

Andrew Sheed  
Senior Project Manager  
Akaysha Energy  
Via Major Projects Portal

17/11/2023

---

Subject: Request for Extended Construction Hours

Dear Mr Sheed,

I refer to your letter dated 3 November 2023, requesting approval for extended construction hours for the Waratah Super Battery Energy Storage System (SSI-48492458) in accordance with Schedule 2, Condition B12 of the project approval.

The letter requests approval to carry out construction activities outside of standard construction hours Saturdays from 7am to 8am, and 1pm from 5pm, and on Sundays from 7am to 5pm, for the remainder of the construction of the project in April 2025.

I note your advice that:

- the request is being sought to facilitate the timely delivery of the project following significant rainfall and other delays to the construction program;
- the timely delivery of the project is important to meet energy security requirements;
- the request is accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline (DECC, 2009)* (ICNG) which demonstrates construction noise from activities outside of approved construction hours would comply with the noise management levels in the ICNG;
- feasible and reasonable mitigation measures have been proposed;
- consultation with residents has not been undertaken as construction noise is predicted to comply with the noise management levels in the ICNG.

The Department has carefully reviewed this letter and the attached noise impact assessment.

The Department considers requests to alter hours of construction on a case-by-case or activity specific basis. In this case the Department does not consider it appropriate to provide approval of the variation to construction hours until April 2025 due to the proposed duration of the works.

The Department instead considers that it is appropriate to approve the variation to construction hours until the end of February 2024. The Department can consider another variation to construction hours closer to the end of this period.

Accordingly, the Secretary approves a variation to the construction hours to allow construction to take place on Saturdays from 7am to 8am, and 1pm from 5pm, and on Sundays from 7am to 5pm from the date of this letter until 28 February 2024, subject to the following requirements:

- Monthly attended monitoring during out of hours work to be undertaken to validate model predictions;
- If any complaint is received, appropriate mitigation measures are to be identified, and the Department and the complainant are to be informed of the measures that will be implemented to address the complaint. Should any further complaints be received regarding works in the extended construction hours, this approval to extend the works hours may be revoked by the Department;
- Where a complaint is received, attended monitoring should be undertaken to investigate the noise and reduce noisy activities as soon as feasibly actionable;
- A record of any complaints made, or non-compliances identified during monitoring, regarding works undertaken during extended construction hours must be provided to the Department within 24 hours of the complaint/non-compliance; and
- All work is to be undertaken in accordance with the requirements of Condition B13 of Schedule 2 of the project approval and all additional noise mitigation measures proposed in the noise impact assessment must be adopted and implemented.

If you wish to discuss the matter further, please contact Jack Turner on 9995 5387.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Iwan Davies', written in a cursive style.

Iwan Davies  
Director  
Resource Assessments

As nominee of the Planning Secretary