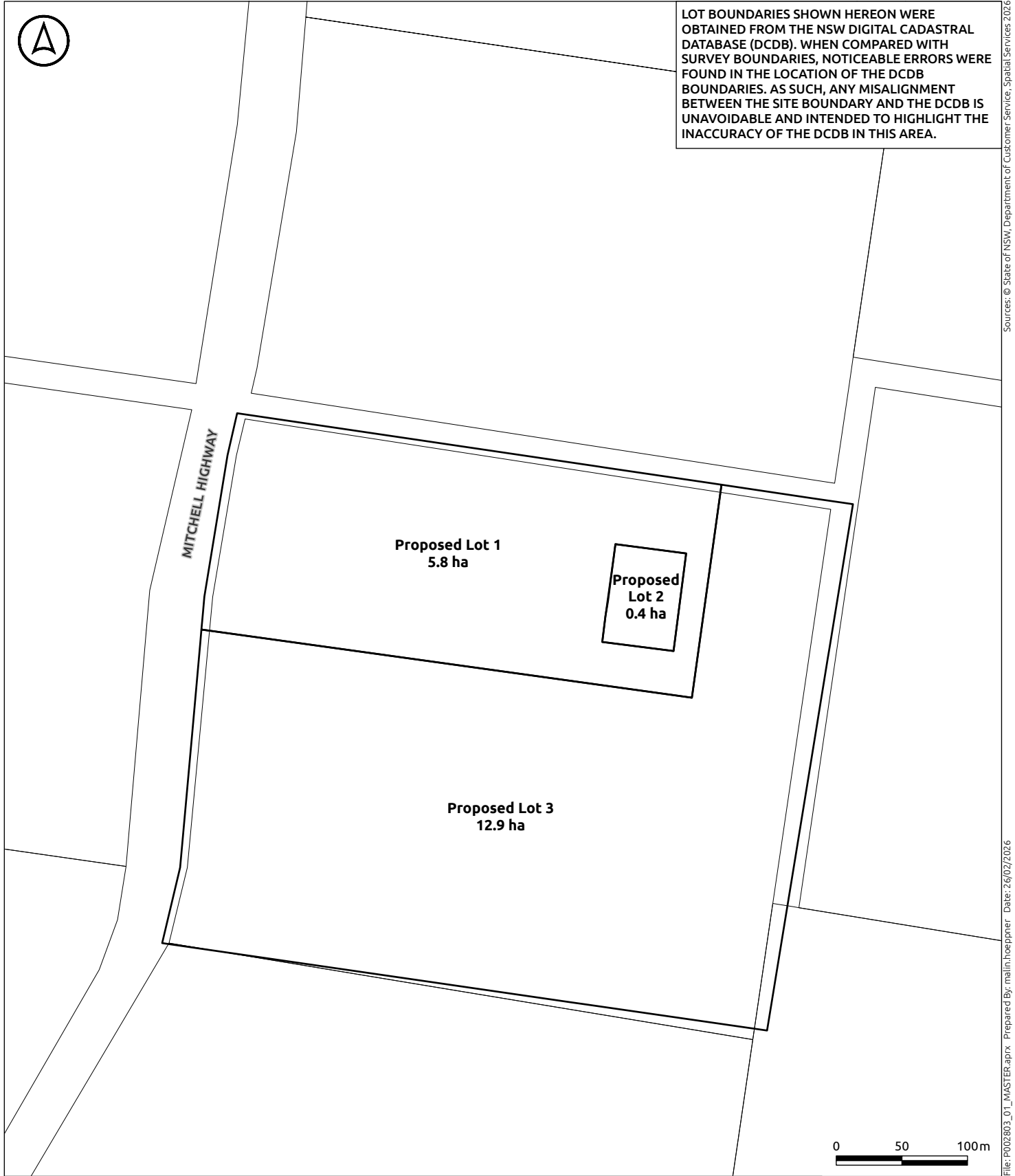
**ENERGY STORAGE PROJECT
NO 3 PTY LTD**
Apsley BESS

Figure 7
Change to Disturbance Area



**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 8
Approved Subdivision**



Sources: © State of NSW, Department of Customer Service, Spatial Services 2026

File: P002803_01_MASTER.aprx Prepared By: malin.hoepfner Date: 26/02/2026

Legend

Proposed Lot

Lot



**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 9
Modified Subdivision**

3.2 Detailed description of the modifications

3.2.1 PHYSICAL LAYOUT AND DESIGN

The modification seeks to decrease the number of battery containers. Through utilising smaller, higher-density containers, the modification proposes to increase the energy storage by an additional 2 hours. At point of connection the modified development will have a 4-hour duration, which equates to 480MWh.

The project layout is generally in accordance with the approved layout and has been updated to reflect continued project design. The revised design accommodates a change in the selected batteries, resulting in a decrease in the number of units of a smaller size. The approved development included 138 battery units, each approximately the size of a 40-foot shipping container. The modified development will comprise up to 96 battery units, each approximately the size of a 20-foot shipping container.

As a result of the updated battery selection, the required noise mitigation measures have also been revised, with a 3.8 m noise barrier proposed to the north of the BESS infrastructure, rather than the originally approved 3.5 m and 4.5 m noise barriers. Notwithstanding these changes, the overall development footprint remains of a comparable size, scale and location, generally consistent with the approved layout. The associated infrastructure within the footprint will also remain broadly consistent with the original approval.

The location of the site access has been adjusted slightly north by approximately 25 m, and increased in size by approximately 7,110 m², to ensure that the proposed intersection upgrade remains compliant with condition B4 of the Development Consent, particularly in relation to the required safe sight distances, as required by Austroads design standards, together with accommodating necessary road drainage requirements.

The modified project achieves the noise requirements in accordance with condition B9 of the Development Consent achieved by modification to the approved noise barrier with a minor shift in location and extension of length. The modified project complies with condition B9 of the Development Consent with respect to project noise limits for all non-associated receivers during day, evening and night periods.

The modified project achieves connection to the existing transmission network in a manner identical to the approved project, relocated slightly south by approximately 24 m to reflect updated design.

As a result of the above modifications, there has been an increase in the disturbance area of the project. For clarity, the disturbance area has been defined as the area required for the access treatment, BESS and associated infrastructure, and connection infrastructure. The original approved project therefore had a disturbance area of 6.4 ha, while the modified disturbance area has been increased to 7.7 ha. A comparison has been shown in **Figure 7**. It is considered that the disturbance area for the modified project remains substantially the same as the original approval.

The approved subdivision of the land remains as an up to three lot subdivision as approved, however the area of each lot has been adjusted to reflect current design, which remain generally consistent with the original approval. Details are provided in **Table 3**.

These changes are being sought to ensure the project can further assist with the efficiency, stability and reliability of the NSW energy system.

3.2.2 CONSTRUCTION PHASE

It is proposed via this modification to increase construction period for the BESS and associated infrastructure from 5 months to up to 18 months, commencing from late 2026 pending approval of this modification. The modification proposes no change to peak construction period of 3 months.



The modification seeks an increase of peak workforce by an additional 50 FTE, to facilitate a total workforce of up to 100 FTE employment opportunities at peak construction. This is proposed to ensure flexibility in engaged a construction contractor. This worker level has been assessed by this modification application.

The modification also seeks to increase the approved number of peak daily vehicle movements during construction to provide capacity and flexibility to ensure the efficient and effective construction of the project as well as accommodate the additional workforce requirements. The batteries and associated infrastructure will be brought to site using standard heavy vehicle configurations. The modified development proposes an increase in heavy vehicles to the site from 18 heavy vehicle movements per day to 50 heavy vehicle movements per day (including standard HVs and non high risk over-dimensional movements up to 26 metres in length), as discussed in the updated TIA in **Appendix J**.

The modification also introduces six high risk OSOM vehicle movements throughout the life of the project to allow for transformer delivery and decommissioning. Two feasible OSOM routes to site have been assessed from either Port of Newcastle or Victoria. It is noted that only one route would be used, however two routes provides flexibility for procurement.

3.2.3 OPERATIONAL PHASE

The approved project allows for 4 operational FTE jobs. The proposed modifications involves an increase in the operational jobs generated by the development. The modified development will be remotely operated by up to 2 FTE, as well as up to 6 FTE undertaking routine maintenance activities. This change equates to an addition of 2 remote FTE, and an increase of 2 FTE undertaking routine maintenance activities.

The modification proposes no change to the site being remotely operated 24/7.

3.2.4 MODIFIED CONDITIONS

As a consequence of the proposed changes, the modification requires the following changes to be made to the Development Consent:

- > Update Schedule 1 to identify the applicant as "Energy Storage Project No 3 Pty Ltd".
- > Update the definition of EIS to include reference to this modification report: Apsley Battery Energy Storage System Mod 1 Modification Report dated 7 April 2026.
- > Update Appendix 1 of the Development Consent to include the revised General Development Layout shown in **Figure 6**.
- > Update Appendix 3 of the Development Consent to include the revised Indicative Subdivision Plan shown in **Figure 9**.
- > Condition A14 – Updates to the condition will be required to reflect the updated benefit sharing agreement. It is proposed that a Condition A14(c) be added to refer to additional correspondence between the applicant and DRC. The additional correspondence for the benefit sharing will only relate to the additional 2 hour duration. No changes will be made to the existing arrangements for the approved 2 hour duration.
- > Update Appendix 4 to reflect the additional benefit sharing arrangements in relation to the additional 2 hour duration, as discussed in relation to Condition A14(c) above.
- > Condition B1 – Updates to the following:
 - Part (a) of the condition will be updated to reflect a limit of:
 - > (i) 50 heavy vehicle movements per day during construction, upgrading and decommissioning.

- > (ii) 6 movements for high-risk heavy vehicles requiring escort during construction, upgrading, and decommissioning
- Part (b) of the condition will be updated to “length of any vehicles (excluding high-risk vehicles requiring escort and heavy vehicles requiring escort) used for the development does not exceed 26 metres”.

No other changes to the approved conditions are proposed.

3.3 Substantially the same

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

3.4 Modification type

The modification is sought pursuant to Section 4.55(2) on the basis that the modification is the same or substantially the same as the originally approved application. Discussion in **Section 3.4** demonstrates that the modified development is substantially the same as the original application.

4. STATUTORY CONTEXT

4.1 Environmental Planning and Assessment Act

4.1.1 INTRODUCTION

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

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

Relevant objects of the EP&A Act applying to the project include:

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

The modification is generally consistent with the objectives of the Act on the basis that the proposed modified development would deliver a project that, among other things, continues to promote the orderly and economic use of land through ensuring a viable development, together with supporting a reliable, diverse and secure energy system.



4.1.2 MODIFICATION OF CONSENT

This application is submitted pursuant to section 4.55(2) of the EP&A Act, being a modification that is substantially the same as the consent originally granted. Section 4.55(2) relevantly provides that (inter alia):

4.55(2) Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if—

(a) it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)...

4.1.2.1 Extent of modification

The proposed modification is considered to be substantially the same as the original consent, as demonstrated by the summary of environmental impact changes in **Table 4**.

Table 4 - Summary of environmental impact changes

Modification element	Summary
Increase of energy storage capacity	The proposed modification would extend the energy storage capacity to a four-hour duration (480 MWh). The increase in duration is achieved by fewer, higher-capacity battery units. Assessment of operational noise confirms that the updated battery unit would result in noise levels that remain consistent with the development consent noise limits in the day, evening and night periods subject to the construction of a 3.8m high noise barrier on the northern bank of the batteries, rather than the originally approved 3.5 metre and 4.5 metre noise barriers. Assessment of hazard confirms that the updated battery layout and density would not result in changes to the hazard profile of the approved project.
Minor changes to the project layout and development footprint to accommodate the required battery units	The proposed modification includes minor changes to the site boundary to accommodate site access reconfiguration, associated intersection upgrades, and transmission connection. The updated layout and footprint results in either no or minimal environmental impacts considering the additional land includes the existing paved Mitchell Highway, highly disturbed roadside and agricultural land. Biodiversity and Aboriginal cultural field assessment have confirmed existing conditions. The changes to the project layout and development footprint are minor in nature and therefore the modified development is considered to be substantially the same as originally approved.
Adjustment of the site access to satisfy Austroads requirements.	The approved site layout identifies a site access point from the Mitchell Highway which, through the delivery of detailed design, has identified certain necessary design refinements in order to enable a Works Authorisation Deed to be obtained. The proposed modification adjusts and expands the access point slightly north of the approved location to accommodate the required sight distance, without altering the approved access configuration. The access treatment remains consistent with the

Modification element	Summary
	Conditions of consent (B14) for a Rural Basic Left and Rural Basic Right treatment, and therefore remains substantially the same as the original approval. The adjustment is minor in nature and does not result in any change to the character or function of the approved access arrangement but does ensure compliance with Austroads standards.
Changes to vehicle movements.	The proposed modification seeks to increase the approved number of peak daily vehicle movements during construction to provide capacity and flexibility to ensure the efficient and effective construction of the project as well as accommodate the additional workforce requirements. The revision to the peak daily vehicle numbers provides the flexibility required to facilitate a range of construction methodologies by construction partners and incorporates a reasonable buffer above the assessed daily peak to account for variability in delivery scheduling across the extended construction program. Assessment of traffic impacts confirms that the revised heavy vehicle can be accommodated within the approved turning treatment. Accordingly, the revised traffic impact on the surrounding road network is considered to be minimal and substantially the same as the original approval.
Minor changes to subdivision layout	The modified subdivision layout is generally consistent with the approved layout. Minor changes to the subdivision layout reflect project design refinements undertaken since the original approval. The amended layout remains substantially the same as the original approval and is not anticipated to result in any additional or unanticipated impacts.
Introduction of six high risk OSOM vehicle movements, including assessment of two OSOM routes	The modification introduces six high risk OSOM movements associated with transformer delivery and decommissioning, requiring a dedicated route assessment. A desktop route survey has been completed identifying two feasible origin routes, neither of which require modifications to the existing NSW road network or infrastructure. The route assessment concludes that transport of OSOM components to the site is feasible from both identified origins of Newcastle and Victoria, and the movement is not anticipated to result in significant impacts to the surrounding road network. It is noted that only one route would be used, but including two routes provides flexibility for procurement. As discussed above, the proposed traffic impacts can be accommodated with the approved intersection treatment and therefore the modified development remains substantially the same.

4.1.2.2 Substantially the same

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

- > Comparing the quantitative differences between the proposed modified development against the original approved development;
- > Comparing the qualitative differences between the proposed modified development against the original approved development; and

- > Balancing the evidence in respect of all of those factual comparisons before forming a subjective opinion as to whether the proposed modified development was 'substantially the same' as the original approved development

4.1.2.2.1 Quantitative differences

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

- > There is negligible change to the BESS area.
- > There is no change to the connection capacity (120 MWh).
- > The decrease in battery container size from 40 foot to 20 foot represents a 50% decrease.
- > The decrease in battery container units from 138 to 96 represents a 30% decrease.
- > The energy storage capacity of the facility increases from 240 MWh to 480 MWh, a 100% increase.
- > The increase in peak construction workforce from 50 to 100 represents, a 100% increase.
- > The increase in peak heavy vehicle movements from 18 to 50 represents a 180% increase.
- > The increase of the construction timeframe from 5 months to 18 months represents a 360% increase.

Whilst some of the above listed changes are large in percentage terms, they are small in relative terms in relation to the potential environmental impacts. Specifically, as the energy storage capacity increase is contained within the approved footprint, the impacts in this regard are negligible. The increase in construction scope represents a reasonable and logical addition to achieve the project outcome and better reflects the current approach to construction of projects of this nature. Whilst the duration and construction timeframe have increased, the number of containers and unit size has decreased, which reflects advances in battery storage technology since project approval.

4.1.2.2.2 Qualitative differences

The changes to energy storage capacity have no qualitative impact on the area of the development as it forms parts of the approved site.

The changes to development footprint around the intersection and transmission line are technical amendments to ensure compliance with the relevant design standards and construction advice.

The change to the construction scope around workforce and traffic are anticipated to result in a consistent level of same impacts during the construction as the approved project, and are therefore considered to have a negligible qualitative impact.

4.1.2.2.3 Balancing

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

4.1.2.3 Evaluation

In determining an application for a modification under Section 4.55(2) of the EP&A Act, the consent authority must consider the relevant matters referred to under Section 4.15 of the EP&A Act, including:

- > The provisions of—
 - any environmental planning instrument, and

- any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - any development control plan (noting a DCP is not applicable to SSD by reference to Section 2.10 of the *State Environmental Planning Policy (Planning Systems) 2021*), and
 - any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
 - the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
 - that apply to the land to which the development application relates,
- > The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
 - > The suitability of the site for the development,
 - > Any submissions made in accordance with this Act or the regulations,
 - > The public interest.

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

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

With consideration of the above, it is considered that the proposed modifications to the approved project are considered to remain substantially the same as what was originally approved. On this basis, it is considered that the proposed modifications should be assessed under s4.55(2) of the EP&A Act.

5. COMMUNITY ENGAGEMENT

5.1 Introduction

Engagement to inform the modification application was undertaken in accordance with the State significant development guidelines – preparing a modification report Appendix E to the state development significant development guidelines (DPIE, 2022). A community and stakeholder engagement plan (CSEP) was prepared and implemented to identify specific stakeholders who will be affected by the modification application, the engagement objectives and the tools appropriate to engage them. A copy of the plan is provided at **Appendix D**.

Engagement to inform this Modification was undertaken with:

- > DRC
- > DPHI
- > NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW)
- > Transport for NSW (TfNSW)
- > Registered Aboriginal Parties
- > Member for Dubbo – Dugald Saunders MP
- > Wellington Caves and Wellington Caves Caravan Park
- > Wellington Golf Club
- > Landowners who may be impacted by the modification

A summary of the engagement undertaken and the feedback received about the modification application is provided in this chapter.

5.2 Engagement with government

5.2.1 DUBBO REGIONAL COUNCIL

The project team met with DRC on 10 December 2025 and 5 March 2026, members of the project team met with representatives from Council.

Options for workforce accommodation have been discussed with DRC and it was agreed that the Applicant would accommodate non-local workforce within a single accommodation facility.

Discussions regarding sourcing of non-potable water for construction also occurred and DRC advised of existing and proposed water sources that may be utilised for the construction of the project.

The approved project was subject to an approved voluntary planning agreement with DRC, which included:

- > a payment of \$120,000 up front at the commencement of commercial operations
- > a further payment of \$230,000 to be paid at the start of the fifth year of operations

This voluntary planning agreement formed part of the original development consent.

An additional voluntary planning agreement has been offered to DRC in relation to the additional capacity consistent with the Community Benefit Guidelines proposed through the modification application.



5.2.2 NSW DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER

The project team met with NSW DCCEEW on 24 February 2026 to discuss the proposed approach to the BDAR for the additional land required for the modified project. The project team discussed that a LCR had been prepared for the site with the exception of the road reserve due to the zoning, and concluded that the land was considered to be Category 1 – Exempt Land. It was proposed that a small area BDAR would be prepared for the remaining land within the Mitchell Highway road reserve.

Subject to review of the LCR, NSW DCCEEW were amenable to the approach.

