

Development Consent

Section 4.16 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Planning Secretary under delegation executed on 11 May 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development


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A/Director
Industry Assessments

Sydney

7 November 2025

File: EF25/6636

SCHEDULE 1

Application Number:	DA25/6636
Applicant:	The Trustee for AE BESS 2 Unit Trust
Consent Authority:	Planning Secretary
Site:	Bulluss Drive, Moree Lot 82 and Lot 144 DP 751780 Lot 201 DP 1186601
Development:	Construction, operation and decommissioning of a battery energy storage system

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DEFINITIONS

Ancillary infrastructure	All development infrastructure with the exception of battery storage, including but not limited to the substation, switch rooms, permanent offices, site compounds, electricity transmission lines and internal roads.
Applicant	The Trustee for AE BESS 2 Unit Trust, or any person carrying out any development to which this consent applies
Battery storage	Large scale energy storage system
BCA	Building Code of Australia
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Cessation of operations	Operation of the development has ceased for a continuous period of 12 months
Commissioning	The testing of the components, equipment and systems of the development following completion of construction, prior to operations commencing
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The construction of the development, including but not limited to, the carrying out of any earthworks on site and the construction of the battery storage and any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network and pre-construction minor works)
Council	Moree Plains Shire Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Decommissioning	The removal of battery storage infrastructure and ancillary infrastructure and/or rehabilitation of the site
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the SEE and Submissions Report
Development footprint	The area within the site on which the components of the development will be constructed (shown in Appendix 1)
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
High-risk heavy vehicle requiring escort	A vehicle under escort identified as 'high risk' in Table 1 of TfNSW's Fact Sheet – 'Transport Management Plans for oversize and/or overmass movements in NSW'
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may

	cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance Note: “Material harm” is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: a) involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or b) results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
MW	Megawatt
MWh	Megwatt-hour
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The use of the battery energy storage system and ancillary infrastructure as described in the SEE and Submissions Report, but does not include commissioning, trials of equipment or the use of temporary facilities
PA	A planning agreement within the meaning of the term in Section 7.4 of the EP&A Act
Pre-construction minor works	Includes the following activities: a) artefact surveys and/or salvage; b) overhead line safety marking; c) building and road dilapidation surveys; d) geotechnical drilling, excavation or salvage; and e) construction of minor access roads and minor adjustments to services/utilities, etc.
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RFS	NSW Rural Fire Service
SEE	The Statement of Environmental Effects titled ‘Statement of Environmental Effects Moree BESS’ prepared by NGH Pty Ltd dated 27 March 2025, Revision Final V1.2
Submissions Report (SR)	The Applicant’s response to issues raised in advice received from government agencies received in relation to the application for consent for the development under

the EP&A Act and includes the document titled 'Submissions Report Moree Battery Energy Storage System', prepared by NGH Pty Ltd and dated 11 September 2025

Sensitive receivers

A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area

Site

The land defined in Schedule 1

Temporary facilities

Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces

TfNSW

Transport for New South Wales

Upgrading

The carrying out of works (including replacing plant, equipment, or machinery or updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation (excluding maintenance)

VENM

Virgin Excavated Natural Material

Waste

Has the same meaning as the definition of the term in the Dictionary to the POEO Act

Year

A period of 12 consecutive months

SCHEDULE 2
PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction, commissioning, operation, upgrading, decommissioning or rehabilitation of the development.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the SEE and Submissions Report;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Battery Storage Restriction

- A6. Unless the Planning Secretary agrees otherwise, the battery storage associated with the development must not exceed a total delivery capacity of 120 MW and an energy storage capacity of 480 MWh.

***Note:** This condition does not prevent the Applicant to lodge a separate development application or to modify this consent to increase the parameters of the battery energy storage system in the future.*

Upgrading of Battery Storage and Ancillary Infrastructure

- A7. The Applicant may upgrade the battery storage and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site and the total delivery capacity and energy storage capacity identified in condition A6. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.

NOTIFICATION OF COMMENCEMENT

- A8. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) operation;
 - (c) upgrading;
 - (d) cessation of operations; and
 - (e) decommissioning.
- A9. If the construction, operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary).

Layout Plans

- A10. Prior to the commencement of construction, the Applicant must submit detailed plans of the layout of the development showing details on the siting of battery storage and ancillary infrastructure to the Planning Secretary.
- A11. The Applicant must ensure the development is constructed in accordance with the layout plans submitted in accordance with condition A10.

EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A13. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

- A16. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site; and
 - (c) submit a copy of the dilapidation report to the Planning Secretary and Council.
- A17. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
 - (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

Note: This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.

DEMOLITION

- A18. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

- A19. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

EXTERNAL WALLS AND CLADDING

- A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A21. Prior to the issue of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - (b) an Occupation Certificate,
- the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.
- A22. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

COMPLIANCE

- A23. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

PLANNING AGREEMENT

- A24. Prior to the commencement of operation of the development, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a Planning Agreement with the Council in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
 - (b) the terms of the offer in the letter dated 14 June 2024 from Avenis Energy Works Pty Ltd to the Council, which was accepted by the Council on 31 October 2024 (Meeting Minute 2024/10/43).

