



AGL Energy Limited

T 02 9921 2999

F 02 9921 2552

agl.com.au

ABN: 74 115 061 375

Level 24, 200 George St
Sydney NSW 2000

Locked Bag 1837

St Leonards NSW 2065

Stephen O'Donoghue
Director - Resource Assessments
Department of Planning and Environment
12 Darcy Street
Parramatta NSW 2150

12th October 2022

Dear Stephen,

RE: Liddell Battery and Bayswater Ancillary Works (SSD – 8889679): Request to stage plans and strategies

AGL Macquarie Limited (**AGL**) received development consent (SSD-8889679) from Department of Planning and Environment (**DPE**) under section 4.38 of the NSW *Environmental Planning and Assessment Act 1979* to construct the Liddell Battery and Bayswater Ancillary Works Projects on 8th March 2022.

In accordance with Schedule 2 Condition A7 *Updating and Staging of Strategies, Plans or Programs* of the development consent, AGL seeks approval from the Planning Secretary that specific documentation required by the Conditions of Consent be prepared and submitted on a staged basis. DPE recently approved a staged approach to this development consent to allow decoupling works to commence at the Liddell Power Station. However, due to accelerated needs to provide clean grid firming technology, AGL will now progress development and construction of the approved battery energy storage system. In order to expedite this development, AGL is seeking the following staged approach:

- Stage 1 – Liddell decoupling works (approved)
- Stage 2 – Liddell battery energy storage system and associated works
- Stage 3 – Bayswater Ancillary Works and consolidated consents

Attachment 1 provides a summary of each Condition of Consent that may be impacted by this staged approach. Those Conditions of Consent not relevant to this request have been excluded.

It is not proposed to engage with referral agencies on this request and approval is sought directly from DPE Resource Assessments. The relevant stakeholders (e.g. DPE, Council and Transport for NSW) will be engaged as outlined in the Conditions of Consent for each stage.

AGL anticipates commencing construction in April 2023 and looks forward to progressing this project in partnership with DPE.

We trust this staging plan meets the requirements of Schedule 2 Condition A7 and request written acceptance of this approach at your earliest opportunity. If you require any further information, please do not hesitate to contact Vicki Brady, Manager, Environment – Energy Hubs on VBrady@agl.com.au or 0499 304 473.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'JD', with a horizontal line extending to the right.

Julian Dichiera
Senior Manager, Power Development
0498 646 848
JDichiera@agl.com.au



Attachment 1 – Summary of requested conditions to stage

Conditions of consent	Implications of the proposed staging		
	Stage 1	Stage 2	Stage 3
B2 Fire Safety Study	Not required – relates to the battery energy storage system only	<p>Condition B22 requires that a Fire Safety Study is approved prior to commencing construction. AGL will undertake consultation with FRNSW prior to seeking approval of the Liddell Battery Fire Safety Study.</p> <p>AGL was recently granted approval from the Planning Secretary to vary the requirement for approval of the FSS for the Broken Hill Battery Project (SSD-1174798-Mod-1). This variation now allows construction to commence and approval of the FSS must be granted prior to the batteries arriving on site.</p> <p>AGL does not anticipate requesting a similar request for the Liddell Battery Project.</p>	Not required – relates to the battery energy storage system only
B5 Emergency Plan	Not required – relates to the battery energy storage system only.	Prior to commissioning the battery facility, AGL will seek an approval for a comprehensive Emergency Plan, prepared in consultation with FRNSW and NSW RFS.	Not required – relates to the battery energy storage system only
B8 Biodiversity Management Plan	Not required – the clearing of native vegetation is not required as part of the Stage 1 decoupling works, so our understanding is that a BMP is not required for this stage of the project.	Clearing of native vegetation is likely to be required for construction of the battery facility. As such, it is anticipated that AGL will prepare and submit a Biodiversity Management Plan for consultation with BCS, prior to approval being sought.	In the event that clearing of native vegetation is required for the Bayswater Ancillary Works, an appropriate Biodiversity Management Plan will be prepared in consultation with BCS and submitted for approval.
B22 Aboriginal Cultural Heritage Management Plan	Submitted to DPE on 8 July 2022. (SSD-8889679-PA-1)	An appropriate Aboriginal Cultural Heritage Management Plan will be prepared for the construction of the Liddell Battery Project, in consultation with Registered Aboriginal Parties and Heritage NSW, prior to approval being sought from the Planning Secretary.	An appropriate Aboriginal Cultural Heritage Management Plan will be prepared for the construction of the Bayswater Ancillary Works, in consultation with Registered Aboriginal Parties and Heritage NSW, prior to



			approval being sought from the Planning Secretary.
C1 Environmental Management Strategy	Condition C1 requires that an Environmental Management Strategy be prepared for the development and include the subplans listed in (e)(i). See request to stage above.	An appropriate Environmental Management Strategy will be prepared for the Liddell Battery Project, with relevant sub-plans. No consultation is required for this Strategy and approval will be sought from the Planning Secretary.	An appropriate Environmental Management Strategy will be prepared for the Bayswater Ancillary Works, with relevant sub-plans. No consultation is required for this Strategy and approval will be sought from the Planning Secretary.

Note: Under Stage 1 (Liddell decoupling works) those changes identified in the above table have been approved by the Planning Secretary and the exact wording of the request to stage the Liddell decoupling works has been included in this table.