The finalised LCR was sent to NSW DCCEEW on 18 March 2026, and NSW DCCEEW confirmed via return email on 20 March 2026 that NSW DCCEEW are satisfied that the LCR assessment met the requirements of the the *Local Land Services Act 2013*.

5.2.3 DPHI ENVIRONMENTAL ASSESSMENT TEAM

A letter of intent was submitted to the Major Projects Portal on 27 February 2026. The letter of intent provided an overview of the proposed changes that comprise the modification application.

The project team met with the DPHI environmental assessment team on 18 March 2026 to provide a briefing in relation to the letter of intent and the proposed modification. Discussions included questions around the modification type, BESS capacity, container numbers and spacing in relation to fire hazards, and proposed OSOM routes. These questions were answered through reference to technical assessment reports as discussed in **Section 6**.

DPHI were also briefed on the conversations that had been had with DRC in relation to the proposed workforce accommodation, water requirements, and voluntary planning agreements.

5.2.4 TRANSPORT FOR NSW

Ongoing consultation has been undertaken with TfNSW through the approval process for the Works Authorisation Deed. Consultation with TfNSW will continue throughout the project.

5.2.5 MEMBER FOR DUBBO

A project introduction letter and offer of a briefing was sent to the Member for Dubbo via email on 19 March 2026. On 31 March 2026, members of the project team met with Dugald Saunders and provided a project overview. Key matters discussed included the energy benefit fund, the proposed intersection upgrade and biodiversity offsets.

5.3 Engagement with First Nations

An Aboriginal Heritage Technical Memorandum (AHTM) was issued to all RAPs identified in the original ACHAR to advise of the proposed Modification and to provide an opportunity to provide feedback and comment. Cultural values of the area were also discussed through a survey undertaken in February 2026. No concerns were raised during this site survey and it was noted that no cultural values had changes since the original assessment.

The Aboriginal Heritage Technical Memorandum was issued on 6 March 2026 for a 14 day review period. All comments received within the review period were in support of the recommendations of the Aboriginal Heritage Technical Memorandum and the proposed modification.

5.4 Engagement with community

5.4.1 NEIGHBOURS AND NEARBY LANDOWNERS

Neighbours and nearby landowners were doorknocked and letterbox dropped on 2 and 3 March 2026. A total of 15 properties were doorknocked and letterbox dropped.

As a result of doorknocking, a member of the Project team spoke to five neighbouring landowners.

The letter included an overview of the proposed Modification, an offer to meet virtually and provided details on how to provide feedback on the Modification. The letter also provided contact details for the Project team including an email address, 1800 number and a link to the Project website (www.apsley-bess.com.au). A copy of the letter is provided in **Appendix E**.

Meetings have been scheduled with neighbours for mid-April 2026.

Neighbours highlighted the importance of access to Project information and community engagement. Other key matters raised during consultation with neighbours included:

- > bushfire risk
- > contamination to underground aquifers
- > health and wellbeing
- > noise
- > property values
- > traffic and transport
- > visual amenity

5.4.2 WIDER COMMUNITY

The wider community could engage with the Modification through a stand-alone Project website, Project phone line and email address.

An updated Project website was launched in March 2026 providing a central hub for information about the Project.

The project phone line (1800 329 172) provides an accessible enquiry channel to contact the Project team at no cost, and enables members of the public to ask questions and provide feedback. The phone line was established in March 2026 and has received two phone calls to date.

A Project email address was set up to allow the community to ask questions, share their views, issues and concerns and provide feedback. Ten emails were received from community and other stakeholders.

5.5 Engagement with businesses

5.5.1 WELLINGTON CAVES AND WELLINGTON CAVES CARAVAN PARK

Wellington Caves and Wellington Caves Caravan Park was doorknocked and provided a Project introduction letter on 3 March 2026. A member of the project team provided a Project overview and answered questions.



The Wellington Caves and Wellington Caves Caravan Park raised concerns about construction-related traffic and requested further information (when available). This information would be used to share with community who may be travelling to the venue.

5.5.2 WELLINGTON GOLF CLUB

Wellington Golf Club was doorknocked and provided a Project introduction letter on 3 March 2026. A member of the Project team provided a Project overview.

Wellington Soldiers Memorial Club is the corporate body for Wellington Golf Club, and a copy of the Project introduction letter was sent to the Club by email on 5 March 2026.

5.5.3 LOCAL ACCOMMODATION OPTIONS

Consultation with accommodation providers was completed via phone calls and desktop research to confirm whether there is sufficient capacity for the non-local workforce.

Accommodation providers contacted include:

- > Peter Milling and Company (rental property)
- > Wellington Riverside Caravan Park
- > Wellington Caves Holiday Park
- > Bridge Motel Wellington
- > Grand Hotel Wellington
- > Crown Motel Wellington
- > Hermitage Hill
- > Garden Court Motor Inn
- > Cow and Calf Hotel

Feedback from these accommodation providers indicate adequate accommodation is available in Wellington to support the non-local workers during construction.

5.6 Outcomes of engagement

The key issues raised during engagement to inform the Modification included:

- > workforce accommodation
- > bushfire risk
- > community engagement
- > contamination to underground aquifers
- > health and wellbeing
- > noise
- > property value
- > traffic and transport
- > visual amenity

A summary of these issues and where they have been addressed in the Modification Report is provided in **Table 5**.

Table 5 - Summary of engagement outcomes

Matter raised	Issue raised	How it has been addressed	Section
Accommodation	Suggestion to utilise a temporary workers accommodation in Wellington, if it is viable in time for construction to start.	A social impact assessment has been completed and assessed the impact of non-local workforce. A local workforce plan will be completed post-approval and prioritise the use of existing short-term accommodation. The project intent is to utilise a predominantly local workforce and the applicant has been successful with this approach on other projects. Any non-local workers would be housed via a block booking in a single location.	Appendix O
Bushfire risk	Nearby landowners asked about the risk of bushfire and RFS capacity to respond	A bushfire hazard assessment review was completed and found no additional risk associated with bushfire. General awareness and documented internal management protocols will include evacuation procedures and provision of adequate resources to the RFS. No bushfire related changes are proposed to the approved mitigation measures or conditions of consent.	Appendix N
Contamination to underground aquifers	One landowner raised concerns about BESS leaking and contaminating underground aquifers	A preliminary hazard assessment has been completed and found risks at the site boundary would remain within acceptable risk criteria.	Appendix M
Health and wellbeing	One landowner raised concerns about the possible impact to landowner health and wellbeing as a result of noise.	A noise impact assessment was completed, and modelling predict comparable impacts to the original Project, and achieves compliance with the approved noise limits.	Appendix M
Noise	Nearby neighbours raised questions about the noise of a BESS and the impact on the adjacent properties	A noise impact assessment was completed, and modelling predict comparable impacts to the original Project and achieves compliance with the approved noise limits.	Appendix I
Property value	Concerns were raised about the project decreasing nearby property value.	Land value is not a matter assessed by NSW planning and environmental framework.	N/A

Matter raised	Issue raised	How it has been addressed	Section
Traffic and transport	Local businesses and landowners questioned how the project would impact local traffic.	A transport impact assessment has been completed. The Modification will have limited and short-term impacts during construction. With the proposed access point, it is not anticipated that there will be any negative impact to the surrounding road network. No additional mitigation measures are suggested.	Appendix J
Visual amenity	Nearby landowners questioned the visual impact of the Project, however, they suggested the land topography and tree screening means the project will have minimal impact.	A visual impact assessment has been completed and found the Modification will have a medium-minor adverse impact in the short-term and minor impact in the long term. This is consistent with the approved project and no additional mitigation measures are proposed.	Appendix L

5.7 Future engagement

If the Modification is approved, engagement during post-approvals and construction would be undertaken in accordance with the conditions of consent and Engagement Guidelines (DPHI, 2024).

The Project's community and stakeholder engagement plan will be updated to incorporate any relevant conditions of consent or the needs of stakeholders.

Engagement during this period will:

- > keep the community, council and relevant government agencies informed with up-to-date information on the Project
- > explain how community enquiries and complaints will be considered and documented
- > provide construction information in plain English so that potential impacts can be readily understood
- > be clear about the level of influence the community will have
- > give the community the opportunity to be involved in employment and procurement
- > consider the issues raised by the community, council and relevant government agencies during construction and refine processes, notifications and management plans, if required

Community and stakeholder engagement will be monitored during Project operations, and the community and stakeholder engagement plan will be regularly reviewed and updated.

6. ASSESSMENT OF IMPACTS

6.1 Introduction

Table 6 - Comparison of matters of assessment

Matter	EIS	Assessment of Proposed Modification	Summary of conclusions
Biodiversity	Biodiversity Development Assessment Report (BDAR) prepared by Premise (2022)	Section 6.2	By reference to the BDAR, the modification areas are located on highly disturbed, low quality land. The BDAR identifies minor direct biodiversity impacts, and no prescribed or indirect impacts due to proposed mitigation measures. On this basis, the proposed modification is considered to be of minimal environmental impact and remains substantially the same as the approved project.
Aboriginal Cultural Heritage	Aboriginal Cultural Heritage Assessment (ACHA) prepared by Premise (2022)	Section 6.3	By reference to the AHTM, the proposed modification will occur within previously disturbed contexts, and it has been assessed that archaeological integrity has already been compromised through historic and ongoing agricultural disturbance as well as the creation of main road infrastructure. On this basis, the proposed modification is considered to be of minimal environmental impact and remains substantially the same as the approved project.
Noise	Noise and Vibration Impact Assessment (NVIA) by Assured Environmental (2022)	Section 6.46.3.1	By reference to the NIA, the increase in number of battery units and discharge energy storage capacity will not exceed the noise limits set by Condition B9 of the development consent, subject to mitigation. On this basis, the proposed modification is considered to be of minimal environmental impact and remains substantially the same as the approved project.
Traffic	Traffic Impact Assessment (TIA); prepared by Traffic Works (2021)	Section 6.5	By reference to the TIA in Section 6.5, traffic impacts remain consistent with the approved project on the basis that the change in vehicle movements and intersection upgrade will have minimal impact on the Mitchell Highway. On this basis, the proposed modification is considered to be of minimal environmental impact and remains substantially the same as the approved project.

Matter	EIS	Assessment of Proposed Modification	Summary of conclusions
Hazard	Preliminary Hazard Analysis (PHA) prepared by Riskcon Engineering (2022) Bush Fire Risk Assessment (BRA) prepared by Premise (2022)	Section 6.6	By reference to the PHA, the modification does not introduce additional hazards, nor does it increase the potential for off-site consequences. The hazard profile remains unchanged from those identified in the approved PHA. On this basis, the proposed modification is considered to be of minimal environmental impact and remains substantially the same as the approved project.
Visual	Visual Impact Assessment (VIA), prepared by IRIS (2022)	Section 6.7	By reference to the VIA memorandum, the impacts of the modified project would be consistent with the approved project. As the impacts are unchanged, there are no additional mitigation measures proposed.
Social	Social Impact Assessment (SIA) prepared by; Mara (2022)	Section 6.8	By reference to the SIA, it is confirmed that the social impact of the modification is of no or minimal change by comparison to the approved development.
Cumulative	Section 6.16 of the EIS	Section 6.9	By reference to the analysis in Section 6.9 , no additional cumulative impacts are predicted as a consequence of the modification, noting that the nearest major project, the Quorn Park Solar Farm, is nearing construction completion and therefore minimal overlap is predicted, including no peak construction overlaps.

6.2 Biodiversity

6.2.1 EXISTING ENVIRONMENT

The site is characterised by a long history of agricultural disturbance associated with grazing modified pastures and residential and farm infrastructure.

The site contains minimal habitat value given its isolated character, absence of shrubs or trees, absence of water bodies, rocks or culverts, and its history of disturbance from agricultural land use and road construction.

6.2.2 APPROVED PROJECT

A Land Category Report (LCR) and Biodiversity Development Assessment Report (BDAR) was prepared by Premise (2022) to support the EIS. The Approved LCR considered that the land to be disturbed that was mapped as RU1 Primary Production zone was considered to be Category 1 – Exempt Land, and did not require a BDAR. The remaining land within the road reserve was assessed in the approved BDAR, which was prepared in accordance with the requirements of Section 7.9 of the Biodiversity Conservation Act 2016 (BC Act).

The BDAR confirms that the site is not subject to any mapped Plant Community Types (PCTs) within or proximate to the development footprint. No Critically Endangered Ecological Communities (CEECs) or Threatened Ecological Communities (TECs) under either the BC Act or the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) were identified within the development footprint.

With respect to threatened fauna, the BDAR assessed 27 ecosystem species retained by BAM-C as not having specific habitat constraints but concluded it is very unlikely that any of these species occur on the site due to the absence of trees or shrubs for shelter, rocks or logs for refuge, and the constant disturbance from Mitchell Highway traffic. Species including the Golden Sun Moth, Large Bent-winged Bat, Regent Honeyeater, Swift Parrot, Glossy Black Cockatoo, Painted Honeyeater, and White-bellied Sea-Eagle were eliminated from further consideration due to the confirmed absence of suitable habitat features.

The BDAR concludes that the proposed development will result in the loss of 0.03 ha of native vegetation to provide safe vehicular access to the site from the Mitchell Highway. The native vegetation does not provide habitat for any threatened flora or fauna and does not require offsetting under the Biodiversity Offsets Scheme.

6.2.3 PROPOSED MODIFICATION

A LCR was prepared by Premise (2026) and is provided in **Appendix F**. The LCR considered the additional land associated with the modification, and identified the land mapped as RU1 Primary Production zone within the site and provided an assessment of the land to determine whether it met the criteria of Category 1 – Exempt Land under the *Local Lands Services Act (2013)*. The LCR concluded that a total for 1.2 ha of exotic grassland had been identified as Category 1 – Exempt Land. On this basis, a BDAR was not required for the land identified as Category 1 – Exempt Land.

A BDAR has been prepared by Premise (2026; **Appendix G**) in relation to the land within the road reserve that could not be identified in the LCR as Category 1 – Exempt Land due to the land zoning, as shown in **Figure 11**. The BDAR has been prepared to assess the direct, indirect and prescribed impacts associated with the proposed modification in accordance with the Biodiversity Assessment Method.

An expanded desktop review identified 68 threatened species with potential to occur on the additional land, of which only *Euphrasia arguta* was retained as a candidate species credit species at risk of a Serious and Irreversible Impact requiring targeted survey. Targeted surveys did not record *Euphrasia arguta*, and no non-SAII threatened species were incidentally recorded. MNES (Matter of National Environmental Significance) assessment concluded that no impact is likely and referral to the Commonwealth is not required.

Direct impacts assessed in the BDAR are limited to the removal of approximately 0.8 hectares of PCT 266 associated with the development of the site access. The additional land supports native vegetation identified as PCT 266: White Box grassy woodland in a single condition zone assessed as Exotic Grassland (VZ1). This vegetation is characterised by low biodiversity value, being highly disturbed and dominated by exotic species, and provides only marginal habitat for threatened species. No ecosystem or species credits are required for these impacts, reflecting their low ecological significance. A further 0.3 ha of non-vegetated land associated with the Mitchell Highway road reserve is also captured within the additional land. The 0.3 ha of non-vegetated land is devoid of vegetation and does not provide threatened species habitat.

Indirect impacts, including potential edge effects, disturbance to adjacent vegetation, weed invasion, introduction of pest species, and impacts associated with noise, dust and light spill, have been assessed as low in likelihood and extent. With the implementation of standard mitigation and management measures, the BDAR concludes that there will be no residual indirect impacts associated with the development.



Prescribed impacts identified for the Project include impacts associated with non-native vegetation and the potential for vehicle strike. These impacts are considered to be minor and localised, with risks minimised through project design and further mitigated through management measures. The likelihood and consequence of such impacts are assessed as minor.

Overall, the BDAR concludes that the biodiversity impacts of the proposed modification are minimal to minor in nature, with no significant or residual indirect or prescribed impacts remaining following the application of avoidance, minimisation and mitigation measures.

6.2.4 MITIGATION MEASURES

The updated BDAR has specified measures to avoid, minimise and mitigate impacts to native vegetation and threatened species habitat on the additional land, as summarised in **Table 7** below.

Table 7 - Biodiversity Mitigation Measures

Impact area	Phase	Mitigation Measures
Biodiversity (pre-clearing protocol)	Pre-construction	> A pre-clearing protocol will be implemented to minimise potential indirect impacts on native fauna species (focusing on threatened species). > Prior to construction, site inductions and toolbox talks will occur to identify the clearing boundary, the presence of adjacent remnant vegetation to be retained (i.e., hollow bearing <i>Eucalyptus albens</i> tree and native plantings approximately 50 m and 10 m north of the Subject Land, respectively), areas of vegetation to be removed (i.e., VZ1 and Category 1 – Exempt Land) and biodiversity sensitive areas to be avoided (i.e., Tree Protection Zones [TPZ]). > At least seven (7) days prior to clearing commencement, the local veterinary practice will be alerted to the clearing event and must be willing to accept wildlife. > Pre-clearing surveys of woody vegetation within 100 m of the Subject Land (i.e., <i>Eucalyptus albens</i> hollow bearing tree and native plantings) are to be undertaken by an Ecologist with a wildlife handling license. A fauna management strategy is to be implemented if fauna is identified on or within 100 m of the Subject Land including: • Notify the appropriate wildlife rescue agency. • The wildlife rescue agency representative is then responsible for the animal. • Work is only to re-commence at the discretion of the site supervisor after consultation with the rescue agency or Ecologist. > At least seven (7) days before clearing, temporary exclusion fencing will be implemented to demarcate TPZ to avoid inadvertent damage to areas outside the disturbance area. Measures include: • The TPZs will include a 9.6 m buffer around the hollow bearing <i>Eucalyptus albens</i> tree approximately 50 m north

Impact area	Phase	Mitigation Measures
		of the Subject Land, and a 6 m buffer around the native plantings approximately 10 m north-east of the Subject Land. • TPZ would be restricted to the road reserve • Clear and visible signage is to be appropriately located to communicate excluded areas. • Temporary exclusion fencing would be retained for the duration of construction in the Mitchell highway road reserve.
Biodiversity (timing of works)	Construction	> Avoid vegetation clearing during the breeding season for most species (i.e., September-November), where possible. > Limit works to continuous blocks of no more than three hours, with at least a one hour respite between each block of work. > Avoid vegetation clearing immediately prior to storms (i.e., high winds, lightening). > Limit construction works to within standard construction hours to limit inadvertent indirect impacts on surrounding resident fauna and habitat due to noise, dust and light spill. > Implement 40 km per hour speed limits during construction within the Mitchell Highway road reserve.
Biodiversity (weed management)	Throughout	> Weed management control measures will include: • Identification of outbreaks of priority weeds, High Threat Weeds (HTW) or Weeds of National Significance (WONS) within the Subject Land and application of herbicides to as per the NSW Department of Primary Industries guidelines. • Limit weed spraying to during suitable weather conditions (i.e., low winds and periods of no rainfall). • Maintain a record of chemical use and conditions during application.