OPERATION OF PLANT AND EQUIPMENT

- A25. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

WORK AS EXECUTED PLANS

- A26. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved and submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A27. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A28. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

HAZARDS AND RISK

Pre-construction

- B1. A Fire Safety Study must be prepared for the development. The study must:
- (a) be prepared and submitted to the Planning Secretary for approval prior to commencing construction of the development (including associated foundations and cabling);
 - (b) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline* and *FRNSW Fire Safety Guideline Technical Information – Large scale external lithium-ion battery energy storage systems – Fire safety study considerations*;
 - (c) describe the final design of the battery storage facility;
 - (d) include the most credible worst-case fire scenario to and from the battery storage facility and the associated fire management procedures;
 - (e) identify measures to eliminate the expansion of any fire incident including:
 - (i) adequate fire safety systems and appropriate water supply;
 - (ii) separation and / or compartmentalisation of battery units; and
 - (iii) strategies and incident control measures specific to the battery storage design; and
 - (f) be prepared to the satisfaction of Fire and Rescue NSW.

Note: The 'to the satisfaction of FRNSW' in condition B1(f) above means confirmation in writing from Fire and Rescue NSW that the study meets its requirements as required by the Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline*.

- B2. The Applicant must:
- (a) not commence construction of the development, other than preliminary works that are outside the scope of the hazard studies, until the Fire Safety Study has been prepared to the satisfaction of Fire and Rescue NSW and approved by the Planning Secretary; and
 - (b) implement the most recent version of the Fire Safety Study for the duration of the development.

Emergency Plan

- B3. An Emergency Plan must be prepared for the development. The plan must:
- (a) be prepared and implemented prior to the commissioning of the development;
 - (b) be provided to the NSW RFS Namoi/Gwydir Fire Control Centre, relevant local emergency management committee and FRNSW;
 - (c) be prepared in consultation with FRNSW and RFS;
 - (d) be prepared in accordance with the findings of the Fire Safety Study required under condition B1;
 - (e) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' guideline*;
 - (f) include details on general emergency management planning, including:
 - (i) details of how the battery storage and sub-systems can be safely isolated in an emergency;
 - (ii) identification of fire risks and hazards and detailed measures for the development to prevent fires igniting; and
 - (iii) availability of fire suppression equipment, access and water;
 - (g) include bushfire emergency management planning consistent with *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* (RFS, 2014) and *Planning for Bush Fire Protection* (RFS, 2019, including:
 - (i) details of the location, management and maintenance of the Asset Protection Zone;
 - (ii) a list of works that must not be carried out during a total fire ban;
 - (iii) details of how RFS would be notified, and procedures that would be implemented in the event that:
 - there is a fire on-site or in the vicinity of the site;
 - there are any activities on site that would have the potential to ignite surrounding vegetation; or
 - there are any proposed activities to be carried out during a bushfire danger period;
 - (h) include emergency management and evacuation procedures and identification of specific emergency exit routes to be used including evidence of access agreements with relevant landowners (e.g. right of carriageway); and

- (i) include an Emergency Services Information Package in accordance with *Emergency services information package and tactical fire plan* (FRNSW, 2019).
- B4. Two copies of the plan and the Emergency Services Information Package required under condition B3 must be kept on-site in prominent positions adjacent to the site entry point(s) at all times.
- B5. The Applicant must implement the most recent version of the Emergency Plan and the Emergency Services Information Package for the duration of the development.

Dangerous Goods

- B6. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B7. All chemicals, fuels and oils used at the development, must be stored and handled strictly in accordance with:
 - (a) all relevant Australian Standards; and
 - (b) for liquids:
 - (i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (ii) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B8. In the event of an inconsistency between the requirements of conditions B7(b)(i) and B7(b)(ii), the most stringent requirement must prevail to the extent of the inconsistency.

Bush Fire

- B9. The Applicant must:
 - (a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;
 - (b) ensure that the development complies with the requirements of RFS's *Planning for Bushfire Protection 2019* (or equivalent) for the following:
 - (i) asset protection zones;
 - (ii) relevant fire fighting water supply and utility services;
 - (iii) property access roads;
 - (c) ensure the development is suitably equipped to respond to any fires on site, including provision of a minimum 200,000 litre static water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection, and identified by a State Water Supply sign;
 - (d) ensure that the entire development site within the perimeter fencing:
 - (i) includes a minimum 10 metre defendable space around the perimeter that permits unobstructed vehicle access to assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
 - (ii) is managed as an inner protection area (including the defendable space);
 - (e) ensure all habitable buildings comply with *Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas* or NASH Standard (1.7.14 updated) *National Standard Steel Framed Construction in Bushfire Areas – 2014*, as appropriate, and RFS's *Planning for Bush Fire Protection 2019*;
 - (f) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
 - (g) notify the relevant Local Emergency Management Committee following construction of the development, and prior to commencing operations.

TRAFFIC AND ACCESS

Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions

- B10. The Applicant must ensure the:
 - (a) development does not generate more than:
 - (i) 82 heavy vehicles and heavy vehicles requiring escort movements a day (a maximum of 22 heavy vehicles and heavy vehicles requiring escort per hour) accessing the development during construction, upgrading or decommissioning;
 - (ii) 16 heavy vehicles and heavy vehicles requiring escort movements a day (a maximum of 2 heavy vehicles and heavy vehicles requiring escort per hour) accessing Transgrid's Moree Bulk Supply Point Substation during construction, upgrading or decommissioning; and
 - (iii) three movements of high-risk heavy vehicles requiring escort during construction, upgrading or decommissioning; and

- (b) length of any vehicle (excluding high-risk heavy vehicles requiring escort and heavy vehicles requiring escort) accessing the development does not exceed 26 metres in length on any road.

B11. The Applicant must keep accurate records of the number of high-risk heavy vehicles requiring escort, heavy vehicles requiring escort and heavy vehicles entering or leaving the site each day for the duration of the development.

