

Notice of Decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development modification
Application number and project name	SSD-8113-Mod-1 – Site Access Upgrades SSD-8113-Mod-2 – Battery Storage Facility
Applicant	Plains SF No1 Pty Ltd
Consent Authority	Minister for Planning

Decision

The Executive Director under delegation from the Minister for Planning has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979* (**the Act**) modified the consent subject to the recommended conditions.

A copy of the instrument of modification and conditions is available at <https://www.planningportal.nsw.gov.au/major-projects/project/11406>.

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/11406>.

Date of decision

3 May 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the submissions made concerning the modification; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- the modification would provide a range of benefits, including improving the reliability of output from the project, and streamlining the construction schedule;
- the modification is permissible with consent, and is consistent with NSW Government policies;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards; and
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 7 March 2019 until 20 March 2019 (14 days) and received 1 submission from a member of the public living over 100 kilometres from the project site.

The key issues raised by the community and considered in the Department's Assessment Report and by the decision maker include the potential hazard associated with the battery storage system. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Hazards</i></p> <ul style="list-style-type: none"> the need for a Preliminary Hazard analysis 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> A preliminary hazard analysis is not required for battery storage below 30MW. The Applicant will implement a range of hazard prevention measures, ensuring that each modular container is fire rated and sealed to prevent the spread of damage in the case of battery failure. The Department has carefully assessed the proposal in consultation with its technical hazard specialist and Fire and Rescue NSW. <p><i>Conditions</i></p> <p>Conditions include:</p> <ul style="list-style-type: none"> a requirement to prepare and implement a Fire Safety Study consistent with the Department's <i>Hazardous Industry Advisory Paper No. 2 'Fire Safety Study'</i> guideline in consultation with FRNSW; adding a requirement for the Emergency Response Plan to be prepared and implemented in conjunction with the Department's <i>Hazardous Industry Advisory Paper No. 1</i>; adding a requirement to ensure the storage and handling of dangerous goods is undertaken in accordance with the NSW Environment Protection Authority's <i>Storing and handling of liquids: Environmental Protection – Participants Handbook if the chemicals are liquids</i>.