Legend

- PCT 266 DNG (Box-Gum Woodland CEEC)
- Access Point (Subject Land)
- Development Area
- Category 1 Exempt Land
- Above Ground Electricity Easement
- Spot Samples
- BAM Quadrats



AC ENERGY

Apsley Battery Energy Storage System



Legend

- Site
- Subject Land
- Lot
- Road
- Watercourse

Direct Impacts

- VZ1: PCT 266 Exotic Grassland



ENERGY STORAGE PROJECT NO 3 PTY LTD

Apsley BESS

Figure 11
Final Impacts Likely to Occur on the Subject Land

6.3 Aboriginal Cultural Heritage

6.3.1 EXISTING ENVIRONMENT

The site is located within the traditional Country of the Wiradjuri people. An AHIMS Basic Search conducted on 30 September 2021 did not identify any Aboriginal Sites or Places within the site boundary. However, four Aboriginal Sites were identified in close proximity: two near Mitchell Highway at 9092 Mitchell Highway, adjoining the site to the north (AHIMS #36-4-0082 and #36-4-0083), and two at 385 Dripstone Road to the east.

The study area has been subject to a long history of modification from cropping and grazing, construction of the Mitchell Highway and associated road reserve, dense exotic groundcover, and evidence of introduced fills. These disturbance regimes have substantially reduced the archaeological sensitivity of the study area, which has been assessed as having nil-low archaeological potential overall.

6.3.2 APPROVED PROJECT

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by Premise (2022). Consultation was undertaken with relevant stakeholders prior to the archaeological survey, which was undertaken on 1 December 2021.

During the survey, two isolated stone artefacts were recorded within 20 metres of one another in a disturbed context on exposed areas associated with farm access tracks on a relatively flat landform. Both artefacts had likely been displaced from their original depositional context.

The ACHAR concludes that there will be no impacts or loss of harm to Aboriginal sites or places during the proposed works. Both artefacts are located outside of the development impact area and will remain in situ. No impacts are to occur to the previously recorded sites immediately north of the study area (AHIMS #36-4-0082 and #36-4-0083). Both newly recorded sites were uploaded to the AHIMS database.

6.3.3 PROPOSED MODIFICATION

An Aboriginal Heritage Technical Memorandum (AHTM) has been prepared by Premise (2026) and is provided at **Appendix H**. The memorandum provides an assessment of the proposed modification changes against the findings of the original ACHAR prepared by Premise (2022).

An additional Aboriginal cultural heritage survey was undertaken which focused on areas within the proposed modification footprint that were not assessed during the original 2021 survey.

The survey confirmed that the proposed modification areas have been subject to extensive and long-term disturbance consistent with the findings of the original ACHAR. One new isolated Aboriginal artefact was recorded during the 2026 survey; however, this site is located outside of both the approved development footprint and the proposed modification area and will not be impacted.

An updated AHIMS search conducted on 9 February 2026 confirmed no changes since the original assessment, and no Native Title claims or determinations apply to the site.

This technical memo was issued to all RAPs as identified through the original ACHAR, to advise of the proposed modification changes and to provide an opportunity to provide feedback and comment. Cultural values of the area were also discussed through additional survey efforts undertaken in February 2026 with no concerns raised during this period. It is noted that the cultural values have not changed since the original assessment. The following RAPs were consulted:

- > Binjang Wellington Wiradjuri Allodial Heritage Surveys Pty Ltd
- > Wellington Valley Wiradjuri Aboriginal Corporation (WVWAC)

The technical memo was issued on 6 March 2026 with a 14-day review period. Both RAPs responded in support of the recommendations and the proposed modification. WVWAC noted that if the artifacts site buffer is less than 10 metres, a site visit would be warranted to discuss amendments to the Cultural Heritage Management Plan. It is confirmed that the minimum buffer exceeds 10 metres.

The memorandum concludes that the proposed modification will not alter the Aboriginal cultural heritage values previously assessed, nor are there any changes to the conclusions or management recommendations of the approved ACHAR.

6.3.4 MITIGATION MEASURES:

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

In particular, the 10-metre exclusion zones around all recorded AHIMS sites, including the newly identified artefact, are maintained and confirmed as sufficient.

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

6.4 Noise

6.4.1 EXISTING ENVIRONMENT

Given the rural character of the locality, background noise levels are expected to be low and consistent with an agricultural setting, influenced primarily by vehicle movements on the Mitchell Highway, rural machinery, and ambient natural sources.

6.4.2 APPROVED PROJECT

A Noise and Vibration Impact Assessment (NVIA; Assured Environmental 2022) was prepared to accompany the EIS. The NVIA assessed construction noise, operational noise, road traffic noise, and vibration impacts against the applicable regulatory criteria. T

With respect to construction noise, the NVIA assessed all construction phases operating concurrently as a worst-case scenario. Predicted noise levels at all three receivers comply with the Noise Management Level (NML) of 50 dB(A) applicable during standard hours under the Interim Construction Noise Guideline (ICNG).

With respect to operational noise, the NVIA assessed predicted receiver noise levels against the intrusive noise criteria established in accordance with the NSW Noise Policy for Industry (NPfI 2017). The assessment confirmed compliance with the intrusive noise criteria across all receivers for day, evening, and night periods under worst-case meteorological conditions, with the highest predicted operational noise level of 35 dB(A) during the daytime period.

A noise barrier was approved around the grid transformer to achieve compliance during operation, constructed of material with a mass density of no less than 12 kg/m² and free of gaps, ranging between 3.5 and 4.5 metres in height with two sections cantilevered 0.5 metres north at 45 degrees.

Road traffic noise associated with vehicle movements during the operational phase is assessed as negligible given that no staff will be permanently based on-site and visitation will be limited to periodic maintenance. During construction, predicted road traffic noise levels at the closest receivers comply with the Road Noise Policy (RNP) criteria, with predicted levels of 53 dB(A) (day) and 50 dB(A) (night) against criteria of 60 dB(A) and 55 dB(A) respectively at the Mitchell Highway receiver.

6.4.3 PROPOSED MODIFICATION

An updated Noise Impact Assessment (NIA; Resonate 2026) was prepared to assess the modified project and is provide in **Appendix I**.

The updated battery equipment has been modelled without a noise barrier and the results of modelling against the adopted project trigger level reproduced below as **Table 8**.

Table 8 - Predicted Noise Level

Receptor	Predicted operational noise levels ($LA_{eq,15min}$)			Intrusive Noise Criteria (dB(A)) (adopted project trigger level)			Comply Y/N
	Day	Evening	Night	Day	Evening	Night	
R01 ⁽¹⁾	-	-	-	40	35	35	Y Y Y
R02	37	37 ⁽²⁾	37	40	35	35	Y Y Y
R03	27	27	27	40	35	35	Y Y Y
R04	34	34	34	40	35	35	Y Y Y
R05	4	4	4	40	35	35	Y Y Y
R06	24	24	24	40	35	35	Y Y Y
R07	4	4	4	40	35	35	Y Y Y
R08	17	17	17	40	35	35	Y Y Y
(1) Associated receiver (2) The NIA states that the Noise Policy for Industry (NPI) allows for a 1 to 2 dB exceedance of the criteria to negligible as it is not discernible to the average human ear. Therefore the NIA deemed R2 to comply with intrusive noise criteria.							

The assessment considers noise criteria set out by the development consent, as well as derived numerical criteria intended to align with the requirements of Section 4.55(2) of the EP&A Act, applying to modifications of development consents.

Modelled operational noise levels are predicted to achieve compliance with the development consent noise limits (per condition B9) in the day, evening and night periods, except for R02 during evening and night periods. The exceedance is considered negligible per NPI, which states that an exceedance of ≤ 2 dB is considered negligible, as it would not be discernible to the average human ear and would not warrant treatments or controls. Accordingly, the predicted operational noise level at R2 is deemed to comply with the noise criteria. Notwithstanding, an amended mitigation measure for a 3.8 metre noise barrier has been recommended to further improve the predicted operational noise levels at R2 during the evening and night periods.

Calculations show that the proposed construction road traffic noise levels are not expected to increase by 2 dB(A) or more from existing road traffic noise levels at nearest residential properties along the construction

routes. The increase in road traffic noise as a result of construction road traffic associated with the Project has been calculated to 0.6 dB(A), less than the 2 dB threshold.

6.4.4 MITIGATION MEASURES

To reduce the operational noise level at R2 to the most stringent evening/night-time noise criterion, the following noise mitigation is recommended to be implemented:

- > Construct noise barriers along the northern banks of the batteries shown as in **Figure 6**. The height of the noise barriers should be at least 3.8 m above ground level. The noise barriers should be constructed of solid material with surface density of at least 15 kg/m² that achieves a minimum acoustic rating of Rw 25 and have no gaps at the bottom of the barrier or along its length.
- > The noise barriers may be constructed with one of the following materials:
 - fibre cement
 - precast concrete panels
 - lightweight aerated concrete panel
 - masonry (bricks/blocks)
 - or a combination of any of the above

6.5 Traffic Impact

6.5.1 EXISTING ENVIRONMENT

The site has a frontage to the Mitchell Highway along its western boundary. The Mitchell Highway is a classified road under the *Roads Act 1993*, with road authority functions shared between Dubbo Regional Council and Transport for NSW (TfNSW). The Mitchell Highway operates as a two-lane, two-way carriageway with a posted speed limit of 100 km/h. Under existing conditions, no direct vehicular access to the site from the Mitchell Highway is available. Access to the broader landholding is currently achieved via a 160-metre driveway from the Mitchell Highway leading to the dwelling house in Lot 2 DP 1012686.

The surrounding road network is characterised by low traffic volumes consistent with a rural agricultural setting, with the closest residence approximately 400 metres to the north. No other large-scale land uses generating significant traffic are present in the immediate locality.

6.5.2 APPROVED PROJECT

A Traffic Impact Assessment (TIA; Traffic Works 2021) was prepared to accompany the EIS.

The TIA advised that the construction phase was anticipated to generate a peak of 12 vehicle movements during both the AM and PM peak hours, comprising 11 light vehicles and one heavy vehicle in each direction.

With respect to turn provisions, the project was approved with the requirement to upgrade the site access intersection to a BAL/BAR type treatment. A standard condition was imposed requiring the construction of the intersection to be completed in accordance with Austroads standards.

With respect to queuing, the TIA confirmed that the setback of the proposed security fencing provided a minimum 20-metre vehicle storage length clear of the Mitchell Highway traffic lane, sufficient to accommodate a 19-metre semi-trailer awaiting site entry without encroaching into the live traffic lane.

During the operational phase, traffic generation was assessed as negligible given that no staff will be permanently based on-site and visitation will be limited to periodic maintenance and infrequent equipment replacements. Road traffic noise associated with operational vehicle movements was similarly assessed as negligible.

6.5.3 PROPOSED MODIFICATION

A Transport Impact Assessment (TIA) was prepared by Premise and is provided at **Appendix J**. An OSOM route assessment was prepared by ARES and is provided at **Appendix K**.

6.5.3.1 Vehicle movements

The modification results in an increase in traffic generation compared to the original approval, primarily driven by the expanded peak construction workforce and the increased scale of equipment delivery. The construction phase is anticipated to commence in early 2027 and extend over an 18-month period, including a peak construction period of approximately three months. The peak workforce is estimated at up to 100 personnel.

The TIA adopts a first-principles approach to trip generation, assuming an average vehicle occupancy of 1.25 persons per car. Ten workers are expected to work remotely and will not generate site trips. Out-of-town workers will be accommodated in Wellington.

The anticipated construction phase vehicle trips are summarised in **Table 9** below.

Table 9 - Construction phase trip generation

Trip Type	Trip generation
Construction Employee	> Site AM peak hour = 72 vehicle trips (36 movements) > Site PM peak hour = 72 vehicle trips (36 movements) > Daily = 144 vehicle trips (72 movements)
Heavy Vehicles	> Site AM peak hour = 7 vehicle trips (3.5 movements) > Site PM peak hour = 7 vehicle trips (3.5 movements) > HV Peak hour = 30 vehicle trips (15 movements) > Daily = 100 vehicle trips* (50 movements)

The TIA notes that employee and heavy vehicle peak periods are not expected to coincide, and the higher of the two (employee arrivals) governs the site peak. Based on a trip distribution of approximately 65% northbound and 35% southbound via Mitchell Highway, the development will generate an estimated increase of 3.8% in daily traffic volumes north of the access point and 1.8% south of the access point during construction. These increases are assessed as minor and temporary relative to the capacity of the existing network. During the operational phase, traffic generation will be negligible, limited to an average of two to four light vehicle trips per day for routine maintenance and inspection.

6.5.3.2 Intersection upgrade

The modification proposes to retain the BAL and BAR intersection configuration approved under the original consent. However, the access point is proposed to be adjusted slightly to the north of the position in order to achieve adequate Safe Intersection Sight Distance (SISD), clear zones, and drainage in accordance with the Austroads Guide to Road Design.

Given that the modification results in higher traffic generation than the original approval, the TIA reassesses the intersection warrants using the revised vehicle numbers. The assessment adopts the AM peak period (6:00 am to 7:00 am) as the critical peak. Passing traffic on Mitchell Highway during this period is estimated at 110 vehicles per hour. The assessment confirms that the approved BAL/BAR configuration remains appropriate and can accommodate up to 110 left-turning and 29 right-turning vehicles without requiring an upgrade of higher order.

An approval from TfNSW will be sought for the works within the Mitchell Highway road reserve.

6.5.3.3 OSOM routes

The modification introduces six (6) high-risk OSOM vehicle movements not assessed under the original consent, associated with the transport of the transformer to site. A preliminary OSOM Route Study was prepared by ARES Group (February 2026) assessing the feasibility of transformer transport from two potential origin points: the Port of Newcastle (NSW) and a Victorian manufacturer.

The Port of Newcastle route is approximately 420 kilometres in length, traversing the New England and Central Western highways and the Mitchell Highway to the site. Five (5) rail level crossings are identified along this route, requiring liaison with the relevant rail authorities and obtaining crossing approvals in accordance with applicable OSOM crossing procedures. Sixteen (16) pinch points were identified along this route, all of which can be navigated with standard traffic management measures which require no temporary or permanent modifications to road infrastructure.

The Victorian route is approximately 880 kilometres in length and crosses six (6) rail level crossings. Within NSW, fourteen (14) pinch points were identified along this route, with two requiring specific interventions:

- > temporary removal of signage at Railway Parade and Balfour Street in Wagga Wagga; and
- > temporary removal of signage on the Olympic Highway.

The Mitchell Highway is confirmed as an approved route for RAV and Class 1 OSOM vehicles in the immediate vicinity of the site, providing direct connectivity to both routes without requiring additional route approvals for this portion of the journey.

All powerlines along the OSOM route are considered to provide sufficient vertical clearance for the passage of oversized vehicles. The applicant will liaise with network providers regarding any height restriction requirements identified during post-consent stage.

6.5.4 MITIGATION MEASURES

The TIA identifies the following measures to manage traffic impacts associated with the modification:

- > The site access will be configured as a BAL/BAR intersection treatment in accordance with Condition B04 of the original consent. The access point will be constructed generally in accordance with the Austroads Guide to Road Design Part 4A for unsignalised intersections.
- > A Traffic Management Plan (TMP) will be prepared as part of the Construction Environmental Management Plan (CEMP), to manage construction vehicle movements on Mitchell Highway and coordinate with TfNSW with respect to any required temporary speed limit reductions during peak construction activity.
- > OSOM vehicle movements will be subject to NHVR permit conditions and will be managed in accordance with a route-specific traffic management plan prepared following completion of the full route survey and bridge and culvert assessments. Coordination with relevant rail authorities will be undertaken prior to each rail level crossing traversal

6.6 Hazards

6.6.1 EXISTING ENVIRONMENT

The site is not located in proximity to other hazardous or industrial land uses and is not within a designated hazardous industry buffer area. No existing hazardous installations, pipelines, or high-consequence facilities are present in the immediate locality that would compound the hazard profile of the proposed development. The site is not subject to flooding and is not located within a mine subsidence district. The updated Bush Fire overlay from the DRC Bush Fire Prone Land Map have mapped the site as Vegetation Category 3 (medium Bush Fire risk grassland).

6.6.2 APPROVED PROJECT

6.6.2.1 Preliminary Hazard Analysis

A Preliminary Hazard Analysis (PHA; Riskcon Engineering 2022) was prepared to accompany the EIS and is provided at Appendix L. The PHA assessed six hazard scenarios: Li-ion battery fault and thermal runaway; toxic gas dispersion; electrical equipment failure and fire; transformer internal arcing, oil spill and bund fire; transformer surge protection failure and explosion; and electromagnetic field (EMF) impacts.

The approved development specifies lithium iron phosphate (LFP) battery chemistry, which the PHA identifies as among the safest available. Thermal runaway is assessed as not a credible scenario given the inherent stability of LFP chemistry and the provision of onboard fire suppression systems. As a battery container fire is not considered a credible initiating event, toxic gas dispersion from carbon dioxide, carbon monoxide, or fluoride gases is correspondingly negligible. Electrical equipment failure is assessed as slow in growth and unlikely to generate substantial offsite impacts. No further assessment is required for any of these three scenarios.

For transformer bund fire, radiant heat contour modelling confirms that the 4.7 kW/m² and 23 kW/m² contours do not extend beyond the site boundary under typical conditions. For transformer explosion, overpressure contours at 7 kPa and 14 kPa extend marginally over the site boundary; however, the resultant fatality risk at the boundary is 0.18 per million per year, well below the HIPAP No. 4 criterion of 10 per million per year. Explosion contours do not reach any residential receiver and the potential for incident propagation is zero.

EMF levels generated by the BESS are assessed as not exceeding the ICNIRP guideline of 2,000 milligauss, given the approximately 150-metre separation to the closest receiver.

The PHA concludes that all risks at the site boundary are within acceptable criteria and the project is appropriately classified as potentially hazardous rather than hazardous.

6.6.2.2 Bush Fire

A Bush Fire Assessment Report (BAR, Premise 2022) was prepared in support of the approved development and is provided at Appendix H of the approved EIS. The assessment was prepared pursuant to Clause 44 of the *Rural Fires Regulation 2013* and addressed the requirements of Planning for Bush Fire Protection 2019 (PBP).

When approved, the subject land was not mapped as bush fire prone land on the DRC Bush Fire Prone Land Map. However, consultation with the NSW Rural Fire Service during the scoping stage confirmed that the site may be considered to have a grassland hazard and that an assessment against the PBP was required. The nearest mapped bush fire prone land was located approximately 80 metres to the east of the project, being a bush fire buffer adjacent to Category 2 bush fire prone land. The closest Category 1 bush fire prone land was

approximately 900 metres to the east. Vegetation within the development footprint comprised cleared agricultural land characterised as grassland.

The approved BAR recommended a 10-metre APZ on all aspects of the BESS infrastructure, to be established and maintained to the standard of an Inner Protection Area (IPA) for the life of the development. Subject to the implementation of the measures outlined in the BAR, the approved development was assessed as capable of complying with the PBP 2019 and AS 3959-2018 Construction of Buildings in Bush Fire Prone Areas.

6.6.3 PROPOSED MODIFICATION

6.6.3.1 Preliminary Hazard Analysis

A Preliminary Hazard Analysis (Riskcon Engineering 2026) was prepared and is provided at **Appendix M**.

Eight hazard scenarios were assessed. All scenarios were eliminated qualitatively, and none were carried forward for consequence analysis. A summary of all hazard scenarios is provided in the table below.