Access Route

B12. The Applicant must ensure:

- (a) all heavy vehicles and heavy vehicles requiring escort associated with the development must travel to and from the site via the heavy vehicle access route identified in Figure 10 of the Traffic Impact Assessment prepared by Amber dated 16 September 2025 and identified in Appendix 3; and
- (b) high-risk heavy vehicles requiring escort must only travel along the following routes identified in Figure 12 and Figure 13 of the Traffic Impact Assessment prepared by Amber dated 12 September 2025 (Appendix C.1 of the Submissions Report) and identified in Appendix 4:
 - (i) between Glen Waverley and the site, as identified in Figure 12 and Appendix 4; or
 - (ii) between Port of Newcastle and the site, as identified in Figure 13 and Appendix 4.

Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) and from the Australian Rail Track Corporation (ARTC for heavy vehicles requiring escort on the road network and for the use of ARTC rail crossings, respectively.

Road Maintenance

B13. The Applicant must:

- (a) undertake an independent dilapidation survey to assess the:
 - (i) condition of Bulluss Drive and Campion Close prior to each of the following stages of the development: construction; upgrading; and decommissioning activities; and
 - (ii) condition of Bulluss Drive and Campion Close within one month of the completion of construction, upgrading and decommissioning activities, or as otherwise agreed with the Planning Secretary;
- (b) provide a copy of the relevant dilapidation survey undertaken in conditions B13(a)(a)(i) and B13(a)(a)(ii) to the relevant roads authority within seven days of the dilapidation surveys being prepared ; and
- (c) repair and/or make good any development-related damage to Bulluss Drive and Campion Close identified in dilapidation surveys during construction, upgrading or decommissioning works in consultation with the relevant roads authority.

Construction Traffic Management Plan

B14. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with TfNSW, ARTC and Council;
- (c) detail the transport route to be used for all development-related traffic;
- (d) include a table to demonstrate all traffic-related management measures and recommendation measures identified in the SEE have been included in the CTMP;
- (e) detail the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - (i) traffic management plans for managing high-risk heavy vehicles requiring escort;
 - (ii) temporary traffic controls, including detours and signage;
 - (iii) notifying the local community about development-related traffic impacts;
 - (iv) procedures for receiving and addressing complaints from the community about development related traffic;
 - (v) minimising potential cumulative traffic impacts with other projects in the area;
 - (vi) minimising potential for conflict with school buses and other road users as far as practicable, including preventing queuing on the public road network;
 - (vii) minimising dirt tracked onto the public road network from development related traffic;
 - (viii) scheduling of heavy vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;
 - (ix) responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding; and
 - (x) responding to any emergency repair or maintenance requirements;

- (f) a Driver's Code of Conduct that addresses:
 - (i) driver fatigue;
 - (ii) procedures to ensure that drivers adhere to the designated transport routes and speed limits; and
 - (iii) procedures to ensure that drivers implement safe driving practices; and
- (g) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the CTMP.

B15. The Applicant must:

- (a) not commence construction until the CTMP required by condition B14 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Roadworks and Access

B16. Prior to the commencement of construction, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that:

- (a) the proposed access to the development from Bulluss Drive, Moree, is designed to:
 - (i) accommodate the turning path of a 26 metre B-Double; and
 - (ii) be generally consistent with the site access design in Appendix E of the Moree BESS Traffic Impact Assessment prepared by Amber dated 12 September 2025 and included at Appendix 5 of this consent; and
- (b) the proposed access to the Transgrid Moree Bulk Supply Substation off Campion Close is designed to:
 - (i) accommodate the turning path of a 12.5 metre heavy rigid vehicle; and
 - (ii) be generally consistent with the strategic design in Appendix I of the Moree BESS Traffic Impact Assessment prepared by Amber dated 12 September 2025 and include at Appendix 5 of this consent.

B17. Prior to the commencement of operation of the development, the Applicant must:

- (a) obtain approval from the relevant roads authority for the site access works required under condition B16 in accordance with section 138 of the *Roads Act 1993*; and
- (b) complete the construction of the access to the development and the Transgrid Moree Bulk Supply Substation in accordance with the design under condition B16B16(a) and B16(b), respectively, to the satisfaction of the relevant roads authority.

Parking

B18. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

B19. The Applicant must ensure:

- (a) all vehicles associated with the operation of the development enter and exit the site via the access point off Bulluss Drive, Moree, or Campion Close, Moree;
- (b) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
- (c) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (d) the development does not result in any vehicles queuing on the public road network;
- (e) heavy vehicles associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (f) all vehicles are wholly contained on site before being required to stop;
- (g) all loading and unloading of materials is carried out on-site; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

SOIL AND WATER

Water Supply

B20. The Applicant must ensure that it has sufficient water for all stages of the development.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.

Imported Soil

B21. The Applicant must:

- (a) ensure that only VENM, ENM, or other fill material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site for use as fill;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Planning Secretary, Certifier and/or Council within seven days upon request.

Geotechnical Engineering Report

B22. Prior to the commencement of construction, the Applicant must prepare a Geotechnical Engineering Report detailing any special building practices required for construction of the development. The Report must be submitted to the Certifier with the application for a construction certificate.

Earthworks

B23. The Applicant must ensure bulk earthworks and site filling activities have regard to the recommendations made in the Interim Geotechnical Design Advice prepared by WSP Consultants dated 29 August 2025 (Appendix C.4 of the Submissions Report) and are to be carried out in accordance with *AS3798 (2007) Guidelines on earthworks for commercial and residential developments*.

