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LDBS-AGL-HS-GEN-0006_0

21st March 2024

Dear Stephen,

SSD – 8889679: Request to stage Fire Safety Study

AGL Macquarie Limited (**AGL**) received development consent SSD 8889679 on 8 March 2022, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (NSW) to construct the Liddell Battery and Bayswater Ancillary Works Projects (**Development Consent**). Approval to stage these plans for the Liddell Battery components of works was granted on 18 October 2022.

AGL now wishes to seek a minor adjustment to the staging of Schedule 2, Condition B2 of the Development Consent (**Condition B2**), to enable staging of the delivery of the Fire Safety Study (**FSS**) required by this condition.

Background

AGL sought to stage the delivery of the FSS under Condition B2 in January 2023. However, staging was provided by the Department (dated 30 January 2023), to allow demolition of the retired solar array infrastructure, which was the trigger for the definition of 'commencement of construction'.

Construction of the Liddell Battery (**the Project**) is scheduled to commence in June 2024, following the successful demolition of the solar array infrastructure in Q4 2023. Construction activities upon commencement of the Project will include, but will not be limited to:

- preparation of the site;
- installation of erosion and sediment controls;
- laying of battery foundation concrete slabs; and
- installation of other ancillary infrastructure.

As part of the submission of the Environmental Impact Statement for the Liddell Battery and Bayswater Ancillary Works Project, the location of the Battery was not formalised and a number of location options were presented. AGL advises the Battery will be located within Area 2: Solar Array Area, as represented in Appendix 1 (page 18) of the Development Consent (**Site**).

Batteries are not scheduled to be installed until Q1 2025 and will be stored at a Site laydown area prior to installation.

For clarity, 'installation' will involve placing the battery cubes on the prepared concrete pads, connecting the batteries to an energy supply and commencing the activity of energisation. Installation activities will not include the storage of the battery cubes, nor any pre-installation activities, such as filling of the cooling system.



It is important to note that prior to the installation of the battery cubes on Site, there will be no practical application of the FSS required by Condition B2 as there will be no potentially hazardous activities related to battery cubes causing fire will be carried out on Site.

Request to Stage FSS

In accordance with Schedule 2, Condition A7 (a) (**Condition A7**) of the Development Consent, the Applicant (AGL) may prepare and submit any strategy, plan or program required by this consent on a staged basis. AGL writes to seek a minor adjustment to Condition B2 so that approval of the final FSS for the battery components is not required until the components to which this study applies are due to be installed and energised.

Condition B2 of the Development Consent states:

Prior to commencing construction, of the battery energy storage system, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning Secretary. The study must:

- (a) *Be consistent with the*
 - (i) *Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline; and*
 - (ii) *NSW Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems; and*
- (b) *Describe the final design of the battery storage facility and verify that the final design is consistent with all findings and recommendations in the Preliminary Hazard Analysis dated 25 March 2021.*

AGL requests approval from the Department and FRNSW to stage Condition B2 so that it has the effect as per the **bold underline** as follows, to align with the installation of the equipment on Site:

No later than 3 months prior to the installation of batteries at the battery energy storage system **site**, the Applicant must prepare a Fire Safety Study for the development, to the satisfaction of FRNSW and the Planning Secretary **unless otherwise agreed by the Planning Secretary**. The study must:

- (a) *Be consistent with the*
 - (i) *Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline; and*
 - (ii) *NSW Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems; and*
- (b) *Describe the final design of the battery storage facility and verify that the final design is consistent with all findings and recommendations in the Preliminary Hazard Analysis dated 25 March 2021.*

Management of Risk

AGL has engaged a suitably qualified contractor to complete the design and construction of the Liddell Battery, which includes development of the FSS. The FSS assesses the appropriate fire management controls and response for any materials considered to be potentially hazardous, such as the battery components and associated equipment.

Although works have commenced on the preparation of the FSS, consultation has not yet begun, due to the time required to prepare the documentation. From experience, AGL acknowledges that this can be a lengthy process and may take many months to complete.



Further experience from other projects in AGL's renewable energy portfolio has provided guidance that FRNSW may accept that installation of battery cubes and completion of their electrical cabling and connection work are deemed low risk and would not trigger the requirement for the FSS to be completed. Rather, the FSS would be triggered by commissioning and testing works.

All construction works, including the installation and commissioning of the batteries will be undertaken in accordance with an appropriate risk assessment, completed by AGL's contractor.

Conclusion

AGL considers the proposed minor practical adjustment as described above to be a practical change that would allow for the commencement of construction, in order to meet the target operational date at the end of 2025, in time to meet the vital summer energy demand as part of the energy transition.

By approving this change to the staging of Condition B2, in accordance with Condition A7, the Department will be greatly supporting AGL to commence construction activities, whilst continuing to manage the future risk profile associated with the battery infrastructure.

If you require any further information, please do not hesitate to contact Vicki Brady, Senior Manager, Environment – Energy Hubs on VBrady@agl.com.au or 0499 304 473.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Hamid Shilani', is placed above the printed name.

Hamid Shilani
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