Table 10 - Updated Hazard Analysis

Hazard	Definition	Analysis
Li-ion battery fault, thermal runaway and fire.	Degradation mechanisms including chemical reduction at the anode or cathode, thermal decomposition of the electrolyte, and internal short circuit that may initiate thermal runaway and subsequent container fire.	LFP battery chemistry is one of the safest available. UL 9540A testing and large-scale fire testing confirm that thermal runaway does not propagate beyond one adjacent module and does not transfer between containers. Onboard fire suppression, thermal management, and battery management systems provide additional safeguards. Accordingly, the likelihoods, consequences, and control measures identified in the approved PHA remain valid and unchanged.
Available space for BESS allocation	Assessment of whether the allocated site area is sufficient to accommodate all BESS units at the required separation distances to prevent incident propagation.	The 96 BESS units and 48 PCS require approximately 7,200 m ² of gross footprint at the required separations per the manufacturer layout guide. The available site area is 10,000 m ² , confirming adequate space to achieve and maintain all required clearances. On this basis, thermal runaway or fire is not expected to affect adjacent infrastructure or off-site receptors, and the modification does not alter the hazard profile established under the approved PHA.
Li-ion battery fire and toxic gas dispersion.	Generation of Carbon dioxide, Carbon monoxide, Fluorine gases as a by-product of combustion in the event of a battery fire, and potential for a downwind toxic concentration.	The proposed modification increases the energy capacity of the BESS but does not alter the fundamental gas-generation mechanisms, enclosure design principles and ventilation provisions. Accordingly, the likelihood and consequences of explosion and gas generation remain consistent with those assessed in the approved

Hazard	Definition	Analysis
Electrical equipment failure and fire.	Arcing, overheating, or sparking of electrical equipment within the switch room, with potential propagation to adjacent combustible materials.	The proposed modification does not change the electrical configuration, operating voltages, equipment arrangement, or maintenance requirements of the PCUs or transformers. As a result, the likelihood, potential consequences, and the effectiveness of existing control measures for arcflash events remain unchanged from those identified in the approved PHA.
Transformer internal arcing, oil spill, ignition and bund fire.	Internal arcing within a transformer leading to vaporisation of insulating oil, potential reservoir rupture, oil release into bund, and subsequent bund fire.	The likelihood and potential consequences of a transformer fire remain unchanged from those assessed in the approved PHA. Existing controls, including compliance with AS 2067, adherence to TransGrid requirements, separation distances, fire management provisions, and emergency response arrangements, remain effective and appropriate for the modified project configuration.
Transformer electrical surge protection failure and explosion.	Extreme electrical surge, such as from a lightning strike, causing decomposition and vaporisation of mineral oil, gas generation, transformer rupture, and explosion.	The proposed modification does not alter the electrical distribution architecture, voltage levels, grounding arrangements, or the fundamental mechanisms by which these hazards may occur. Accordingly, the likelihoods, consequences, and control measures identified in the approved PHA remain valid and unchanged.
Bush fire and incident propagation.	Uncontrolled fire propagating through surrounding grassland or scrubland into the BESS facility, with potential for incident propagation to BESS infrastructure.	A bushfire assessment has been prepared by Premise which concludes there are no required changes to approved mitigation measures as a result of the modification.
Electromagnetic field impacts.	Generation of extremely low frequency electric and magnetic fields from BESS operational equipment, including transmission lines, transformers, inverters, and associated electrical components.	The approved PHA concluded that EMF associated with the project remains well below ICNIRP occupational and general public reference levels, with field strengths attenuating rapidly with distance. These conclusions continue to apply to the modified project. The rural location and substantial setback to sensitive receivers further ensure only negligible exposure for the general public. The modification does not alter the electrical configuration that governs EMF behaviour, the hazard profile and potential consequences associated with EMF exposure remain effectively unchanged

The eight scenarios as listed here concludes that risks at the site boundary do not exceed acceptable criteria under HIPAP No. 4 and the project is appropriately classified as potentially hazardous rather than hazardous, same with the approved project.

6.6.3.2 Victoria Big Battery Fire Review

The PHA includes a review of the Victorian Big Battery (VBB) Fire to determine whether similar incidents could occur at the BESS.

The PHA reports that the main reason for fire propagation within the VBB was strong winds blowing flames from one Megapack to the unprotected vent atop an adjacent Megapack, resulting in the ignition of a plastic fan which impacted battery modules directly beneath.

The proposed BESS addresses this failure mode directly. The vents are constructed of steel rather than plastic, and flammable materials are excluded from storage beneath the top vent. The supplier-specified layout requires a minimum 300 mm rear-to-rear spacing and 3.5 m front-to-front spacing. Propagation between units is assessed as unlikely.

Based upon the designs incorporated with the container based upon the VBB fire, the available area assessment and the separation distance assessment, The PHA identify that propagation between two units is considered unlikely. This incident has not been carried forward for further analysis.

6.6.3.3 Bush Fire

An updated BAR (Premise 2026) was prepared in relation to the modification and is provided at **Appendix N**.

Since the project was approved, the bush fire prone land mapping has been updated, with the site now mapped as Category 3 bush fire prone land (Figure 12). The project has been assessed as a form of energy infrastructure analogous to the provisions of Section 8.3.5 of PBP 2019 (Other Development — wind and solar farms), which requires a minimum 10-metre APZ and a Bush Fire Emergency Management Plan. No BAL rating is required for the BESS infrastructure under this section. The site falls within the Lower Central West Plains fire area with an FDI of 80. Vegetation on all aspects of the project to a distance of 140 metres is classified as grassland, with slopes generally less than 5 degrees. A narrow tree line approximately 75 metres to the north-west has been assessed as low threat vegetation and excluded from the assessment in accordance with Appendix 1.11 of PBP 2019.

The BAR identifies two principal bush fire risk scenarios: an external wildfire event driven by prevailing weather conditions across the surrounding landscape; and accidental ignition from within or adjacent to the site. The construction phase represents the period of greatest risk given the peak workforce of approximately 50 personnel and the presence of plant, machinery and flammable materials on site. The operational phase presents a lower risk profile given that the facility will be remotely monitored with infrequent maintenance visits.

The BAR concludes that the modification presents a relatively low bush fire risk. The site's flat to gently undulating topography, grassland vegetation classification, and the absence of Category 1 bush fire prone land within 900 metres of the development footprint limit the intensity of credible fire scenarios. The BAR finds that the Bush Fire risk associated with the modification is capable of being managed to a level consistent with PBP 2019 and AS 3959-2018, subject to the implementation of the mitigation measures.



6.6.4 MITIGATION MEASURES

6.6.4.1 Preliminary Hazard Analysis

The PHA concludes that the risks at the site boundary are not considered to exceed the acceptable risk criteria, subject to the implementation of mitigation measures. The PHA provides mitigation measures to replace the approved mitigation measures relating to hazards associated with the project:

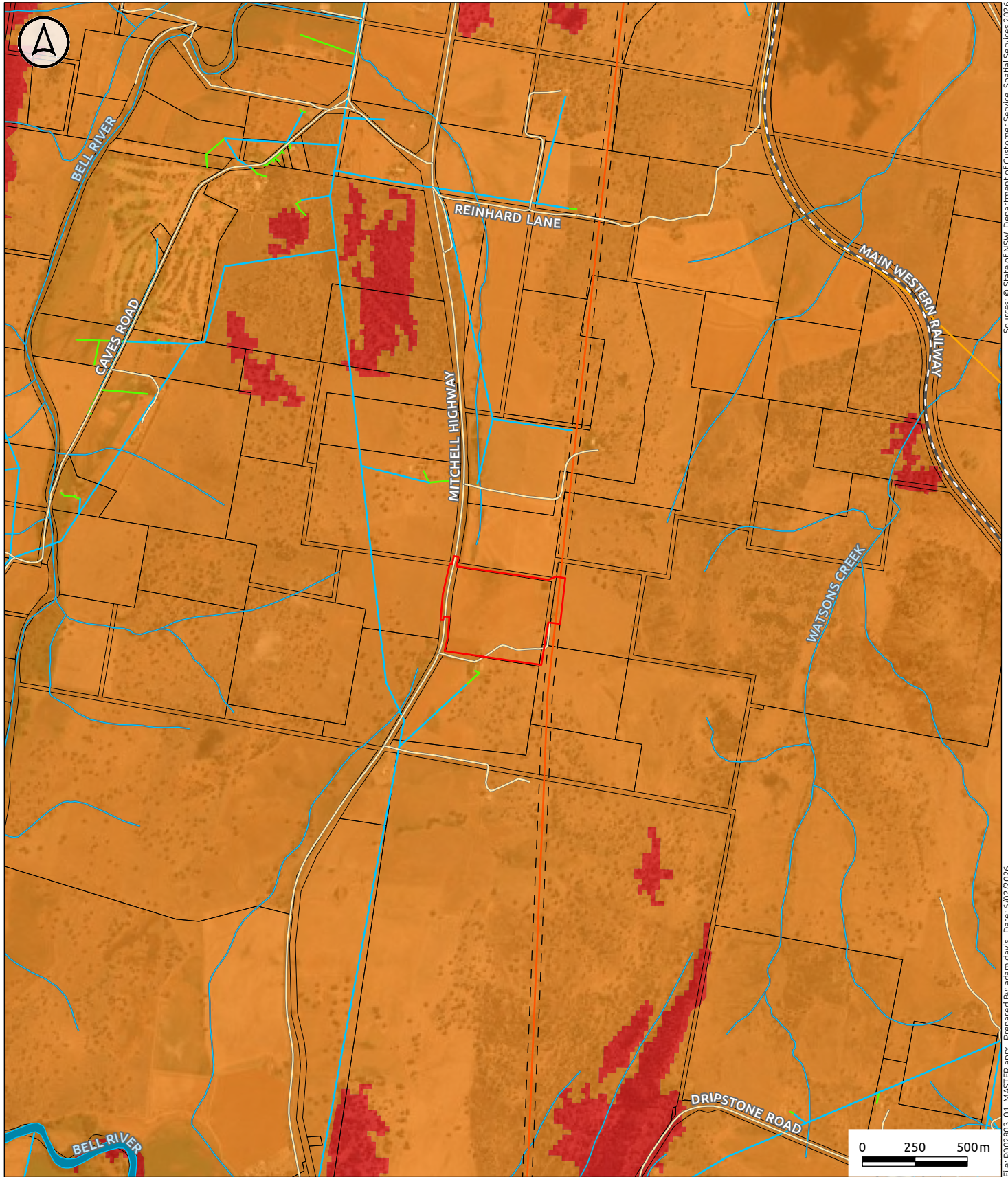
- > BESS units shall be purchased from a reputable supplier, with evidence of compliance with required standards.
- > Batteries must be tested in accordance with UL9540A.
- > Batteries should undergo large-scale fire testing.
- > Batteries are to be installed in accordance with manufacturer and UL9540A report recommended clearances based on testing.
- > Batteries are to be installed with fire protection systems specified by the manufacturer and UL9540A report.
- > Before construction, confirm the final BESS design can be installed in the project area whilst meeting the recommended clearances.
- > The vent covers of the BESS shall be constructed of non-combustible material.
- > The vents shall not be located above battery packs within the BESS container.

No further changes are proposed to mitigation measures in relation to the project hazards.

6.6.4.2 Bush Fire

The BAR concludes that there are no changes to the approved mitigation measures and no changes proposed to the existing conditions of consent.





Legend

- | | | | |
|--|----------------------------|--|----------------------------|
| | Site | | Overhead Transmission Line |
| | Lot | | 11kV |
| | Road | | 66kV |
| | Railway | | 132kV |
| | Named Water Body | | LV |
| | Watercourse | | Bush Fire Prone Land |
| | Transmission Line Easement | | Vegetation Category 1 |
| | | | Vegetation Category 3 |



**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 12
Bush Fire Prone Land**

6.7 Visual Impact

6.7.1 EXISTING ENVIRONMENT

The site occupies a flat to gently undulating rural landscape characteristic of the Central West Orana region. The surrounding land uses are uniformly agricultural, comprising open pastoral paddocks with scattered native and exotic trees along fencelines and watercourses. The Mitchell Highway traverses the western boundary of the site, providing the primary public viewing corridor. The site is at a local low point, with slightly elevated ground to the north and east. No designated lookouts, recreational areas or scenic routes with direct views to the site are identified within the study area.

6.7.2 APPROVED PROJECT

A Visual Impact Assessment (IRIS, 2022) was prepared to support the approved EIS.

The visual catchment was determined using LiDAR data and the height of the proposed battery and PCS containers in GIS, with ground-truthing to account for vegetation and built screening.

Five representative public domain viewpoints were assessed. Visual impact from four of the five viewpoints was determined to be negligible or low in the short term and negligible in the medium to long term. Viewpoint 3, a view east from the Mitchell Highway at approximately 45 metres from the proposal, was assessed as moderate in the short term, reducing to negligible over the medium to long term with the establishment of screening vegetation. No lookouts or scenic routes are affected.

Ten residential receivers within two kilometres of the site were assessed. The majority of dwellings to the north and west, including R1, R7, R8 and R10, have no view to the site due to the low-lying landform and intervening vegetation. The dwelling at 9091 Mitchell Highway (R2), approximately 380 metres north of the site, is orientated away from the highway and is screened by surrounding trees, resulting in no visual impact. The dwelling at 9092 Mitchell Highway (R5), approximately 650 metres north-east of the site and slightly elevated, would have views south towards the site. Battery containers would be visible as a horizontal built element occupying a small portion of the view, with the substation and noise barrier also visible. The VIA assesses this as a minor to moderate visual impact in the short term. The associated dwelling at 9010 Mitchell Highway (R3) has no view to the site due to screening by existing trees and sheds. Dwellings at 8958 Mitchell Highway (R9) and 8950 Mitchell Highway (R6) are fully screened by an intervening vegetated ridgeline approximately 600 metres to the north.

Mitigation proposed in the VIA comprises a 20-metre-wide screen planting area along the Mitchell Highway frontage using native tree species consistent with the existing roadside planting character, and a five-metre wide screen planting along the western and southern sides of the security fence using native shrubs and small trees such as Callistemon, Casuarina and Acacia species. Planting is to be established in a staggered arrangement within the subject site boundary, with a 12-month establishment period and 24-month monitoring period to confirm successful establishment. All screening is located wholly within the subject property.

6.7.3 PROPOSED MODIFICATION

A VIA memorandum was prepared to address any changes to the approved visual impact assessment arising from the modification and is provided at **Appendix L**. The methodology is consistent with the approved VIA, combining landscape character zone or viewpoint sensitivity with the magnitude of change to determine impact.

The changes relevant to the visual assessment are a reduced BESS area, a new noise wall to the north of the BESS area, a realigned internal shared access, a new harmonic filter on the southern boundary set back from the highway, removal of the original transformer and associated noise wall, a reduced substation area, a widened site entry, and increased screening vegetation widths along the western and southern boundaries.

The modified project would be contained wholly within the approved construction and operational footprint. For public domain viewpoints, no perceived visible change would arise from Viewpoints 1, 2, 4 or 5. At Viewpoint 3, the modified project presents a smaller BESS area and reduced substation infrastructure in the middle ground, partially offset by a wider driveway entry creating a larger viewing gap. The overall visual impact at Viewpoint 3 remains moderate adverse in the short term and negligible in the long term, consistent with the approved assessment. For private receivers, the modified project reduces the amount of visible BESS infrastructure and increases screening vegetation along the western boundary adjacent to the Mitchell Highway. The northern screening buffer is unchanged. Visual impacts on R2b and R5 are assessed as consistent with the approved project. The landscape character impact on the Bell River and Watsons Creek rural valley LCZ remains medium-minor adverse in the short term and minor adverse in the long term.

6.7.4 MITIGATION MEASURES

The VIA memo concludes that the impacts of the modified project are consistent with the approved project and no additional mitigation measures are required.

6.8 Social Impacts

6.8.1 EXISTING ENVIRONMENT

The Apsley BESS is located within the Dubbo Regional Council local government area (LGA). The development is situated on rural land zoned 10km south of Wellington, the site is characterised by agricultural activities including livestock grazing and cropping.

A review of the key demographic statistics is provided in the Table below:

Table 11 - Key Demographics, 2021 Census

Indicator	Apsley		Dubbo		Regional NSW	
Population	245		54,922		2,829,637	
Aboriginal/Torrens Strait Islander Population	32	13.1%	9,101	16.6%	185,873	6.6%
Median Age	49		36		43	
Median household weekly income	\$1,677		\$1,597		\$1,434	
Children under 14 years living with unemployed lone parent	-	0.0%	11,508	22.3%	505,534	20.7%
Lone person households (over 65 years)	5	5.8%	828	4.3%	54,341	5.1%
Owned outright	39	45.3%	5,850	30.3%	406,902	38.0%
Rented	9	10.5%	6,074	31.5%	287,264	26.8%
Unoccupied dwellings	11	12.2%	1,623	7.8%	134,891	11.2%

A main social trend relevant to the project is the lack of affordable housing, which is a consistent issue nation-wide. The area is already exposed to renewable energy developments and experiencing a high concentration of developments.

6.8.2 APPROVED PROJECT

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

A Social Impact Assessment (SIA, Mara Consulting 2022) was prepared to support the approved EIS. To note that the approved SIA was based on the 2016 Census.

The SIA identified ten (10) social impacts across the construction, operational, and decommissioning phases of the project, comprising two (2) high significance positive impacts, three (3) medium significance negative impacts, and five (5) significance low impacts (four negative, one positive).

The positive impacts relate to employment and economic investment. Construction of the Approved Project was assessed as almost certain to generate approximately 50 FTE direct construction jobs, with the broader capital injection of more than \$30 million assessed as likely to provide moderate economic benefit to the local and regional economy.

The medium and low significance negative impacts relate to construction and operational noise and visual amenity impacts from the BESS on local community and landscape. The SIA also mentions the negative impact of inefficient engagement which will alienate local community.

The SIA recommends the following key management measures be carried forward through the operational life of the Approved Project:

- > Ongoing community engagement and complaints management.
- > Maintenance of vegetative screening to ensure effectiveness.
- > Noise monitoring and reporting.
- > An accommodation employment strategy (AES) to maximise local procurement opportunities; a

The SIA concluded that with mitigation and management in place, residual social impacts are manageable and do not preclude approval of the development.

6.8.3 PROPOSED MODIFICATION

The proposed modification changes to battery duration, construction scope and footprint are assessed against the social data. An updated SIA has been prepared by Onwards (2026) based on the updated census data and newly available information (**Appendix O**). A range of social impact associated with proposed modification are identified and summarised in **Table 12**.

To note that, the construction workforce is expected to comprise of:

- > 70% local workers
- > 20% non-local workers
- > 10% remote workers

This workforce composition has been determined on the basis of contemporary industry practice, with 70% of peak construction workforce generally comprised of civil and electrical contractors, which are able to be sourced locally. For the purposes of this assessment, locally sourced workers are considered to be those residing within approximately a one-hour drive of the Apsley BESS, reflecting safe and realistic daily travel arrangements.

The workforce composition is a key input to the accommodation, housing and employment impact assessments and has been considered in the impact assessment.

In summary, the SIA concluded that there are low to moderate, both positive and negative impact of the proposed modification on local community. The mitigation measures suggested are provided in the next section.