Erosion and Sediment Control

B24. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

B25. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B24 for the duration of construction of the development.

Discharge Limits

B26. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

B27. Prior to the commencement of construction of the stormwater management system, the Applicant must finalise the detailed design of the stormwater management system for the development. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the conceptual design in the SEE and Submissions Report;
- (c) be in accordance with applicable Australian Standards; and
- (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

B28. Prior to the commencement of operation of the development, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B27) and ensure the system is operational.

B29. The Applicant must maintain the stormwater management system installed on the site under condition B28 for the duration of the development.

Operating Conditions

B30. The Applicant must:

- (a) ensure the battery storage and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site;
- (b) ensure the development is designed, constructed and maintained to avoid causing any erosion on site; and
- (c) provide for interception and removal of contaminants from the on-site stormwater basin in the event of fire damage to the battery cells.

CONTAMINATION

B31. Prior to the commencement of construction, the Applicant must prepare an Unexpected Contamination Finds Procedure to ensure that potentially contaminated material is appropriately managed. The procedure must:

- (a) form part of the of the CEMP in accordance with condition C2; and
- (b) ensure any material identified as contaminated is managed in accordance with the POEO Act and its associated regulations
- (c) include details of who will be responsible for implementing the Unexpected Contamination Finds Procedure and the roles and responsibilities of all parties involved.

Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

AIR QUALITY

Dust Minimisation

B32. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B33. During construction of the development, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

NOISE

Hours of Work

B34. The Applicant must comply with the hours detailed in Table 1.

Table 1 Hours of Work

Activity	Day	Time
Earthworks, road upgrades, commissioning, construction, upgrading and decommissioning	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Sunday	24 hours

B35. Works outside of the hours identified in condition B34 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) works agreed to in writing by the Planning Secretary;
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B36. The Applicant must ensure all feasible and reasonable noise mitigation measures are implemented during construction, upgrading and decommissioning to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time).

Operational Noise Limits

B37. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

Table 2 Noise Limits (dB(A))

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AMax}
Gwydir Thermal Pools Motel and Caravan Park	40	35	35	52

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AMax}
All industrial receivers	68	68	68	-

Note: Noise generated by the development is to be measured in accordance with the relevant monitoring performance procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 6 for the location of residential sensitive receivers.

VIBRATION

Vibration Criteria

- B38. Vibration caused by construction at any residence or structure outside the site must be limited to:
- for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016); and
 - for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

ABORIGINAL HERITAGE

Unexpected Finds Protocol

- B39. If any item or object of Aboriginal heritage significance is identified on site:
- all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - Heritage NSW must be contacted immediately.
- B40. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

HISTORIC HERITAGE

Unexpected Finds Protocol

- B41. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:
- all work in the immediate vicinity of the suspected relic(s) must cease immediately;
 - Heritage NSW must be contacted immediately; and
 - the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.
- B42. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

BIODIVERSITY

Tree Protection Measures

- B43. All trees identified for retention within the site are to be retained and protected in accordance with the latest version of *Australian Standard 4970:2009 – Protection of Trees on Development* for the duration of the development.
- B44. The Applicant must prevent access to the watercourse in the north-eastern corner of Lot 144 DP751780 and ensure the watercourse is protected for the duration of the development.

WASTE MANAGEMENT

Waste Management Plan

- B45. Prior to the commencement of construction of the development, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must:
- detail the type and quantity of waste to be generated during construction, operation and decommissioning of the development and the proposed reuse, recycling and disposal locations;
 - describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Environment Protection Authority, 2014);

- (c) identify opportunities to maximise recycling and detail the materials to be reused or recycled, either on or off site;
- (d) identify appropriately licensed waste and resource management facilities at which waste disposal and recycling will take place; and
- (e) identify the location and method of storing of lithium-ion batteries if immediate recycling is not possible, having regard to the requirements in the EPA Victoria guideline *Storage and management of waste batteries – guideline (2018)*.

B46. The Applicant must:

- (a) not commence construction until the Waste Management Plan is approved by the Planning Secretary;
- (b) implement the most recent version of the Waste Management Plan approved by the Planning Secretary for the duration of the development.

Note: An Environment Protection Licence from the EPA is required to transport higher risk wastes (classification of waste batteries should be applied in accordance with EPA's waste classification guidelines) and waste tracking requirements also apply. Compliance with relevant dangerous goods transport legislation is required when transporting batteries considered as dangerous goods (as per the Dangerous Goods (Road and Rail Transport) Act 2008).

Waste Storage

B47. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

Pests, Vermin and Priority Weed Management

B48. The Applicant must:

- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
- (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.

VISUAL AMENITY

Landscaping

B49. Prior to the commencement of operation of the development, the Applicant must establish and maintain a vegetation buffer (landscape screening) as described in the Moree BESS Landscape Concept Plan Moree NSW, prepared by Moir Landscape Architecture, dated 18 April 2024 (Appendix H of the SEE). The vegetation buffer must:

- (a) be comprised of species consistent with the planting palettes in the Moree Special Activation Precinct Delivery Plan;
- (b) be designed and maintained in accordance with RFS's *Planning for Bush Fire Protection 2019* (or equivalent); and
- (c) be properly and actively maintained with appropriate weed management and replacement of failed plantings.

Lighting

B50. The Applicant must ensure the lighting associated with the development:

- (a) complies with the latest version of *Australian Standard/New Zealand Standard AS/NZS 4282:2023 – Control of Obtrusive Effects of Outdoor Lighting*.
- (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network;
- (c) is installed as low intensity lighting (except where required for safety or emergency purposes); and
- (d) does not shine above the horizontal.

