

Statutory Reference	Mandatory Consideration	Project Response	Where Addressed
<i>Considerations under the EP&A Act and Regulation</i>			
Section 1.3 - Objects of the Act	(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,	The Project will generate additional employment within the region which will assist in sustaining the socio-economic viability of the region while contributing to alternative sources of power generation to reduce the region's carbon footprint.	Section 6.12 and Section 6.13
	(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The Project is consistent with the principles of ESD. The Project has considered stakeholder engagement, environmental assessments, a number of design and layout alternatives, and management measures to address the impacts that are likely to occur from Project.	Section 7.7
	(c) to promote the orderly and economic use and development of land,	The Project is located within the South West Renewable Energy Zone which has been identified to support development of renewable energy project. The Project Area is zoned RU1 Primary Production and is permissible with development consent in the zone. Potential land use conflicts with surrounding agricultural land have been addressed.	Section 2.1 and Section 6.4
	(d) to promote the delivery and maintenance of affordable housing,	The Project would generate additional demand for accommodation for temporary accommodation within the surrounding towns of Hay and Deniliquin. The potential impact of the Project on the availability of short term accommodation and local housing rents have been considered. A Workforce Accommodation Management Plan would be prepared to address any potential impacts.	Section 6.12 and Appendix R
	(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The Project design has been prepared and refined to avoid impacts on the environment and high value biodiversity, and where impacts could not be avoided, mitigation measures have been provided.	Section 6.1 and Appendix G
	(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The Project design has been prepared to avoid impacts on both Aboriginal and Historic Heritage, and where impacts could not be avoided, mitigation measures have been provided to preserve heritage sites.	Section 6.2, Section 6.3, Appendix H and Appendix I

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	(g) to promote good design and amenity of the built environment,	The Project has been designed in accordance with relevant standard, considered visual and landscape impacts and has avoided or minimised these through design refinements or mitigation measures.	Section 6.5 and Appendix L
	(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Project has considered all relevant aspects in the design of buildings associated with the Project, including the health and safety of proposed occupants of buildings.	Section 3.3 and Section 6.9
	(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	This EIS has been prepared to accompany a DA for SSD, which will be assessed by the DPHI. The Project SEARs has been prepared with input from relevant regulatory agencies. This EIS has engaged with all government levels through the development of the Project to date.	Section 5
	(j) to provide increased opportunity for community participation in environmental planning and assessment.	This EIS has considered the outcomes of community participation, which has supported the Project design and identification of mitigation measures date.	Section 5
Section 4.15 of the EP&A Act	(a) the provisions of: (i) any environmental planning instrument.	The provisions of relevant environmental planning instruments (EPIs) relating to the Project are addressed below.	This table
	(ii) 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).	There are no draft environmental planning instruments relevant to the Project.	Not applicable
	(iii) any development control plan.	Development control plans do not apply to SSD under the provisions of Clause 2.10 of SEPP (Planning Systems) 2021.	Not applicable
	(iiia) any planning agreement that has been entered into under section 7.4, or any draft	A Voluntary Planning Agreement (VPA) would be entered into with Edward River Council to provide monetary	Section 6.12

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	planning agreement that a developer has offered to enter into under section 7.4.	contributions of up to \$150 per MW per annum for the life of project to fund community benefits within the local area.	
	(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph).	The provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and its relevance to the Project are addressed. Clause 6.1 of the EP&A Regulation provides additional matters that consent authority must consider. None of these matters are relevant to the Project.	This table
	(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	Assessment of the key environmental and social impacts relating to the Project have been addressed in this EIS.	Section 6
	(c) the suitability of the site for the development	A number of key factors were assessed to determine site suitability, including battery resources, grid connection, planning requirements and likely environmental impacts.	Section 2
	(d) any submissions made in accordance with the Act or the regulations.	This EIS has been prepared considering the SEARs requirements and agency input. The EIS will be placed on exhibition by DPHI for a minimum period of to 28 days and submissions will be considered by the consent authority.	-
	(e) the public interest.	The Project offers a number of strategic and long-term benefits that are of local and regional community interest. It includes: • The supply of renewable energy, that together with the provision of a storage capacity, is expected to result in lower cost of energy in the NEM; • The provision of jobs during construction and operation phases and an economic boost to the local economy, through local goods and services and community benefit programs; and • The Project will also assist in achieving International, Australian Government, and State Government policies strategic goals. The principles of sustainable development are key to decision-making processes concerning the development of	Section 2 and Section 5