Table 12 - Social Impact Assessment

Potential impacts	Description	Impacted Group	Impact Rating
Impacts to rental housing and accommodation	The study area is experiencing existing housing pressure, with the social baseline identifying high use of specialised housing services in Dubbo LGA relative to the Regional NSW average, very low rental vacancy rates, and growing demand for worker accommodation across major project. Increased demand on rental housing risks unaffordable asking prices, extended wait times, and reduced availability of emergency accommodation for existing residents. To assess accommodation impacts, nine (9) accommodation providers in Wellington is consulted. Identifying 140 available rooms across the providers contacted. The Modification is expected to generate demand for approximately 10 non-local workers during construction, with capacity sufficient to accommodate up to 20 workers if required. Accordingly, while existing housing pressure is acknowledged, the additional demand generated by the proposed Modification is expected to be absorbed within available short-term accommodation capacity.	> residents of Dubbo LGA seeking rental housing > residents of Dubbo LGA seeking emergency short-term accommodation	Low (unlikely, minor) Significance Negative Impact
Local employment opportunities	The social baseline identifies a higher workforce participation rate in Dubbo LGA compared to the Regional NSW average, though Aboriginal and/or Torres Strait Islander residents, particularly youth, experience disproportionately higher unemployment Construction is estimated to generate approximately 35 FTE roles that may be filled locally, supporting local livelihoods and building skills and experience that strengthen employability beyond the	> those seeking employment in Dubbo LGA > under-represented groups in employment	Low (possible, minor) Significance Positive Impact

Potential impacts	Description	Impacted Group	Impact Rating
	construction period. This is considered particularly beneficial for under-represented groups, including Aboriginal and/or Torres Strait Islander residents and young people.		
Local business opportunities	The social baseline identifies that businesses in Dubbo LGA are predominantly small and non-employing, which may constrain their capacity to respond to increased construction demand, particularly in the construction industry. Nonetheless, the construction phase is expected to generate local business opportunities through service, supply and subcontracting requirements. While the capacity of smaller businesses to participate may be limited, some opportunity for local supply chain involvement is anticipated.	> business owners and employees in Dubbo LGA	Low (possible, minor) Significance Positive Impact
Loss of Aboriginal cultural heritage	The updated Aboriginal cultural heritage tech memo found the proposed Modification involves only minor changes to the site boundary within already disturbed areas. It concluded that Aboriginal archaeological potential is generally low, no recorded sites are impacted, and the Modification does not alter the conclusions or management measures of the original assessment, which similarly found all recorded sites located outside the impact area with avoidance measures proposed.	> Traditional Owners > Aboriginal and/or Torres Strait Islander community	Low (unlikely, minor) Significance Negative Impact
Impacts to traffic conditions and feelings of safety during construction	The updated TIA found the proposed Modification would generate approximately 244 vehicle trips per day during construction, including 79 trips in both the AM and PM peaks. This increase is assessed as temporary and modest relative to the surrounding road network, with no measurable congestion or safety concerns anticipated. OSOM transport is considered feasible subject to appropriate traffic management measures. While the extended construction timeframe prolongs	> Nearby residents and road users	Low (possible, minor) Significance Negative Impact

Potential impacts	Description	Impacted Group	Impact Rating
	the period of exposure, overall traffic impacts remain limited. The social baseline identified limited indicators of potentially vulnerable groups in the local area, including a higher proportion of Aboriginal and/or Torres Strait Islander residents, a slightly elevated proportion of lone person households aged over 65, and a slightly higher rate of asthma prevalence. Changes to traffic conditions and perceptions of safety during construction are expected to be noticeable but limited.		
Impacts to amenity from construction noise	The updated noise impact assessment confirms very little change from the original findings, concluding that adverse amenity impacts during construction are unlikely provided work occurs within standard hours, and that residual acoustic and vibration impacts are expected to remain low and compliant with applicable criteria. Notwithstanding, the extended construction period prolongs the duration of temporary noise disturbance, which may affect comfort, daily routines and perceptions of amenity for nearby residents. The social baseline identified limited indicators of potentially vulnerable groups in the local area, which may influence how noise is experienced by some residents.	> Nearby residents	Medium (possible, moderate) Significance Negative Impact
Perceptions of risk associated with potential hazards	The updated preliminary hazard assessment considered the increase in battery storage capacity from two to four hours and found that all identified hazard scenarios are not expected to result in offsite impacts, with risks at the site boundary remaining within acceptable criteria. Notwithstanding the technical findings, perceptions of risk may still arise among nearby residents, contributing to stress, uncertainty or reduced confidence in the	> Nearby residents	Medium (possible, moderate) Significance Negative Impact.

Potential impacts	Description	Impacted Group	Impact Rating
	safety of the Project. The social baseline identified limited indicators of potentially vulnerable groups in the local area, which may influence how hazard-related concerns are experienced		

6.8.4 MITIGATION MEASURES

To address the impacts of the proposed modification, a list of revised and additional mitigation measure is proposed by the SIA and are listed below:

- > Continued emergency services engagement regarding emergency preparedness and response arrangements.
- > Provide clear fire safety and risk communication to nearby stakeholders to support understanding of Project hazards and emergency procedures.
- > Implement a local workforce plan to maximise local employment and reduce the need to accommodate non-local workers in the local area. Include targeted recruitment and communication measures to improve awareness of Project roles among local workers.
- > The Project would arrange for non-local workers to be housed in a dedicated accommodation facility in Wellington through an agreement with a local provider.
- > Provide clear, plain-language information to the community about the planning agreement with DRC and Energy Benefit Fund, including eligibility, timing and access arrangements
- > Continue engagement with relevant Aboriginal stakeholders regarding heritage management and chance finds procedures.
- > Management of complaints via an established complaints management system.
- > Ongoing communication with the community to keep residents updated on construction scheduling. This may include signage, notifications, and other appropriate communication channels. Provide advance notice of construction traffic changes and manage heavy vehicle and OSOM movements to minimise disruption and maintain road user safety.
- > Consult with DRC regarding governance and priority outcomes for planning agreement funding over the life of the Project.

With implementation of the proposed management and enhancement measures, residual negative impacts are expected to remain low or negligible, while positive impacts associated with employment and local business activity remain above medium significance.

On this basis, the Apsley BESS modification is unlikely to result in significant new or materially different social impacts compared with the approved Project

6.9 Cumulative Impacts

6.9.1 EXISTING ENVIRONMENT

A review of the major project portal for significant projects in the locality that could have the potential to lead to cumulative impacts are identified in **Table 13**. The locations of nearby major projects are depicted in **Figure 13**

The following projects could potentially coincide with the construction of the project during construction:

- > Suntop Solar Farm, 12km northwest, Approved, pending construction
- > Ungula Wind Farm, 16km northeast, Under construction
- > Wellington South BESS, 10km north, Approved, pending construction

6.9.2 APPROVED PROJECT

Projects considered by the approved EIS included:

- > Mumbil Solar Farm
- > Wellington BESS
- > Wellington Solar Farm
- > Suntop Solar Farm 2
- > Burrendong Wind Farm

The approved EIS assessed the construction of the project is considered unlikely to lead to cumulative impacts with other projects in the locality on the basis that the proposed BESS access does not share an access or in proximity with any other nearby major projects, and that the construction period is short (5 months) and all impacts are properly mitigated through management plans

Operational cumulative impacts are considered unlikely on the basis that the BESS is well separated from other noise generating developments and thus is unlikely to lead to any noise and visual impacts. The BESS is also being operated remotely so there are negligible social and traffic impacts,

6.9.3 PROPOSED MODIFICATION

An updated review of surrounding development activity has been undertaken for the purposes of this modification. Relevant projects within the surrounding region are identified in **Table 13** below, including projects considered at EIS stage that have been withdrawn or cancelled. Consideration of potential cumulative construction impacts as a consequence of the proposed Apsley BESS modification are limited to the traffic and social impacts.

As summarised in **Table 13**, and discussed further throughout **Section 6**, the key impacts to be considered relate to the social impacts of workforce accommodation, and the transport impacts of utilising the OSOM route of Port to REZ.

As discussed in **Section 6.8.3**, the construction workers for the Apsley BESS are expected to be 70% local workers, 20% non-local workers, and 10% remote workers. On this basis, workers accommodation is only required for a total of 20 workers during peak construction. The applicant has discussed an approach for worker accommodation with DRC and confirmed that DRC's preference is to engage with a local accommodation provider. The applicant has discussed the project needs for worker accommodation and has confirmed that accommodation can be provided in Wellington without impacting on tourist and visitor accommodation. It is

considered that the proposed workers can be accommodated within Wellington without resulting on cumulative social impacts on accommodation.

As discussed in the TIA and **Section 6.5.3**, there are projects in the Wellington area that may have construction overlap with the Apsley BESS. The heavy vehicles for OSOM components and construction materials for these projects predominantly originate from the Port of Newcastle. Consequently, these project movements are predominantly contained to the Golden Highway and Mitchell Highway. While it is unlikely that the peak construction periods for these projects and Apsley BESS will coincide, the TIA has undertaken an assessment of the combined traffic impact. The TIA concludes that while the cumulative peak vehicles per hour may temporarily increase traffic densities, the Mitchell Highway and the Golden Highway are designated heavy vehicle routes that are designed to accommodate these fluctuating traffic volumes, and that they are sufficient to absorb the potential cumulative load.

With consideration of the assessment undertaken in **Table 13**, and the discussion above it is concluded that the modified Apsley BESS is unlikely to result in any significant cumulative impacts.



Table 13 - Relevant surrounding developments

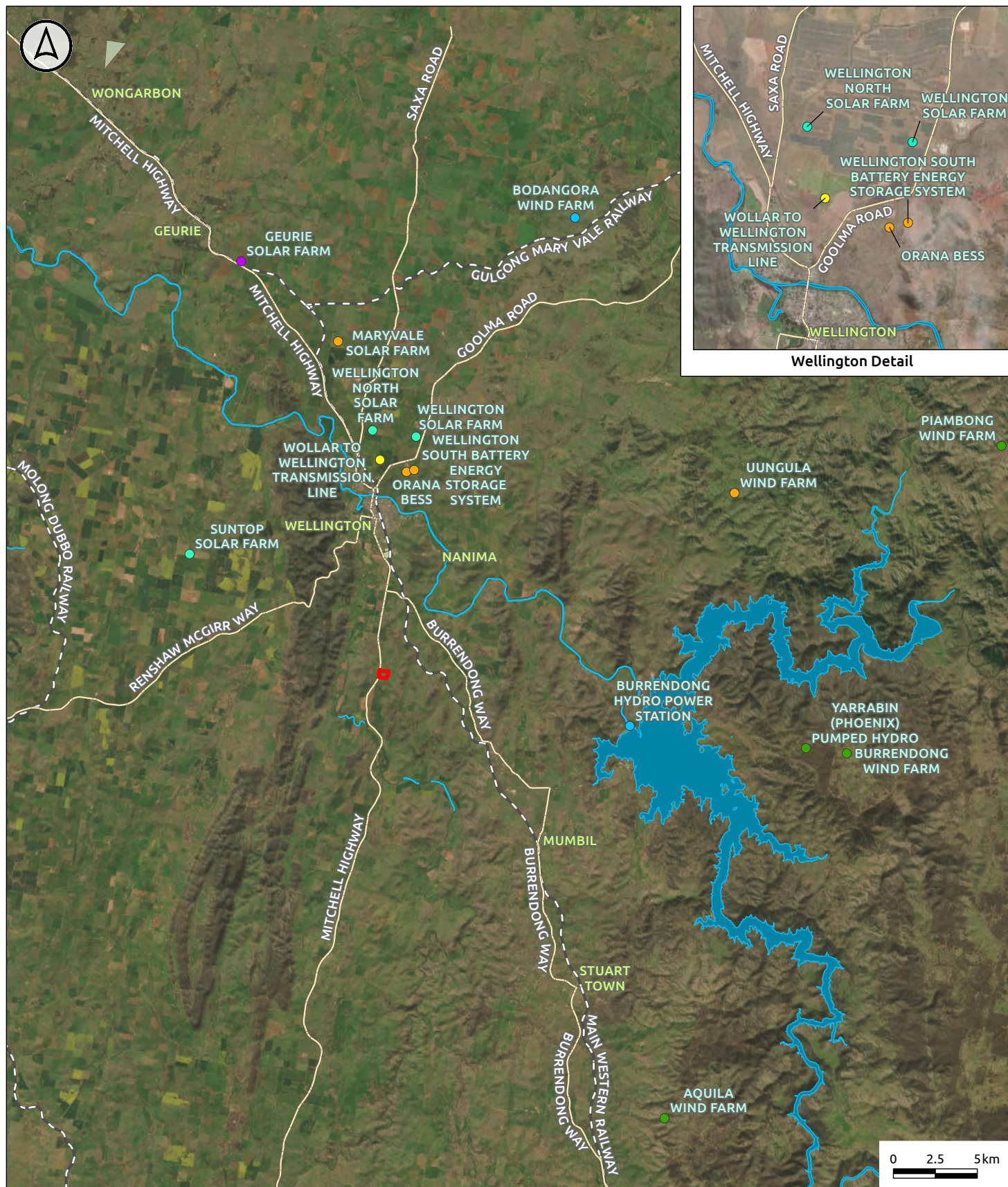
Projects	Approx. distance to project (refer to Figure 13)	Project Status/Indicative /Overlap	Potential overlap between impact of project on assessment matter and impact of other project on the same assessment matter							
			Relevant assessment matters							
			Social	Traffic and Access	Biodiversity	Noise	Heritage	Hazard	Visual	
Aquila Wind Farm (SSD-67667971)	25km south east	> Request for SEARS stage > Construction to commence within one year of project approval > 24 month construction period > 30 year operational life > Construction overlap unlikely. > Operational overlap expected.	> Up to 300 construction jobs at peak. > No construction overlap; impacts unlikely.	> Considering Port of Newcastle OSOM route via Golden Hwy and Wellington. > Access off Burrendong Way. > No construction overlap; impacts unlikely.	N/A	N/A	N/A	N/A	N/A	
Burrendong Wind Farm (SSD-8950984)	8 km east (18 km east to closest turbine)	> Response to submissions and prepare amendment report (correspondence identified a submission date for 27 June 2025) > Construction to commence within one	> Up to 280 construction jobs at peak. > Construction overlap unlikely; impacts unlikely.	> Materials/OSO M route from Port of Newcastle via Golden Hwy and Castlereagh Hwy. > 153 vehicle trips per day during construction.	N/A	N/A	N/A	N/A	N/A	

Projects	Approx. distance to project (refer to Figure 13)	Project Status/Indicative /Overlap	Potential overlap between impact of project on assessment matter and impact of other project on the same assessment matter							
			Relevant assessment matters							
			Social	Traffic and Access	Biodiversity	Noise	Heritage	Hazard	Visual	
		to five years of project approval > 18-24 month construction period > 30 year operational life > Construction overlap unlikely. > Operational overlap expected.		> Access off Yarrabin Road. > Construction overlap unlikely; impacts unlikely.						
Uungula Wind Farm (SSD-6687)	16km north east	> Under construction (early works and design). > Construction overlap expected for duration of Apsley BESS construction period. > Operational overlap expected.	> Up to 250 construction jobs at peak. > 12 Operational jobs. > Accommodation options include short term and rental accommodation in Wellington or workers accommodation .	> Materials/OSO M route from Port of Newcastle via Golden Hwy and Mitchell Hwy.	N/A	N/A	N/A	N/A	N/A	

Projects	Approx. distance to project (refer to Figure 13)	Project Status/Indicative /Overlap	Potential overlap between impact of project on assessment matter and impact of other project on the same assessment matter							
			Relevant assessment matters							
			Social	Traffic and Access	Biodiversity	Noise	Heritage	Hazard	Visual	
Suntop Solar Farm (SSD-8696)	12km north west	> Approved > Prepare mod report (BESS addition) > Construction overlap possible. > Operational overlap expected.	> Up to 250 construction jobs at peak > Accommodation within Wellington rental and short term accommodation	> Materials/OSO M to come from Newcastle or Sydney via Golden Highway.	N/A	N/A	N/A	N/A	N/A	
Orana Battery Energy Storage System (SSD-45242780)	10km north	> Approved > Under construction - Significantly underway, with BESS already on site. > Expected 2026 completion. > Construction overlap unlikely. > Operational overlap expected.	> Up to 150 construction jobs at peak. > No construction overlap; impacts unlikely.	> OSOM from South Australia > No construction overlap; impacts unlikely.	N/A	N/A	N/A	N/A	N/A	
Wellington South BESS (SSD-27014706)	10km north	> Approved > Under construction > Expected March 2027 completion.	> Up to 100 construction jobs at peak > Up to 2 operational jobs	> Materials/OSO M route from Port of Newcastle via	N/A	N/A	N/A	N/A	N/A	

Projects	Approx. distance to project (refer to Figure 13)	Project Status/Indicative /Overlap	Potential overlap between impact of project on assessment matter and impact of other project on the same assessment matter							
			Relevant assessment matters							
			Social	Traffic and Access	Biodiversity	Noise	Heritage	Hazard	Visual	
		> Construction overlap of 4 months expected. > Operational overlap expected.	> Project overlap unlikely to result in peak construction period overlaps; impacts limited.	Golden Hwy and Mitchell Hwy. > Traffic Management Plan identifies works during overlap limited to Transgrid works, commissioning and handover. > Construction overlap limited; impacts unlikely.						
Wellington Solar Farm (SSD-8573)	12km north	> Operational > Prepare mod report	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Wellington North Solar Farm (SSD-8895)	14km north	> Operational > Prepare mod report	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Maryvale Solar Farm	17km north	> Under construction > Expected early 2027 completion	> Up to 364 construction jobs at peak > Accommodation and	> Materials/OSO M to come from Newcastle or Sydney via	N/A	N/A	N/A	N/A	N/A	N/A

Projects	Approx. distance to project (refer to Figure 13)	Project Status/Indicative /Overlap	Potential overlap between impact of project on assessment matter and impact of other project on the same assessment matter							
			Relevant assessment matters							
			Social	Traffic and Access	Biodiversity	Noise	Heritage	Hazard	Visual	
		> Construction peak overlap unlikely. > Operational overlap expected.	Employment Strategy identifies potential overlap period limited to validation testing and project closeout. Projects unlikely to result in peak construction overlap.	Golden Highway. > Traffic Management Plan identifies potential overlap period limited to validation testing and project closeout. Projects unlikely to result in peak construction overlap.						
Bodangora Wind Farm	27km north	> Operational	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Mumbil Solar Farm	8.5km south-east	> Cancelled	N/A	N/A	N/A	N/A	N/A	N/A	N/A	



Premise

**ENERGY STORAGE PROJECT
NO 3 PTY LTD
Apsley BESS**

**Figure 13
Surrounding Developments**

7. JUSTIFICATION OF MODIFIED PROJECT

7.1 Need for the project

The modification seeks the increase of the battery duration in response to changes in supply chains. The expanded duration is accommodated within the approved design without significant change or impacts. The proposed modification is substantially similar to the approved project and maintains separation distance to sensitive receivers.