Signage and Fencing

B51. All signage and fencing must be erected in accordance with the development plans included in the SEE and Submissions Report.

Note: This condition does not apply to temporary construction and safety related signage and fencing.

DECOMMISSIONING AND REHABILITATION

B52. Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to comply with the objectives in Table 3.

Table 3 Rehabilitation Objectives

Feature	Objective
Site	• Safe, stable and non-polluting. • Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use.
Battery Storage and ancillary infrastructure	• To be decommissioned and removed where buried to depths of less than 500 mm, unless the Planning Secretary agrees otherwise and with the exception of assets held by the Network Service Provider.
Land Use	• Restore land to pre-existing use
Community	• Ensure public safety at all times.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) a condition compliance table for that plan;
 - (b) detailed baseline data (where relevant);
 - (c) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (e) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (d) above;
 - (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (h) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (i) a protocol for periodic review of the plan.

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see condition B14);
 - (b) Erosion and Sediment Control Plan;
 - (c) Construction noise management measures (see condition B36);
 - (d) Construction Waste Management Plan (see condition B45); and
 - (e) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. The Applicant must:
- (a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:
 - (i) the submission of an incident report under condition C7;

- (ii) the submission of an Independent Audit under condition C11;
- (iii) the approval of any modification of the conditions of this consent; or
- (iv) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review.

C6. If identified as part of the review process (see condition C5) or considered necessary to improve the environmental performance of the development, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C5, or in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, or such other timing as agreed by the Planning Secretary.

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C7. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via compliance@planning.nsw.gov.au and address details of the incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an incident;
 - (c) a description of what immediate steps were taken in relation to the incident; and
 - (d) identifying a contact person for further communication regarding the incident.
- C8. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 7 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

- C9. Within seven days of becoming aware of any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal.
- C10. A non-compliance notification submitted under condition C9 must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: *A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

Independent Audit

- C11. Independent Environmental Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements (2020)* or as updated from time to time and published on the Department's website.

Monitoring and Environmental Audits

- C12. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

ACCESS TO INFORMATION

- C13. At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website as relevant to the stage of the development:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent with the exception of any hazard and risk related studies;

- (iv) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (v) a summary of the current stage and progress of the development;
 - (vi) contact details to enquire about the development or to make a complaint;
 - (vii) a complaints register, updated quarterly;
 - (viii) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (ix) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

[illegible]

NSW Government
Department of Planning, Housing and Infrastructure

Appendix B Consolidated mitigation measures

A full set list of safeguards and mitigation measures are provided below. New mitigation measures and those that have been amended are shown in red.

Consolidated mitigation measures
Noise: - Establish a complaints procedure, including signage and other means to advertise the contact number regarding complaints. Respond to complaints in a timely manner and keep relevant parties informed of progress. - Good relations with people living and working in the vicinity of a construction site should be established at the beginning of a project and be maintained throughout the project, as this is of paramount importance. Keeping people informed of progress and taking complaints seriously and dealing with them expeditiously is critical. The person selected to liaise with the community should be adequately trained and experienced in such matters. - Develop a Noise Management Plan to ensure noise and vibration impacts are minimised during construction and operation phases.
Fire, ignition and hazards - It is recommended that the results of the PHA be used as inputs into other safety studies required including: - Emergency response plan - Fire safety study. - In addition to the above it is required that: - The detailed design of the BESS will be undertaken to comply with the requirements of section 3.2 of the PHA, including separation distances, UL9540A test reports and OEM recommendations - If the proponent chooses to use the Tesla Megapack, all recommendations from the Victorian Big Battery Fire Statement of Technical Findings – Victorian Government 2021 will be implemented. It is noted the proposed development would not involve the Tesla Megapack. Any change to the Tesla Megapack would involve a modification application and be relevantly assessed.
Bushfire risk - Appropriate setbacks from adjacent unmanaged hazardous vegetation of minimum 10m (APZ), confirmed subject to detailed design. - Within the 10m APZ, minimum 4m wide all-weather gravel perimeter road, generally in compliance with the PBP. - Manage and maintain the APZ as an Inner Protection Area as per the requirements of the PBP. - Inclusion of 200kL static water supply, in line with the requirements of Table 7.4a of the PBP.

- Electrical services in line with the requirements of Table 7.4a of the PBP.
- Constructed to the appropriate Bushfire Attack Level (BAL) as per AS3959:2018 - Construction of buildings in bushfire-prone areas.
- Preparation of a Bush Fire Emergency Management and Operations Plan during the construction and operational phase of the BESS.

Land use compatibility

- Land rehabilitation to be detailed as part of a Decommissioning Plan, in consideration of relevant NSW Department of Primary Industries guidelines and best practice.
- Implementation of site landscaping in accordance with the accompanying Landscape Plan.

Access and traffic

- Prior to construction, a pre-condition survey of the relevant sections of the existing road network should be undertaken in consultation with the road authority. During construction the sections of the road network utilised by the proposal are to be monitored and maintained to ensure continued safe use by all road users, and any faults attributed to construction of the BESS would be rectified. At the end of construction, a post-condition survey would be undertaken to ensure the road network is left in a condition equivalent to that at the start of construction.
- A Traffic Management Plan (TMP) will be prepared and implemented. The TMP should be prepared in reference to the TIA, Australian Standard (AS) 1742.3 and the Work Health and Safety Regulation 2017.
- **Updated traffic numbers as provided by MPSC will be considered and incorporated into the final TMP.**
- Neighbours of the BESS are to be consulted and notified regarding the timing of major deliveries which may require additional traffic control and disrupt access.
- Heavy vehicles should avoid travel during peak bus operating times to limit the interaction of larger vehicles and vulnerable road users.
- It is recommended that any OSOM vehicle trips be timed so they do not coincide with other OSOM vehicles within the surrounding area to limit the impact to the road network, which can be undertaken as part of the permit application.