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		new energy resources. A key principle underlying the notion of sustainable development is the concept of intergenerational equity. Intergenerational equity is premised on the idea that “the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations”. Intergenerational equality relating to energy production has two requirements: • Sustainable mining and use of fossil fuels; and • Increasingly substitute energy sources that result in less greenhouse gas emissions for energy sources that result in more greenhouse gas emissions. As a result, the Project is in the public interest.	
<i>Considerations under other legislation</i>			
Biodiversity Conservation Act 2016 – Section 7.14	The Minister for Planning and Homes is required to take into account the impact of the Project on biodiversity. The Minister may (but is not required to) further consider under the EP&A Act the likely impact of the Project on biodiversity values.	A BDAR pursuant to section 7.14 of the BC Act has been undertaken for the Project.	Section 6.1 and Appendix G
<i>Mandatory relevant considerations under EPI</i>			
State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)	The Primary Production SEPP classifies a project as SSD if it requires development consent and is a development for the purpose of electricity generating works that has a capital investment value of more than \$30 million.	The Project has met the relevant criteria under the provisions of the Planning System SEPP for it to be classified SSD.	Section 4.1
State Environmental Planning Policy (Transport and Infrastructure) 2021	T&I SEPP provides greater consistency and flexibility in the development of key transport and infrastructure works. Relevantly, Section 2.36(1) provides that the development of electricity generating works may be carried out with consent	The Project is located on land zoned RU1, therefore, the Project is permissible with consent under the provisions of Clause 2.36 of T&I SEPP.	Section 4.2.1

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(T&I SEPP)	in a prescribed rural zone, which includes the <i>RU1 – Primary Production Zone</i> .		
State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)	Chapter 3 of Resilience and Hazards SEPP assesses the potential hazards associated with the Project by providing definitions and guidelines for hazardous industry, offensive industry, hazardous storage establishments, and offensive storage establishments.	In accordance with Clause 3.7, this EIS has considered current circulars or guidelines published by the Department relating to hazardous or offensive development including: <i>Hazardous Industry Planning Advisory Paper No 4 – Risk Criteria for Land Use Safety Planning</i> (HIPAP No. 4) (DPIE, 2011b); <i>Hazardous Industry Planning Advisory Paper No 6 – Guidelines for Hazard Analysis</i> (HIPAP No. 6) (DPIE, 2011a); and - Multi-level Risk Assessment (DoP, 2011c). A Preliminary Hazard Analysis (PHA) has been prepared for the Project.	Section 6.10 and Appendix P
	Chapter 4 of Resilience and Hazards SEPP promotes the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	Under Section 4.6, a consent authority is required to consider whether a proposed development site is affected by soil or other contaminants before granting consent. A Preliminary Site Investigation provides further discussion on the potential impacts to contamination.	Section 6.15 and Appendix K
Edward River Local Environmental Plan 2013 (Edward River LEP)	The EIS will address relevant components of the Edward River LEP, including: Clause 1.2 – Aims of Plan: a) to encourage sustainable economic growth and development in Conargo; b) to provide for a range of development opportunities that contribute to the social, economic, and environmental resources of the area and support the long-term and economic viability of the local community; c) to protect, enhance and conserve agricultural land through the proper management, development and conservation of natural and human made resources;	The Project meets the aims of the Edward River LEP as the proposed layout has been designed to avoid or minimise impact to identified biodiversity, amenity visual and noise, Aboriginal cultural heritage values, and land of significance for agricultural purposes. Progressive design iterations for the BESS, ancillary infrastructure, and the transmission line easement have continued with key drivers being measures to minimise and avoid environmental and social impacts in line with the Avoid-Minimise-Mitigate-Offset design hierarchy. The Project meets the principles of ESD as justified in this EIS. The Project will allow for ongoing agricultural activity through planned continued use of the Project Area for grazing, preventing fragmentation of agricultural land.	This table

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	d) to conserve, protect and enhance the environmental and cultural heritage of Conargo; and e) to identify, protect, conserve and enhance the natural assets of Conargo.	Further, the Project will create a range of social and economic benefits which will contribute to substantial capital investment in Hay and the broader Riverina Murray region. A Voluntary Planning Agreement would be entered into with Edward River Council to provide to monetary contributions to share community benefits from the Project.	
	Objectives of the RU1 – Primary Production relevant to the Project (Land Use Table): • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base; • To encourage diversity in primary industry enterprises and systems appropriate for the area; and • To minimise the fragmentation and alienation of resource lands.	The Project has undertaken technical studies to identify, avoid and mitigate impacts associated with the development of Project. Appropriate measures will be adopted to protect, maintain and enhance the local natural resource.	This table