The construction programme is expected to extend to approximately 18 months, generating approximately 100 FTE construction jobs at peak. The expanded construction scope represents the efficient and responsible delivery of the project, consolidating what would otherwise require a future upgrade into a single construction programme and avoiding the community, environmental, and logistical costs of a second round of construction activity on an already-approved site.

Given other projects either proposed or under construction in the vicinity, the extended construction timeline may coincide with activity on nearby major projects.

Notwithstanding, the modification's impacts during construction remain consistent with those assessed and approved, and the rural setting and separation distances to sensitive receivers ensure that cumulative construction impacts on the community remain manageable. The facility will be unmanned and remotely monitored during operations.

Through an additional voluntary planning agreement, the community will see commensurate improvements in regional benefit relative to the approved project, including contributions to employment, local supply chains, and ancillary services such as food, accommodation, and tourism across the Wellington region.

7.2 Consistency of the Project with the Strategic Context

The NSW Government has recognised that the electricity system is changing. The Apsley BESS Mod 1 will assist with a safe, secure, reliable and diverse energy system in a manner consistent with the NSW Electricity Strategy.

The modified project will provide an additional two hours of storage capacity to the Apsley BESS, resulting in a positive impact to the NSW energy system.

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

7.3 Compliance with Relevant Statutory Requirements

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

Pursuant to the *Dubbo Local Environmental Plan 2022*, the development footprint is zoned RU1 – Primary Production.

Electricity generating works are permitted with consent in the RU1 zone pursuant to Section 2.36 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 (Infrastructure SEPP). While electricity generating works are prohibited within land zoned RU1 under the LEP, the Infrastructure State Environmental Planning Policy prevails to the extent of any inconsistency with any other planning instrument and thus the development is permissible.

Refer to **Section 4** of this report for a detailed assessment of the modification framework.

7.4 Economic, environmental and social impacts of the project

The proposed development is likely to have a net positive economic impact derived from creating local employment opportunities during the construction, operation and decommissioning phases, as well as by contributing to a safe, secure, reliable and diverse energy system.

The overall positive and negative environmental impacts of the modified project have been considered and are assessed as negligible in relation to Aboriginal cultural heritage, noise, traffic and hazards. The increased disturbance area associated with the amended project layout and access treatment design has resulted in changes to the biodiversity assessment; however, given the quality of the affected vegetation, the impact is not considered to be materially positive or negative. While the disturbance area has increased, the reduction in the number and size of battery units may result in a positive visual impact. On balance, the environmental impacts of the modification of the project are considered to be positive.

The unmitigated social impacts assessed in the SIA resulted in an overall impact significance of low to medium significance for both positive and negative impacts. . With implementation of the proposed mitigation measures and enhancement measures outlined in the SIA, residual negative impacts are expected to remain low or negligible, while positive impacts associated with employment and local business activity remain above medium significance

With consideration of the specialist reports relating to the project, the project has been sited and designed to minimise environmental impacts. Where environmental impacts cannot be entirely avoided new mitigation measures have been included.

7.5 Compliance Monitoring and Communication

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

7.6 Key Uncertainties

Due to the extent of technical studies undertaken during both the original application and the preparation of the modification application, and the mitigation measures proposed to address impacts of the development, there are no uncertainties with the project. All impacts can be adequately mitigated through the location and design of the BESS and associated infrastructure and on-going management practices and monitoring

7.7 Public interest

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

It also requires the consideration of the principles of ecologically sustainable development, discussed in **Section 7.8**. The ESD principles of intergenerational equity and the precautionary principle are engaged here in a positive sense. The Apsley BESS contributes to a safe, secure, reliable and diverse energy system, the benefits of which accrue to present and future generations through improved grid stability, energy affordability, and long-term energy security.



A secure and reliable electricity system underpins economic activity across NSW, supporting households, businesses and industry. Battery storage of the duration proposed by the modification directly contributes to this outcome by providing dispatchable firming capacity at periods of peak demand and system stress, reducing the risk of supply shortfalls and the economic and social consequences that follow. The modification therefore advances the public interest by strengthening the resilience and reliability of the electricity system in a manner consistent with the NSW Government's identified objectives of reliability, affordability and sustainability.

Considered in this context, the modification represents a net positive public interest outcome, contributing to the prosperity, stability and security of the energy system without generating environmental impacts beyond those already assessed and approved.

In summary, the modified development is considered to be in the public interest on the basis that it:

- > Offers an opportunity for productive and sustainable economic activity within the area;
- > Presents an opportunity to the local region to provide local employment opportunities;
- > Aims to reduce impacts to natural resources through minimising the land required to support energy supply;
- > Contributes to secure, reliable and diverse energy system.

7.8 Ecologically Sustainable Development

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

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

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

The core objectives of the NSES are:

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

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

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

7.8.1 PRECAUTIONARY PRINCIPLE

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

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

The project as modified provides supports the efficient storage and dispatch of electricity, contributing to grid stability, energy security and the reliable supply of electricity to the network. BESS play an increasingly important role in supporting the transition to a more flexible and resilient energy grid by firming supply and managing peak demand. The strategic context of the project, including its relationship to regional and strategic planning, is detailed in **Section 2**.

7.8.2 INTERGENERATIONAL EQUITY

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

All work would be carried out in accordance with the amended mitigation measures summarised in **Appendix B** to mitigate potential impact associated with biodiversity, noise and vibration, socio-economic considerations, traffic and transport, Aboriginal heritage, visual and hazardous materials.

The project supports the efficient storage and dispatch of electricity, providing grid firming and stability services that are essential to the reliable integration of new renewable energy generation into the network. By managing supply variability and supporting peak demand, the Project contributes to a more resilient and flexible electricity grid that serves the long term interests of energy consumers and the broader community for future generations. The development is therefore in the public interest. This is discussed in further detail in **Section 7.7**.

7.8.3 CONSERVATION OF BIOLOGICAL DIVERSITY AND ECOLOGICAL INTEGRITY

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

The BDAR prepared by Premise to support the modification application demonstrates a thorough and adequate assessment of prescribed, direct and indirect impacts to biodiversity as a result of the modification. The BDAR concludes that the modified development will result in minimal biodiversity impacts, subject to the implementation of recommend mitigation measures.

The mitigation measures in relation to biodiversity have been provided in **Appendix B**.

7.8.4 IMPROVED VALUATION, PRICING AND INCENTIVE MECHANISMS

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

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

7.9 Site Suitability

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

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



8. REFERENCES

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APPENDIX A

UPDATED PROJECT DESCRIPTION



Note

The following content includes the approved development description as provided in the EIS Amendment Report (dated 21 April 2023).

Amendments to the project description, required in response to the proposed modification are identified:

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



A. PROJECT DESCRIPTION

A.A 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.

A.B Project Area

The positioning of the project area in the north-western portion of the site is mainly driven by the following key factors:

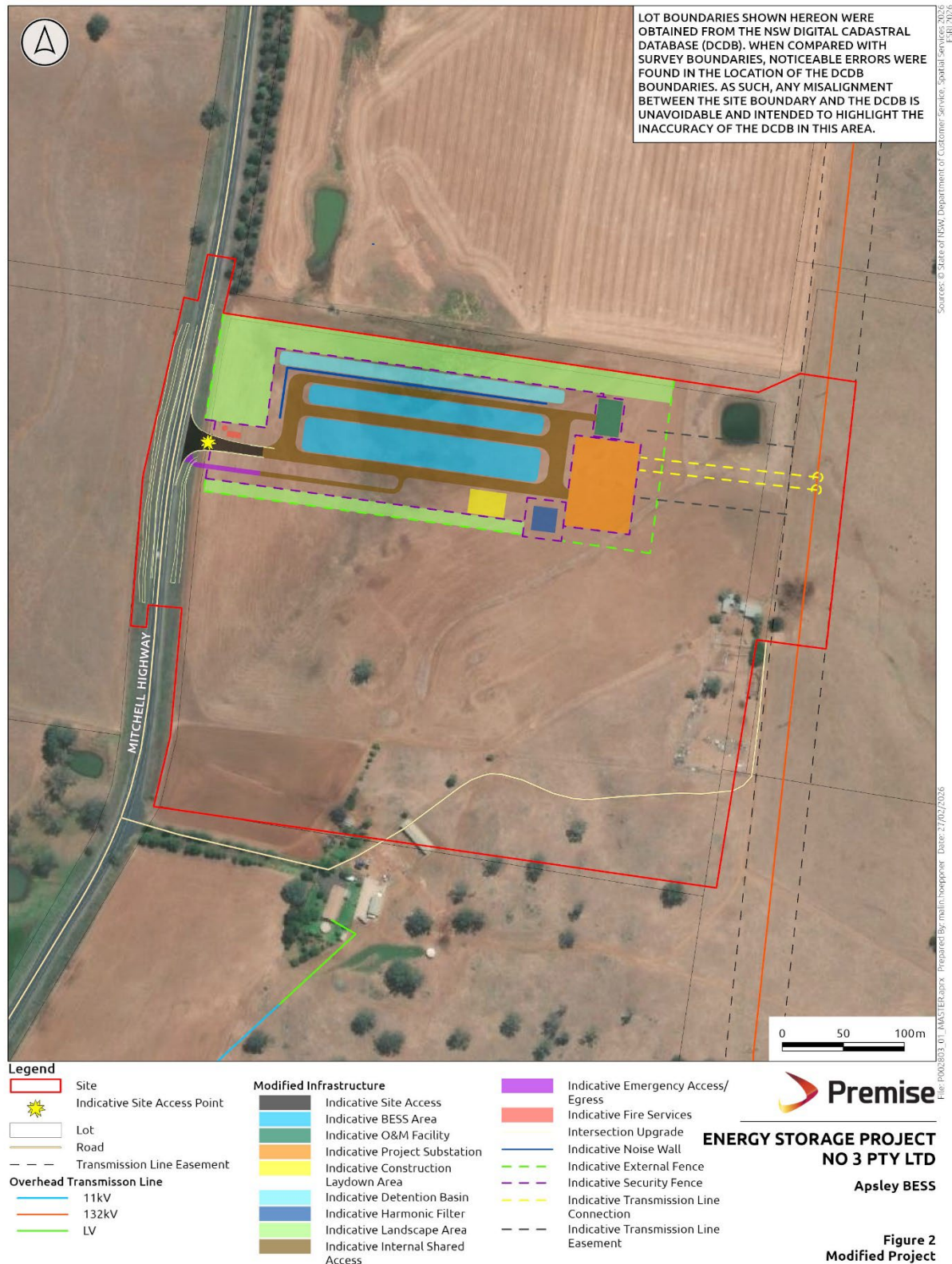
1. Access to existing Transgrid owned electricity infrastructure;
2. Proximity to the Mitchell Highway which provides access to Sydney (350 kilometres to the south-east) via Bathurst (150 kilometres to the south-east), Orange (90 kilometres to the south) and Molong (55 kilometres to the south) and provides access to Wellington (ten kilometres to the north), Dubbo (60 kilometres to the north-west and Bourke (430 kilometres to the north-west); and
3. Avoidance of alienation or fragmentation of agricultural land within the landholding through positioning in the corner of the site and suitably unconstrained project area with minimal environmental constraints.

The total area occupied by the proposed BESS is driven by two competing factors:

1. The area required to accommodate batteries and associated equipment to enable a capacity of up to 120 MWAC, 480 MWh, itself driven by the capacity of connecting infrastructure and demand for grid flexibility given an increasingly variable supply as the Central West REZ is established; and
2. Avoidance of unnecessary land-take and visual and acoustic impact.

Consequently, the portion of the area to be physically disturbed as a result of the BESS infrastructure and ancillary project components is approximately 6 hectares. As shown in [Figure 6](#), the area includes:

- > Basic Access Right (BAR) and Basic Access Left (BAL) property access to connect safely to the Mitchell Highway;
- > New driveway from Mitchell Highway leading to a gated entry to the BESS; and
- > Security fencing around the BESS with external landscaping ;including:
 - Four rows along the northern side of the security fence;
 - Two rows along the western and southern side of the security fence; and Approximately 20 metre-deep tree planting zone for a length of 150 metres along the Mitchell Highway boundary, including native tree species to match roadside planting character north of the site.
- > Permanent carpark and temporary (construction) loading zone adjacent to the western security fence;
- > 96 units of 20-foot battery containers, separated into blocks;
- > 20-foot inverter and MPVS containers, separated into rows;
- > A 132kV switching station in the north-eastern corner of the BESS site; and
132 kV transmission line to connect the BESS to the existing powerline to the east.



Sources: © State of NSW, Department of Customer Service, Spatial Services 2025
ESR 2026
File: P0002633_01_MASTER.dwg Prepared by: malin.borupper Date: 27/02/2026

Figure 1 – Modified Project

Figure 2
Modified Project

A.C Physical Layout and Design

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 BAR/BAL access treatment from Mitchell Highway leading to a gated entry to the BESS;
- > Security fencing around the BESS with external landscaping including:
 - Four rows along the northern side of the security fence;
 - Two rows along the western and southern side of the security fence; and
 - Approximately 20 metre-deep tree planting zone for a length of 150 metres along the Mitchell Highway boundary, including native tree species to match roadside planting character north of the site.
- > Permanent carpark and temporary (construction) loading zone adjacent to the western security fence;
- > 96 units of 200-foot battery containers, separated into blocks;
- > 20-foot inverter and MPVS containers, separated into rows;
- > A 132kV switching station in the north-eastern corner of the BESS site;
- > Underground or overhead 132kV transmission line to connect the BESS to the existing powerline 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).

A.C.A GROUND DISTURBANCE

There will be concrete foundation work required to support the containerized battery and inverter. Foundation depth will be subject to the detail structural design at EPC stage.

There will be underground cable trenches between Battery and MVPS, and between MVPS and the switching station.

The construction of the internal access driveway and the internal perimeter road (from entrance to the switching station), will require the stripping of approx. 200mm-300mm topsoil.

Ground disturbance will include:

- > Grass slashing, and removal of rock and timber debris as required in preparation for construction;

- > Construction of internal access tracks;
- > Concrete foundations for the inverter stations, BESS, substation componentry and O&M building;
- > Trenches for the installation of cables;
- > Establishment of temporary staff amenities and offices for construction; and
- > Construction of perimeter security fencing.

Aside from the footprint of permanent infrastructure, any disturbed areas would be restored to pre-development or improved conditions post-construction.

A.C.B INVERTER STATIONS

Inverter stations would be installed and located at regular intervals across the site. Each would contain an inverter and a transformer. The inverter stations (containerised) would measure up to approximately 13 metres-long by 3 metres-wide by 3 metres-high.

A.C.C UNDERGROUND CABLING

Underground cabling would be designed in accordance with the relevant Australian and international standards and manufacturer's specifications and installed in trenches.

A.C.D TRANSMISSION LINE

The electrical connection from the BESS would be via two runs of approximately 100 metres of 132kV powerline running entirely within the site to the existing 132kV line running approximately north-south in the eastern portion of the site. If overhead, the powerline would be installed on 15 to 35 metre-high steel, wood or concrete poles. Any future vegetation growth within the easement would be maintained to mitigate fire risk and allow safe operation of the powerline.

A.C.E SWITCHING STATION

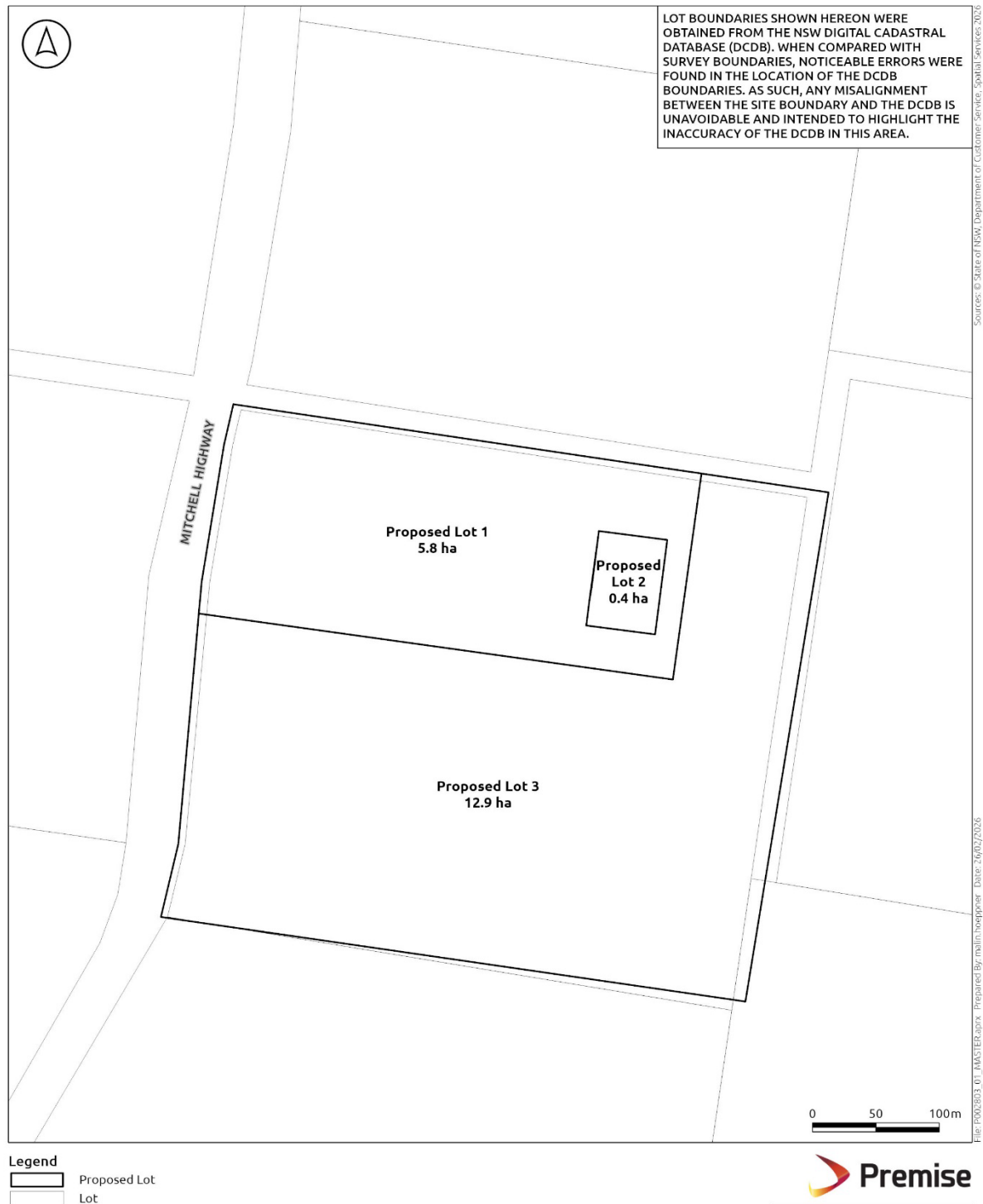
A switching station would be located in the eastern extent of the site.

A.C.F SUBDIVISION

In order to facilitate the dedication of the switching station to Transgrid it may be required to subdivide the land to create a separate land parcel hosting the switching station. It may also be necessary to create a lot to accommodate the battery infrastructure to enable the long term lease of the land. As such, subdivision of the land to create a switching station lot (approximately 0.4 ha), and a battery lot (approximately 5.8 ha) is proposed, together with a residue lot, which would accommodate residue land – refer **Figure 9**. Access to the switching station lot would be provided via an easement from the main entrance to the Mitchell Highway.