Aboriginal heritage

- If any items suspected of being Aboriginal in origin are discovered during the work, all work in the immediate vicinity must stop and Heritage NSW notified. The find will need to be assessed and if found to be an Aboriginal object, and Aboriginal Heritage Impact Permit (AHIP) may be required.
- In the unlikely event that human remains are discovered during the development works, all work must cease in the immediate vicinity; Heritage NSW and the police should be notified. Further assessment would be undertaken to determine if the remains were Aboriginal or non-Aboriginal. If the remains are deemed to be Aboriginal in origin, the Registered Aboriginal Parties should be advised of the find as directed by the appropriate heritage team within Heritage NSW. Heritage NSW would advise the Applicant on the appropriate actions required.

Non-Aboriginal heritage

- Works at that identified heritage location will cease with an appropriate buffer zone of at least 20m to allow for the assessment and management of the find. All site personnel will be informed about the buffer zone with no further works to occur within the buffer zone.
- A heritage specialist should be engaged to inspect and assess the item.
- For items determined to be historic relics, work must remain ceased in the affected area and the Heritage Council must be notified in writing. This is in accordance with section 146 of the Heritage Act 1977 (NSW).
- Depending on the nature of the discovery, additional assessment may be required prior to the recommencement of work in the area. At a minimum, any find should be recorded by an archaeologist.

Visual

- A Landscape Management Plan (LMP) will be implemented based on the final detailed design, to achieve the landscape requirements of the Delivery Plan.
- Good design principles employed through the proposed development design phase can ameliorate the visual impact. Consideration will be given to the colours, type and height of the facility to ensure minimal contrast and to help blend into the surrounding landscape to the extent practicable.
- External lighting shall be installed to comply with Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version.

Air quality

- A reduced speed limit would be enforced within the site.
- Vegetation clearing would be kept to minimum.
- Stockpiles at the site which has a potential to generate dust would be covered.
- Equipment will be turned off while not in use.
- A water cart would be used to suppress dust during peak movements times.
- During the operation of the BESS, soils are to be protected, and perennial grass cover is to be maintained in order to slow dust generation.

Contamination

- The fill to be brought to the site will be natural material free of contaminants.
- If contaminated material is identified onsite during the construction program, the Unexpected Finds Protocol will be implemented.

Stormwater

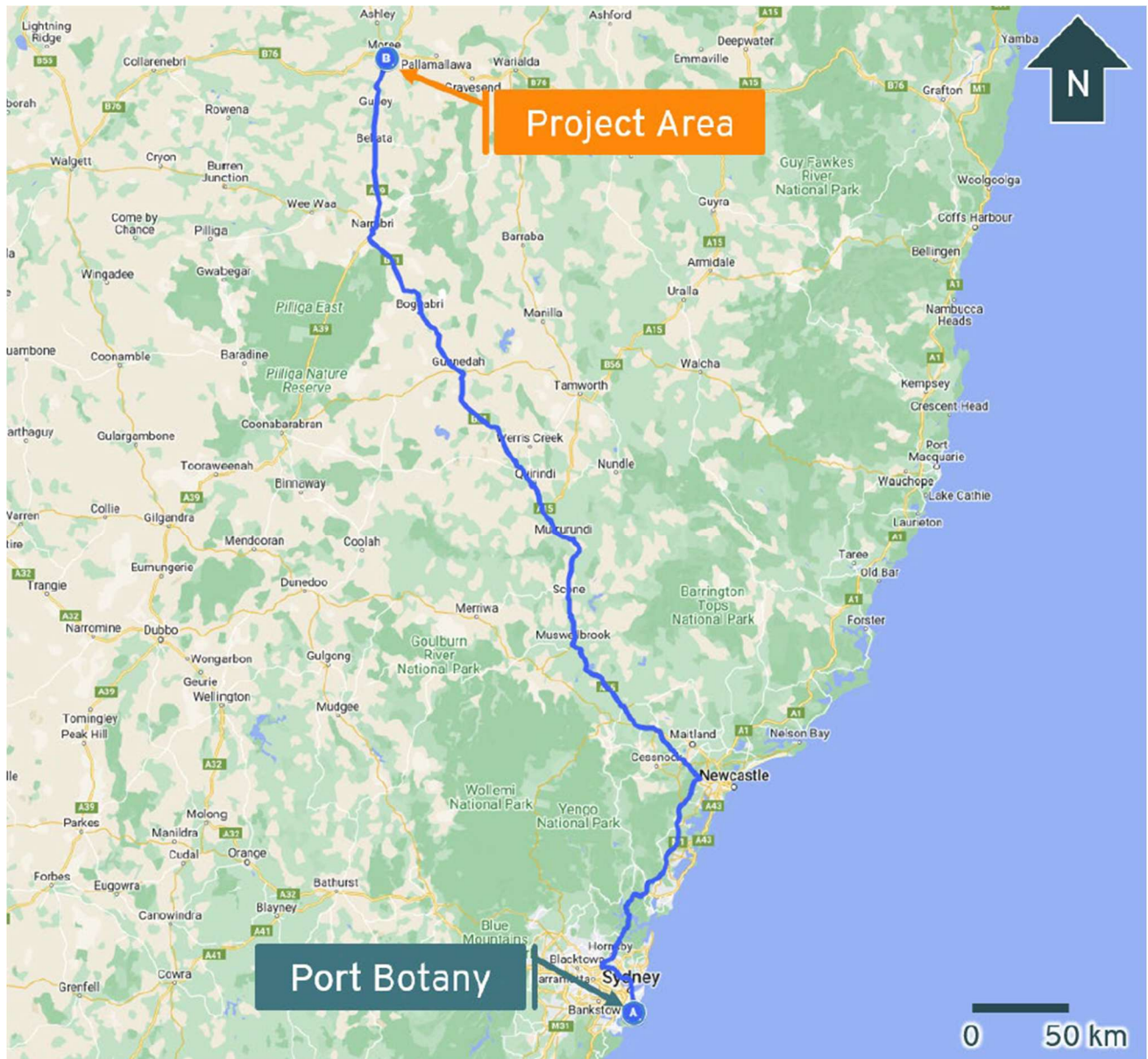
- Ensure appropriate drainage controls are incorporated into the final detailed design to minimise the area of disturbance, runoff and pollutant generation.
- Erosion and sediment control measures will be implemented to mitigate any impacts in accordance with Managing Urban Stormwater: Soils & Construction.
- A Stormwater Management Plan has been prepared for the proposed development to provide on-site stormwater detention infrastructure to capture rainwater and surface runoff and maintain pre-flow rates for all events up to, and including, the 1% AEP at a capacity.
- The treatment and management of total nitrogen will primarily be through:

