

Attachment A – Determination

Determination under clause 7.9(2) of the Biodiversity Conservation Act

2016

I, Sarah Carr, Director North West, Biodiversity and Conservation Division of the Department of Planning and Environment, under clause 7.9(2) of the *Biodiversity Conservation Act 2016*, determine that the proposed development is not likely to have any significant impact on biodiversity values and therefore a Biodiversity Development Assessment Report (BDAR) **is not required**.

Proposed development means the development as described in Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further request to waive the requirement for a BDAR must be lodged or a BDAR prepared.

If you do not lodge the development application related to this determination for the proposed development within 2 years of the issue date of this determination, you must either prepare a BDAR or lodge a new request to have the BDAR requirement waived.

Date: 11/04/2023



Sarah Carr
Director North West
Biodiversity and Conservation Division
Environment and Heritage Group

SCHEDULE 1 – Description of the proposed development

This BDAR waiver applies to the proposed development as described in the BDAR Waiver Request Panorama Battery Energy Storage System, Bathurst NSW (March 2023).

The subject land is 800 Mid-Western Highway, Evans Plains NSW. The subject land is within the Bathurst Regional local government area and includes the following properties:

- Lot 2 DP 864272
- Lot 521 DP 603541

This proposed project involves:

- Removal of exotic pastureland.
- Installation and operation of a SolBank Battery Energy Storage System (BESS) including battery enclosures, inverters, and transformers.
- Associated ancillary infrastructure including:
 - A 33kV underground cable connecting a 33kV switch building to the existing substation.
 - Formalisation of existing access from Mid-Western Highway and existing access road within Lot 2 DP 864272 to accommodate heavy vehicles.
 - Proposed access road from the BESS to connect to the existing access road within Lot 2 DP 864272.
 - Operations and maintenance building.
 - Stormwater management infrastructure, lighting, and security fencing, and
 - Construction laydown areas.