It is also possible that the management of these areas could be progressed as a lease of premises, which would negate the need for subdivision. As the final delivery method has not yet been determined, both project pathways are proposed as part of this application, thus ensuring that all potential project impacts are clearly identified and assessed.





**Figure 9
Modified Subdivision**

Figure 8 - Subdivision layout

A.C.G ACCESS AND INTERNAL TRACKS

An approximately four (4) metre wide compacted gravel internal access track would be constructed from the Mitchell Highway frontage, to enable access throughout the site during construction and operational life of the project.

A.C.H ANCILLARY FACILITIES AND CONSTRUCTION COMPOUND

Ancillary facilities include:

- > Material laydown areas;
- > Temporary construction site offices;
- > Vehicle parking areas for construction workers' transportation;
- > Staff amenities including sanitary modules with chemical toilets, water tank, changing rooms, eating area, administrative office, undercover storage area, emergency muster point, and genset for electricity supply, providing capacity to accommodate up to 50 staff on-site; and
- > Parking for staff and visitors.

A.C.I SECURITY FENCING

The perimeter of the site is to be fenced with up to three (3) metre-high security fencing along the site boundaries. It is expected that chain-link fencing with strands of barbed wire at the top would be used. Double gates are to be installed at the access point to the site.

A.C.J WATER DEMAND

Water demand during construction would be limited to that required for dust mitigation and/or moisture conditioning of material, as well as a potable supply for construction staff. The former will be sourced from a legal supply source, including farm dams on-site (if available) and/or commercial water suppliers.

There is no intent or need for any volumetric water licencing requirement. No water entitlement is needed or required to be purchased.

The quantity of water required for dust mitigation during construction can only be roughly estimated. Ultimately, it will be determined by the detailed design, the EPC contractor's approach to the construction program and the climatic conditions experienced at the time the works are undertaken. Assuming a maximum daily use, in excessively dry and windy conditions, would be 80 kL, and that these conditions are experienced 50% of the time during the peak 2 month construction when trenching and excavation occurs, this equates to 1.2 ML. This requires approximately 18 x 27 kL bulk tankers. By reference to the traffic assessment and the 18-week peak construction program, this equates to just under 1.5 trucks per week. This is less than one per day and will be accommodated within the projected maximum traffic movements.

Potable supply will be provided through bottled water.

Dry port-a-loos would be provided for amenities throughout construction minimising water demand and negating the need for on-site domestic sewage treatment.

A.D Sequencing

The project does not propose staging or phasing, with the full extent of the project to be developed via a single construction program.

The construction program is anticipated to occur over an approximately 18 month period, with approximately two (2) week shoulder mobilisation and demobilisation periods, and a peak 3 month construction period.

A.D.A CONSTRUCTION

A.D.A.A Construction Activities

As noted above, it is anticipated that the construction and commissioning phase will last approximately 18 months. The main construction activities include:

- > Developing the property access treatment to enable site access from the Mitchell Highway;
- > Transport of construction personnel, vehicles, and materials to and from site on a day-to-day basis, depending on construction schedule;
- > Establishing works including vegetation clearing, minor earthworks, construction of temporary construction compound and access roads;
- > Installation of underground cabling (trenching) and installation of batteries and inverter stations;
- > Constructions of the 132kV transmission line and switching station to facilitate interconnection with the existing Transgrid owned 132kV lines in the eastern portion of the site; and
- > Removal of temporary construction facilities, and rehabilitation of disturbed areas.

A.D.A.B Hours of Operation

Works are to be undertaken during standard working hours:

- > Weekdays: 7am to 6pm
- > Saturday: 8am to 1pm
- > Sundays and public holidays: no work

Relevant authorities would be consulted in the unlikely event that construction is required to be undertaken outside of the above-described hours. If a permit to conduct work outside of the above hours is granted, neighbouring residents will be notified in advance to minimise the impact.

Any night lighting required during construction would be directed away from native vegetation, surrounding streets, and neighbouring properties.

A.D.A.C Personnel

It is anticipated that up to 100 construction personnel would be required on site during the peak construction period (approximately 18 months). Construction supervisors and the construction labour force, made up of construction labourers and technicians, are to be hired locally where possible. Workers would be accommodated in existing third party owned accommodation in Wellington, Dubbo and Orange where possible.

Equipment used during construction is anticipated to include earth-moving equipment for civil works, diesel generators, trucks, and cranes.

A.D.A.D Materials and Equipment

The following materials will be transported to site (quantities are approximate):

- > Gravel for work and service tracks, inverter stations, peripheral backfill and compaction;

- > Sand for inverter stations and burying of cables into 500 metres of trenches;
- > Metal for the inverters and containers;
- > Concrete for the inverters, substation, and maintenance building foundations;
- > Water for dust suppression, depending on weather conditions; and
- > Drinking water, which would be sourced locally and stored using a suitable food grade water-tank.

A.E Operation

Once operational, activities are to include daily routine operations and maintenance by up to [six \(6\)](#) personnel, including:

- > Routine visual inspections, general maintenance and cleaning operations;
- > Vegetation management within the compound;
- > Site security; and
- > Replacement of equipment and infrastructure as required.

During operation, it is likely that no vehicles will be present on the site on a permanent basis with only occasional visits by standard vehicles.

Any maintenance operations are to be undertaken during standard working hours (unless emergency works are urgently required):

- > Weekdays: 7am to 6pm
- > Saturday: 8am to 1pm
- > Sundays and public holidays: no work

Night lighting used through the BESS during operation for security and safety purposes is to be directed away from surrounding road network, and neighbouring properties.

A.F Decommissioning

After an anticipated 30 years of operation, all above ground infrastructure would be removed. Key elements of decommissioning include:

- > Removal of site amenities and equipment for recycling or reuse;
- > Removal of battery containers and inverters for offsite reuse or disposal;
- > Removal of fencing including small concrete footings; and
- > Rehabilitation of disturbed soils in consultation with the landowner with the aim of meeting pre-construction land capability.

The transmission line connecting to the 132kV switching station will be decommissioned if owned by the project, or may continue to be operated by the electricity supply authority for public power supply if owned by Transgrid. In the event that the decision is made to decommission the transmission line above ground infrastructure and posts would be removed and the land would be returned to its pre-construction condition. As the switching station will be constructed by the project, but gifted to Transgrid and will form an integral part of their holistic network, it is very likely that the switching station will remain in situ at the end of the project life.

In consultation with the landowner, above ground concrete slabs would be left in place where they do not impact agricultural viability. Cables deeper than 500mm may also be left in place to reduce impact on land capability.

Traffic required for decommissioning would be similar in type but of shorter duration than that anticipated during the construction phase.

APPENDIX B

UPDATED MITIGATION MEASURES TABLE



Note

The following content includes the approved mitigation measures as provided in the EIS Amendment Report (dated 21 April 2023).

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

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

Impact area	Phase	Mitigation Measures
Biodiversity	Pre-construction	> A pre-clearing protocol will be implemented to minimise potential indirect impacts on native fauna species (focusing on threatened species). > Prior to construction, site inductions and toolbox talks will occur to identify the clearing boundary, the presence of adjacent remnant vegetation to be retained (i.e., hollow bearing <i>Eucalyptus albens</i> tree and native plantings approximately 50 m and 10 m north of the Subject Land, respectively), areas of vegetation to be removed (i.e., VZ1 and Category 1 – Exempt Land) and biodiversity sensitive areas to be avoided (i.e., Tree Protection Zones [TPZ]). > At least seven (7) days prior to clearing commencement, the local veterinary practice will be alerted to the clearing event and must be willing to accept wildlife. > Pre-clearing surveys of woody vegetation within 100 m of the Subject Land (i.e., <i>Eucalyptus albens</i> hollow bearing tree and native plantings) are to be undertaken by an Ecologist with a wildlife handling license. A fauna management strategy is to be implemented if fauna is identified on or within 100 m of the Subject Land including: • Notify the appropriate wildlife rescue agency. • The wildlife rescue agency representative is then responsible for the animal. • Work is only to re-commence at the discretion of the site supervisor after consultation with the rescue agency or Ecologist. > At least seven (7) days before clearing, temporary exclusion fencing will be implemented to demarcate TPZ to avoid inadvertent damage to areas outside the disturbance area. Measures include: • The TPZs will include a 9.6 m buffer around the hollow bearing <i>Eucalyptus albens</i> tree approximately 50 m north of the Subject Land, and a 6 m buffer around the native plantings approximately 10 m north-east of the Subject Land. • TPZ would be restricted to the road reserve • Clear and visible signage is to be appropriately located to communicate excluded areas. > Temporary exclusion fencing would be retained for the duration of construction in the Mitchell highway road reserve.

Impact area	Phase	Mitigation Measures
Biodiversity (timing of works)	Construction	> Avoid vegetation clearing during the breeding season for most species (i.e., September-November), where possible. > Limit works to continuous blocks of no more than three hours, with at least a one hour respite between each block of work. > Avoid vegetation clearing immediately prior to storms (i.e., high winds, lightning). > Limit construction works to within standard construction hours to limit inadvertent indirect impacts on surrounding resident fauna and habitat due to noise, dust and light spill. > Implement 40 km per hour speed limits during construction within the Mitchell Highway road reserve.
Biodiversity	Throughout	> Weed management control measures will include: • Identification of outbreaks of priority weeds, High Threat Weeds (HTW) or Weeds of National Significance (WONS) within the Subject Land and application of herbicides to as per the NSW Department of Primary Industries guidelines. • Limit weed spraying to during suitable weather conditions (i.e., low winds and periods of no rainfall). > Maintain a record of chemical use and conditions during application.
Heritage	Throughout	> No further Aboriginal archaeological investigations are proposed. > The development must avoid the two isolated finds located within the study area (Apsley IF-1 and Apsley IF-2) as per the proposed development footprint in this report. A minimum 10m buffer around each isolated find is appropriate, marked by demarcation fencing, to ensure no accidental access during construction. > No impacts are to occur to previously recorded sites located immediately north of the study area (AHIMS #36-4-0082 and #36-4-0083). A 20 10 metre buffer is to be provided around these sites, marked by demarcation fencing, to ensure no accidental access during construction. > Aboriginal cultural heritage within the study area will be managed by an Aboriginal Cultural Heritage Management Plan (ACHMP) that will be developed following project approval in consultation with the RAPs and Heritage NSW. The ACHMP will contain the recommendations of this report, as well as an unanticipated finds protocol, procedures to manage unexpected discoveries of human remains, > No recorded sites will be impacted. Given that these sites are low-density artefact scatters and isolated finds, their scientific significance is low, and the recording and collection of visible artefacts is considered to be sufficient mitigation with regard to the proposed impact. > An unexpected finds procedure would be implemented as part of the management considerations for Aboriginal Cultural Heritage. unexpected finds policy should be included as part of the proposed

Impact area	Phase	Mitigation Measures
		ACHMP. If unanticipated Aboriginal objects are uncovered during works, all work in the vicinity should cease immediately. A qualified archaeologist should be contacted to assess the find and Heritage NSW and Wellington LALC must be notified. > All impacts must remain within the assessed study area or further archaeological investigation may be required.
Soils	Throughout	> Minimise soil disturbance and excavation where possible; > Minimise mixing of soil layers where practical; > Retain and stockpile all disturbed or excavated soil; > Ameliorate any excavated and/or stockpiled soils in accordance with advice obtained from the NSW Soil Conservation Service; > Consider soil amelioration with lime and/or gypsum prior to reinstatement and/or as part of decommissioning; > Return stockpiled soil to its original location (where possible) as soon as reasonably practicable; > Ensure topsoil and subsoils are stockpiled separately and returned in order; > Minimise overworking of the surface soils (in-situ, in excavation, stockpiling and reinstatement); > Reinststate topsoil where possible where excavation occurs; > Minimise vehicular traffic induced compaction where practical; > Minimise stock compaction by excluding livestock during construction, minimising stocking rates and/or minimising the risk of stock coinciding with wet topsoil conditions > Minimise infrastructure induced compaction where possible (spread loads etc.); > Maintain and maximise vegetative cover where possible to help protect surface soils; > Employ practices which maintain/increase soil organic matter levels such as maintaining grass cover where practical, minimising soil disturbance and the retention/incorporation of any cleared vegetation or organic matter as soon as reasonably practicable; > Avoid bare (fallow) soil surface where practical; > Whilst good weed control should be implemented, retention of less detrimental weeds may help maintain vegetal of cover and/or increase soil organic matter levels; > Minimise the exposure of subsoil layers particularly to rainfall/surface water run-off impacts; > Implement excess surface water controls to minimise collection/concentration of mobile surface water; > Implement practices to minimise sediment mobilisation and/or sediment capture;

Impact area	Phase	Mitigation Measures
		> Minimise site activities and soil disturbance during wet weather conditions where possible; > Ensure that the sodic soils, which include all layers of the Brown Plastic Soil (to a depth of 1.0+m), are clearly identified and not mixed with other soils; > Regularly monitor soils for potential adverse impacts and if and when identified, implement appropriate mitigation or remediation actions; > Implement construction and/or site rehabilitation and revegetation in accordance with an appropriate landscape, revegetation or rehabilitation plan prepared by a suitably qualified professional; > Ensure rehabilitation is undertaken progressively to minimise the total disturbance area at any one time; > Prepare an appropriate decommissioning management plan which aims to minimise adverse soil impacts and aims to return the site to preconstruction land and soil capability (or better); and > The decommissioning management plan should determine soil conditions prior to decommissioning to ensure any existing soil conditions and/or adverse impacts, which may have changed/developed throughout the life of the development, are catered for.
Surface Water	Pre-construction	> An ESCP and SWMP are to be provided during the detailed design phase in accordance with the recommendations of the LUCRA (refer to Section 6.2.1 of that document) to ensure that runoff from the site has acceptable impacts to neighbouring properties.
Biosecurity	Throughout	> Preparing a Weed Management Plan in accordance with the Central West Regional Strategic Weed Management Plan and <i>NSW Biosecurity Act 2015</i> and in consultation with DRC, NSW DPI and the landowner; > Restricting vehicle movements by establishing and using formed access tracks; > Use of vehicle wash down stations to prevent the transport of weeds and pathogens to and from the project area; > Ensure all waste containers are covered to prevent pest animal access to food waste, and ensure waste is regularly removed from the site; > Establishing and maintaining perimeter fencing to minimise pest animal access to the project area; > Conduct routine monitoring for pest species and implement control measures if required, and in accordance with industry best practice; > Prepare and effectively implement construction, operation and decommissioning management plans that incorporate all mitigation measures in this EIS; and > Ensuring any imported fill has appropriate chains of custody and testing to limit the potential for the introduction of diseases.

Impact area	Phase	Mitigation Measures
Fire	Construction	> Prior to construction commencing the EPC contractor will engage with Wellington RFS local brigade and details about the construction schedule, contact numbers and site access arrangements will be shared. > Five (5) 10 kL tanks, being Static Water Supplies dedicated exclusively for fire-fighting purposes, will be located strategically around the site and appropriately plumbed for the duration of construction. > The fuel load over the site prior to and during construction will be monitored and reduction measures implemented as required. These measures will be restricted to mechanical slashing or stock crash grazing. > The following work practices would be implemented throughout construction: • No burning of vegetation or any waste material would take place on site; • Fire extinguishers will be available in all vehicles; • During the Bush Fire season (October to March) the fire danger status would be monitored daily (through the RFS website http://www.rfs.nsw.gov.au) and communicated to personnel; • Total Fire Ban rules will be adhered to. That is, the EPC contractor will not: > (in any grass, crop or stubble land) drive or use any motorised machine unless the machine is constructed so that any heated areas will not come into contact with combustible matter; > carry out Hot Works (eg. welding operations or use an angle grinder or any other implement that is likely to generate sparks), unless the necessary exemption from the RFS Commissioner has been obtained and work complies with all requirements specified in the exemption; and > Any fuel or flammable liquid would be stored in a designated area and will be sign posted "Fuel Storage Area."
Fire	At all times	> This Bush Fire assessment assumes that the recommended 10m APZ would be managed to the prescribed APZ (IPA) standards e.g., fuel free (sand, gravel, concrete) or short mown grass <10cm high. There are no known environmental constraints to the ongoing management of the APZ to this standard, noting that management does not impact on any mapped drainage lines. > An asset protection zone (APZ) (with a 10m Inner Protection Area) together with a minimum 10,000 litre water supply (tank) for Bush Firefighting purposes to be constructed as the first stage of development. > The BESS and associated infrastructure will be constructed to the general fire safety provisions of the National Construction Code (NCC).