- o Removal of vegetation across the primary footprint, via application of a 100mm thick blue stone application
- ~~o fully fencing of all yards and adding grates to stormwater entry points~~
- ~~o The circulation pathways around the BESS and general access areas are unsealed gravel topped roadways, trapping runoff at source.~~
- o Incorporation of a sedimentation basin, detention basin and grassed swales, as applicable.
- o A Gross Pollutant Trap (GPT) if heavy clays are present.

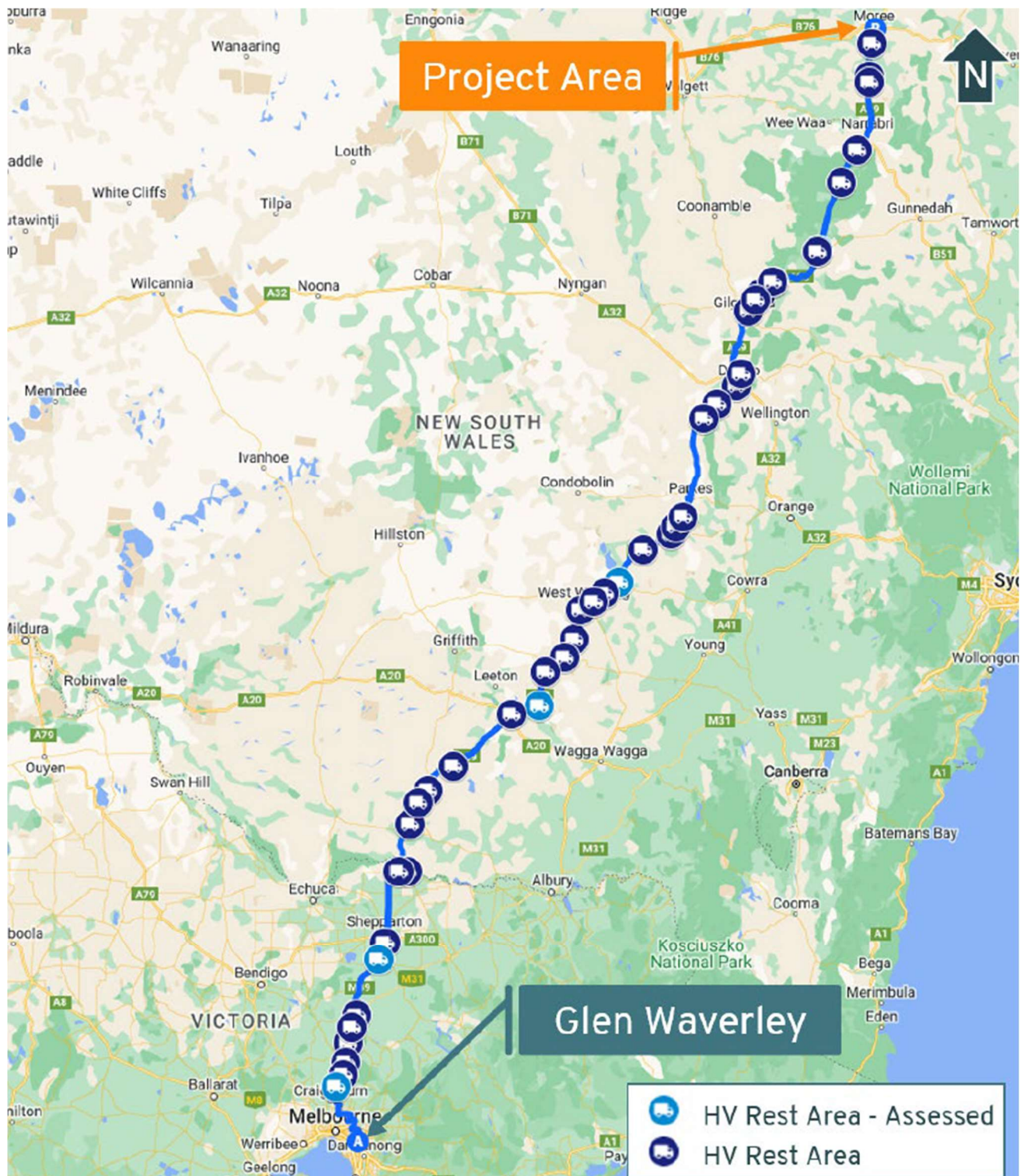
Before the commencement of works, the stormwater quality management options are to be confirmed through further geotechnical investigations to verify the type of existing soils onsite. The GPT has been presented as a contingency, only if the geotechnical assumption of Medium Clay classification is determined to be incorrect.