Impact area	Phase	Mitigation Measures
		> Permits for hot works (e.g., grinders, welders, slashers) will be obtained and no hot works will occur on Total Fire Ban Days. > Essential equipment would be designed and housed in such a way as to minimise the impact of bush fires on the capabilities of the infrastructure during bush fire emergencies. It would also be designed and maintained so that it will not serve as a bush fire risk to surrounding bush. Substations and other new building will be constructed to comply with Australian Standard AS 3959- 2018 Construction of buildings in Bush Fire-prone areas, commensurate with the modelled Bush Fire attack levels. > As the site does not have access to a reticulated water supply, a static supply of water is to be supplied on site for fire-fighting purposes; meeting the following requirements: • Be strategically located within the site to ensure accessibility, (e.g., adjacent to the existing vehicle access road and adjacent to the planned BESS). • Have a capacity of 50,000-80,000 litres; • Be made of steel or concrete; • The tanks should incorporate fast fill options and easily accessible fill points such as 65mm Storz fittings for hydrant stands or direct link to tanks; and • Hardstand access capable of supporting weight and turning capacity for a fully loaded fire truck (23 tonne) should be provide at the tank location. > Overhead connection for the BESS to the grid will be installed to meet the following PBFP requirements: • Short pole spacing preferred (30m); and • No part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines. > The proposed property access is to be constructed to the following standards: • The property access road is to be two-wheel drive, all weather, with a road surface capable of carrying a fully loaded firefighting vehicle (up to 23 tonnes). • Any bridges and causeways are to clearly indicate the load rating. • The access road can be sealed or unsealed. Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads. • Access is to be provided to hydrants that are provided in accordance with the relevant clauses of AS 2419.1:2005 • OR

Impact area	Phase	Mitigation Measures
		- There is to be a suitable access for a category 1 fire appliance to within 4m of the water tank where no reticulated water supply is available. - The access road is to be provided with a turnaround provision of 22m diameter or a 'T' junction at the position of the dedicated water supply tank. - The road is to be a minimum 4m carriageway width and have a minimum 4m vertical clearance to any overhanging obstructions, including tree branches. - The access road must provide a passing bay every 200m that is 20m long x 2m wide, making a minimum trafficable width of 6m at the passing bay. Curves in the access road are to have a minimum inner radius of 6m and are to be minimal in number to allow for rapid access and egress. - The access road has a crossfall less than 6 degrees.
Fire	Fire Safety Study	> A comprehensive Fire Safety Study (FSS) will be developed in accordance with the requirements of Hazardous Industry Planning Advisory Paper (HIPAP) No.21 and to meet the operational requirements of FRNSW. > The FSS will consider the operational capability of local fire agencies and the need for the facility to achieve an adequate level of on-site fire and life safety independence. The FSS would consider worst-case fire scenarios including a full BESS unit fire and demonstrate no fire propagation within the facility. > The FSS will be submitted, reviewed, and meet the operational requirements of FRNSW prior to any further submission being made to FRNSW; this includes: an Initial Fire Safety Report (IFSR) and / or Performance-Based Design Brief / Fire Engineering Brief Questionnaire (FEBQ).
Fire	Detailed design	> As detailed design progresses, equipment suppliers are selected, and the BESS layout is refined, it is proposed to further consult with both the RFS and FRNSW. The intention of this consultation will be twofold. - To provide detail on the technology proposed and the proposed farm layout to allow (if necessary) design refinement to incorporate any specific requirements the RFS/FRNSW may have; and - To provide the requisite information that will be needed to prepare an Emergency Response Plan (ERP). > In terms of design principles to minimise risk, the layout will be designed to: - provide a defensible space around infrastructure; - ensure that appropriate access, egress and manoeuvrability within the facility is provided for first responders; - provide for ongoing management and maintenance of bush fire protection measures; and

Impact area	Phase	Mitigation Measures
		ensure that services are adequate to meet the needs of firefighters.
Fire	Construction	> Prior to construction commencing the EPC contractor will engage with Wellington RFS local brigade and details about the construction schedule, contact numbers and site access arrangements will be shared. > Five (5) 10 kL tanks, being Static Water Supplies dedicated exclusively for fire-fighting purposes, will be located strategically around the site and appropriately plumbed for the duration of construction. > The fuel load over the site prior to and during construction will be monitored and reduction measures implemented as required. These measures will be restricted to mechanical slashing or stock crash grazing. > The following work practices would be implemented throughout construction: - No burning of vegetation or any waste material would take place on site; - Fire extinguishers will be available in all vehicles; - During the Bush Fire season (October to March) the fire danger status would be monitored daily (through the RFS website http://www.rfs.nsw.gov.au) and communicated to personnel; - Total Fire Ban rules will be adhered to. That is, the EPC contractor will not: > (in any grass, crop or stubble land) drive or use any motorised machine unless the machine is constructed so that any heated areas will not come into contact with combustible matter; > carry out Hot Works (eg. welding operations or use an angle grinder or any other implement that is likely to generate sparks), unless the necessary exemption from the RFS Commissioner has been obtained and work complies with all requirements specified in the exemption; and > Any fuel or flammable liquid would be stored in a designated area and will be sign posted "Fuel Storage Area." > A register will be maintained that confirms the quantities and location of any flammable material stored on-site.
Fire	Prior to operations	> Given the potential for electrical hazards associated with an energy generating facility, and potential risks to firefighters, both FRNSW and the RFS must be able to implement effective and appropriate risk control measures when managing an emergency incident in order to safely mitigate potential risks (including electrical hazards and venting electrolyte) to firefighters. > The detail required to prepare this plan will be contingent on the equipment proposed and the BESS layout and services. These

Impact area	Phase	Mitigation Measures
		features would have been communicated to and refined in consultation with both RFS and FRNSW during detailed design. As such, the operator of the Apsley BESS will have had the information required to prepare an Emergency Response Plan (ERP) prior to commencement of operations (ie. export of electricity into the grid).
Fire	Emergency Response Plan	> The ERP will detail the appropriate risk control measures that would need to be implemented in order to safely mitigate potential risks to the health and safety of firefighters, including electrical hazards. These measures would include the level of personal protective clothing required to be worn, the minimum level of respiratory protection required, minimum evacuation zone distances and a safe method of shutting down and isolating the BESS (either in its entirety or partially, as determined by risk assessment). The ERP would also include any other risk control measures that may need to be implemented in a fire emergency due to any unique hazards specific to the BESS. > Two copies of the ERP would be stored in a prominent Emergency Information Cabinet located in a position directly adjacent to the site's main entry. > The operator of the Apsley BESS would then make contact with the relevant local emergency management committee (LEMC) and provide a copy of the ERP.
Bush Fire	During operations	> The fuel load over the Apsley BESS property will be constantly monitored and fuel load reduction measures implemented as required. These measures will be either mechanical slashing or crash grazing (sheep). Procedures for ensuring this outcome and demonstrating active management of the fuel load will be specified in the OEMP.
Access, Transport and Traffic	During construction	> Recommendation 1: a rural Basic Left (BAL) type treatment is required at the Mitchell Highway/site access intersection for the construction phase of the development > Recommendation 2: a rural Basic Right (BAR) type treatment is required at the Mitchell Highway/site access intersection for the construction phase of the development > Recommendation 3: the development access point should be constructed generally per the 2-dimensional strategic design plan attached to this report.
Noise and Vibration	Construction	> Limiting the type and scale of concurrent activities undertaken close to sensitive receptors where possible; • Using broad band reversing alarms on all mobile plant and equipment; • Examine different types of machines that perform the same function and compare the noise level data to select the least noisy machine; • Operating plant in a quiet and efficient manner;

Impact area	Phase	Mitigation Measures
		• Reduce throttle setting and turn off equipment when not being used; and • Regularly inspect and maintain equipment to ensure it is in good working order including checking the condition of mufflers. > It is recommended that during any work generating high noise levels that have impulsive, intermittent, low frequency or tonal characteristics, consultation with sensitive receptors occurs regularly. > In addition, piling activities which are predicted to exceed 50 dB(A) at any sensitive receiver must only be undertaken: • between the hours of 7:00am and 6:00pm Monday to Friday; and • between the hours of 8:00am and 1:00pm Saturday; • in continuous blocks of no more than three hours, with at least a one-hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers.
Noise and Vibration	Operation	> Noise barriers varying in height (3.5 to 4.5 m) at least 3.8 above ground level are proposed as shown in Figure 2. In order to be effective, the acoustic barrier would need to be free of gaps and be constructed of material with a mass density greater than or equal to 12 15 kg/m² excluding structural components, and achieves a minimum acoustic rating of Rw 25. > Two of the barriers are cantilevered 0.5m north at an angle of 45 degrees; > A 5 m buffer zone between the battery containers and the barriers should be implemented. > Noise barriers will be constructed as per Figure 2 in the project NIA modification report. > The noise barriers may be constructed with one of the following materials: • fibre cement, • precast concrete panels, • lightweight aerated concrete panel, • masonry (bricks/blocks), • or a combination of any of the above
Visual Impacts	Throughout	> 20-metre wide area of screening vegetation along northern side of the security fence, (assume four offset rows including two rows of native trees and shrubs such as Callistemon sp. and Casuarina sp. or similar, and two rows of shrubs, such as Acacia sp.), located within the project site. > Five-metre wide screening vegetation along the western and southern side of the security fence (assume two offset rows of small trees such as Callistemon sp. and Casuarina sp. or similar, and shrubs, such as Acacia sp.), located within the project site.

Impact area	Phase	Mitigation Measures
		> Tree planting along western site boundary, about 20 metres wide x 150 metres long, along the Mitchell Highway, including native tree species to match roadside planting character north of the site, located within the project site. > Planting in the proposed screen planting areas would be laid out in a staggered arrangement and at a density to achieve an overlap between plant foliage and the screening effect. Fast growing, native plant species are recommended, preferably in tube stock size, for quick establishment and long-term health. > There would be a 12-month establishment and 24-month monitoring period to ensure establishment of the proposed planting areas. The proposed planting would be subject to ongoing maintenance as a part of the operations phase of the BESS project.
Waste	Pre-construction	> A waste management plan is to be provided as part of the CEMP, identifying opportunities to minimise waste and maximise opportunities recovery and reuse of waste generated on-site.
Air and Microclimate	During construction and decommissioning	> A water cart (truck) would be utilised routinely, wetting all access roads and exposed dusty surfaces as appropriate to the conditions of the site. > Stockpiled topsoil and other materials that exhibit significant dust lift off would be wet down routinely and as appropriate. > Stabilising techniques and/or environmentally acceptable dust palliatives will be utilised if the wetting down of surfaces prove to be ineffective.
Air and Microclimate	During operation	> Any area that was temporarily used during construction would be restored back to original condition or re-vegetated with native plants. > Areas that may not have been hard packed but have been disturbed in some form would be vegetated with seeds native to the area.
Technological Hazards	Pre-construction	> Design of the BESS will ensure that the following requirements are met: • End-to-end spacing (short side) of BESS containerised units shall be a minimum of 600 mm • Back-to-back spacing (long side) of BESS containerised units shall be a minimum of 150 mm • Spacing between BESS container accumulations (i.e. 4 containerised units) shall be a minimum of 2.5 m. • Prior to construction, the total area required for the BESS units shall be verified against the available space to demonstrate there is adequate area to achieve the required spacing. • The BESS containerised units shall be provided with the fire protection system specified by the BESS manufacturer. • The UL test data for the selected battery units shall be made available to the DPIE.

Impact area	Phase	Mitigation Measures
		> The transformers spill containment shall be designed according to the requirements of AS 2067:2016 – "Substations and high voltage installations exceeding 1 kV a.c" > A Final Hazard Analysis (FHA) shall be prepared based upon the finalised layout of the site to demonstrate that the risk criteria remains below the acceptable levels. > BESS units shall be purchased from a reputable supplier, with evidence of compliance with required standards. > Batteries must be tested in accordance with UL9540A. > Batteries should undergo large-scale fire testing. > Batteries are to be installed in accordance with manufacturer and UL9540A report recommended clearances based on testing. > Batteries are to be installed with fire protection systems specified by the manufacturer and UL9540A report. > Before construction, confirm the final BESS design can be installed in the project area whilst meeting the recommended clearances. > The vent covers of the BESS shall be constructed of non-combustible material. > The vents shall not be located above battery packs within the BESS container.
Social Impact Assessment	Pre-construction	> Provide communication and engagement with the community prior to site establishment. Measures could include newsletter and construction update on the scope of the project, likely high impact activities (noise, vibration, traffic, and pedestrian changes), and contact details for inquiries and complaints. Meetings/presentations with neighbouring properties and parents prior to construction should also be considered. > Develop an inquiry and complaint process for the construction. > Engage with the local community and neighbours to develop a working relationship to disseminate information during and after construction.
Social Impact Assessment	Construction	> A Construction Management Plan (CMP) should be prepared that incorporates the findings of the various project technical studies. > A Traffic Management Plan (TMP) should be prepared that incorporates the findings of the various project technical studies. > Implement a Heritage management including unexpected find procedure. > Management of complaints. > Ongoing communication with the community to keep residents updated on construction scheduling. This may include signage, notifications, and other appropriate communication channels. > Investigate opportunities to use local contractors, suppliers, and service providers.

Impact area	Phase	Mitigation Measures
Social Impact Assessment	Operation	> Ongoing communication and engagement with the community which includes complaints management. > Maintain the plants installed along the project boundaries to ensure full growth and longevity. > Develop a landscape maintenance plan to include replacement of any plants that fail during the lifespan of the project. > Consult with businesses, peak bodies (Chamber of Commerce), industry groups and tourism operators to provide opportunities for local procurement. > Create an Accommodation and Employment Strategy
Economic Impact	Preconstruction	> Prepare AES incorporating ongoing liaison with local industry representatives to ensure the maximisation of the use of local contractors, manufacturing facilities, materials. > Liaison with local representatives regarding accommodation options for staff, to minimise adverse impacts on local services. > Liaison with local tourism industry representatives to manage potential timing conflicts with local events. > Energy Storage Project No 3 Pty Ltd or the developer will consult with local employment agencies and training organisations and, where practicable, will consider supporting training and apprenticeships.
Cumulative Impacts	Pre-construction	> Consultation with TfNSW to identify if the construction phase of the proposal will overlap with any TfNSW Mitchell Highway projects. Traffic management plans would be developed to address potential traffic impacts caused by concurrent projects generating construction traffic. > Cumulative construction noise impacts would be addressed in a Noise Management Plan. Consultation with TfNSW, and other proponents if applicable, would be completed to determine if construction activities may take place in close proximity to adjoining projects. Where possible, noise generating activities would be scheduled for different areas of the proposal site to avoid cumulative construction noise impacts. > If there is potential for construction of multiple projects to occur in and around Wellington at the same time, and large workforce numbers are required, consideration would be given to alternative accommodation options such as neighbouring towns.
Land	Pre-construction	> A licence from Crown Lands will be sought prior to construction of the proposed connecting electricity transmission line (ETL),
Land	Prior to operation	> An easement for the ETL will be sought and implemented > Licences or easements will be in place before infrastructure can traverse the Crown roads and that authority must be in place before the Crown roads can be used, traversed, accessed or infrastructure can be built on them.

APPENDIX C

STATUTORY COMPLIANCE TABLE



Table 14 - Commonwealth Legislation

Statutory Reference	Pre-condition	Relevance	Section of Report
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Direct or indirect impacts to a Matter of National Environmental Significance (MNES)	The project is unlikely to have a significant impact on a biodiversity MNES and therefore is unlikely to be deemed a controlled action based on impacts to biodiversity.	N/A
<i>Native Title Act 1993</i>	Objective of the Act is to recognise and protect Native Title.	No sites listed on the Native Title register are impacted by the project	N/A

Table 15 - NSW Legislation

Statutory Reference	Section/Clause	Pre-condition	Relevance	Section in Report
<i>Aboriginal Land Rights Act 1983</i>	Section 36	The NSW Aboriginal Land Council may make a claim for land on its own behalf or on behalf of one or more Local Aboriginal Land Council.	No impacts to land the subject of an Aboriginal land claim as a result of the project	N/A
<i>Biodiversity Conservation Act 2016</i>	Section 7.9	Any SSD or SSI application is required to be accompanied by a BDAR unless the Planning and Environment Agency Heads determine that the proposed development is not likely to have any significant impact on biodiversity values.	The development is SSD and has previously been assessed by the Planning and Environment Agency Heads. A updated BDAR has been prepared in relation to the modified development.	Section 6.2
<i>Contaminated Land Management Act 1997</i>	Section 11	The EPA may declare any land it believes to significantly contaminated as significantly contaminated land.	An assessment of the contamination status of the land was completed and the concluded is that the land was suitable in its current state for the development. No further investigation is considered required for the modified development.	N/A

Statutory Reference	Section/Clause	Pre-condition	Relevance	Section in Report
<i>Electricity Infrastructure Investment Act 2020</i>	Section 19	The Minister may declare a renewable energy zone (REZ) by reference to a specified geographical area of the State and a specified generation, storage or network infrastructure (including planned or existing infrastructure).	The site is located in the Central West REZ.	Section 2
<i>Environmental Planning and Assessment Act 1979</i>	Section 1.3	Objects of the Act	The proposed development is consistent with each of the Objects of the Act, with the exception of Objects (b) and (g) which relate to the delivery and maintenance of affordable housing which is not relevant to this proposal.	Section 4.1
	Section 4.15(1)	Consideration of the relevant provisions of any environmental planning instruments	> <i>State Environmental Planning Policy (Resilience and Hazards) 2021;</i> > <i>State Environmental Planning Policy (Transport and Infrastructure) 2021;</i> > <i>State Environmental Planning Policy (Planning Systems) 2021;</i> > <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021; and</i> > <i>Dubbo Local Environmental Plan 2022.</i>	Section 4 and 6
		Consideration of the relevant provisions of any proposed environmental planning instruments	No draft environmental planning instruments apply.	N/A
		Consideration of the relevant provisions of any development control plans	Development control plans do not apply to SSD by way of clause 2.10 of the Planning Systems SEPP.	N/A

Statutory Reference	Section/Clause	Pre-condition	Relevance	Section in Report
		Consideration of the relevant provisions of any planning agreements or draft planning agreements	No planning agreements or draft planning agreements apply.	N/A
		Consideration of the relevant provisions of the regulations	Refer next section of this table	
		Consideration of the likely impacts of the development		Section 6
		Consideration of the suitability of the site for the development		Section 1.4 and 7.9
		Consideration of any submissions made in accordance with this Act or the regulations		Addressed in the EIS
		Consideration of the public interest		Section 7.7
<i>Environmental Planning and Assessment Regulation 2021</i>	Section 23	Requires the consent of all landowners to be obtained for the making of a Development Application.		These are provided with the application
	Clause 100	(1) A modification application must contain the following information—		
		(a) the name and address of the applicant,		Section 1.2
		(b) a description of the development that will be carried		Section 3

Statutory Reference	Section/Clause	Pre-condition	Relevance	Section in Report
		out under the development consent,		
		(d) a description of the modification to the development consent, including the name, number and date of plans that have changed, to enable the consent authority to compare the development with the development originally approved,		Section 1.5 and Section 3
		(e) whether the modification is intended to—		
		(i) merely correct a minor error, misdescription or miscalculation, or		N/A
		(g) an undertaking that the modified development will remain the same or substantially the same as the development originally approved,		Section 3
		(h) for a modification application that is accompanied by a biodiversity development assessment report—the biodiversity credits information,		Section 6.2
		(i) if the applicant is not the owner of the land—a statement that the		These are provided with the application

Statutory Reference	Section/Clause	Pre-condition	Relevance	Section in Report
		owner consents to the making of the modification application,		
		(j) whether the modification application is being made to— (i) the Court under the Act, section 4.55, or (ii) the consent authority under the Act, section 4.56.		Section 4.1.2
<i>Heritage Act 1977</i>	Section 58	Approval in respect of the doing or carrying out of an act, matter or thing referred to in s 57(1)	No interim heritage order/s or listing/s apply to the site under the State Heritage Register.	N/A
<i>Local Land Services Act 2013</i>			No approvals are required under the LLS Act on the basis that the land is category 1 land.	N/A
<i>National Parks and Wildlife Act 1974</i>	Section 90	Grant of Aboriginal heritage impact permit	An Aboriginal Heritage Technical Memorandum has been prepared in relation to the modified development. The memorandum indicates that that significant Aboriginal cultural heritage values will not be harmed within the study area.	Section 6.3
<i>Protection of the Environment Operations Act 1997</i>	Sections 43(a), 43(b), 43(d), 47, 55 and 122	Various environmental protection licences	A licence is not required for the project.	N/A
<i>Roads Act 1993</i>	Section 138	Various activities within road reserves	An approval from TfNSW will be sought for the works within the Mitchell Highway road reserve.	Section 6.5
<i>Water Management Act 2000</i>	Sections 89, 90 and 91	Water use approval, water management work approval or activity approval under Part 3 of Chapter 3	The project does not trigger any approvals under the WM Act	N/A

APPENDIX D

COMMUNITY AND STAKEHOLDER ENGAGEMENT PLAN



APPENDIX E

PROJECT INTRODUCTION LETTER

APPENDIX F

LAND CATEGORY REPORT



APPENDIX G

UPDATED BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT

APPENDIX H

ABORIGINAL HERITAGE TECHNICAL MEMORANDUM



APPENDIX I

NOISE IMPACT ASSESSMENT

APPENDIX J

TRANSPORT IMPACT ASSESSMENT



APPENDIX K

OSOM ROUTE ASSESSMENT



APPENDIX L

VISUAL IMPACT MEMO

APPENDIX M

PRELIMINARY HAZARD ANALYSIS

APPENDIX N

BUSH FIRE ASSESSMENT REPORT

APPENDIX O

RAPID SOCIAL IMPACT ASSESSMENT