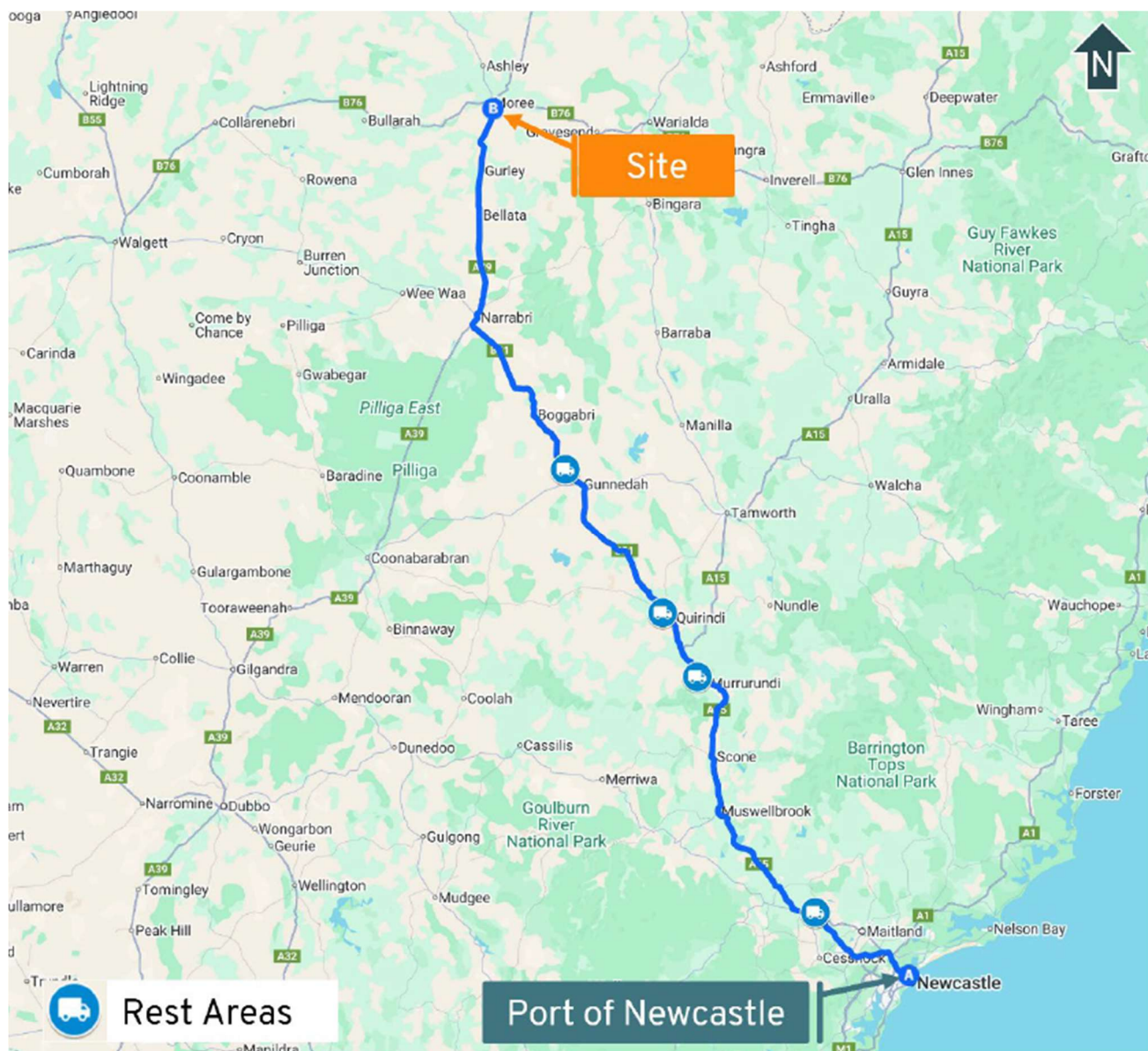
~~It is proposed that the above treatment measures (removing TN generating nodes) be considered in lieu of meeting TN targets via alternative methods. That is, in the Hierarchy of Controls, adopting substitution and elimination of nitrogen generating elements, as opposed to inclusion of the lower order measures such as Engineering Controls (i.e. larger bio beds/filtration zones) is considered appropriate for the unique nature of this development.~~

APPENDIX 3 HAULAGE ROUTE: HIGH-RISK HEAVY VEHICLES



APPENDIX 4 HAULAGE ROUTE: HIGH-RISK HEAVY VEHICLES REQUIRING ESCORT





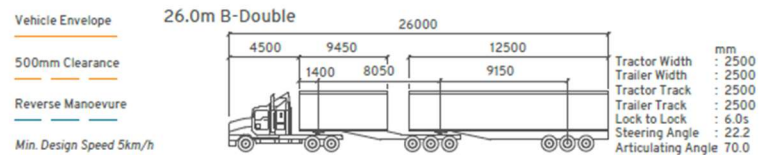
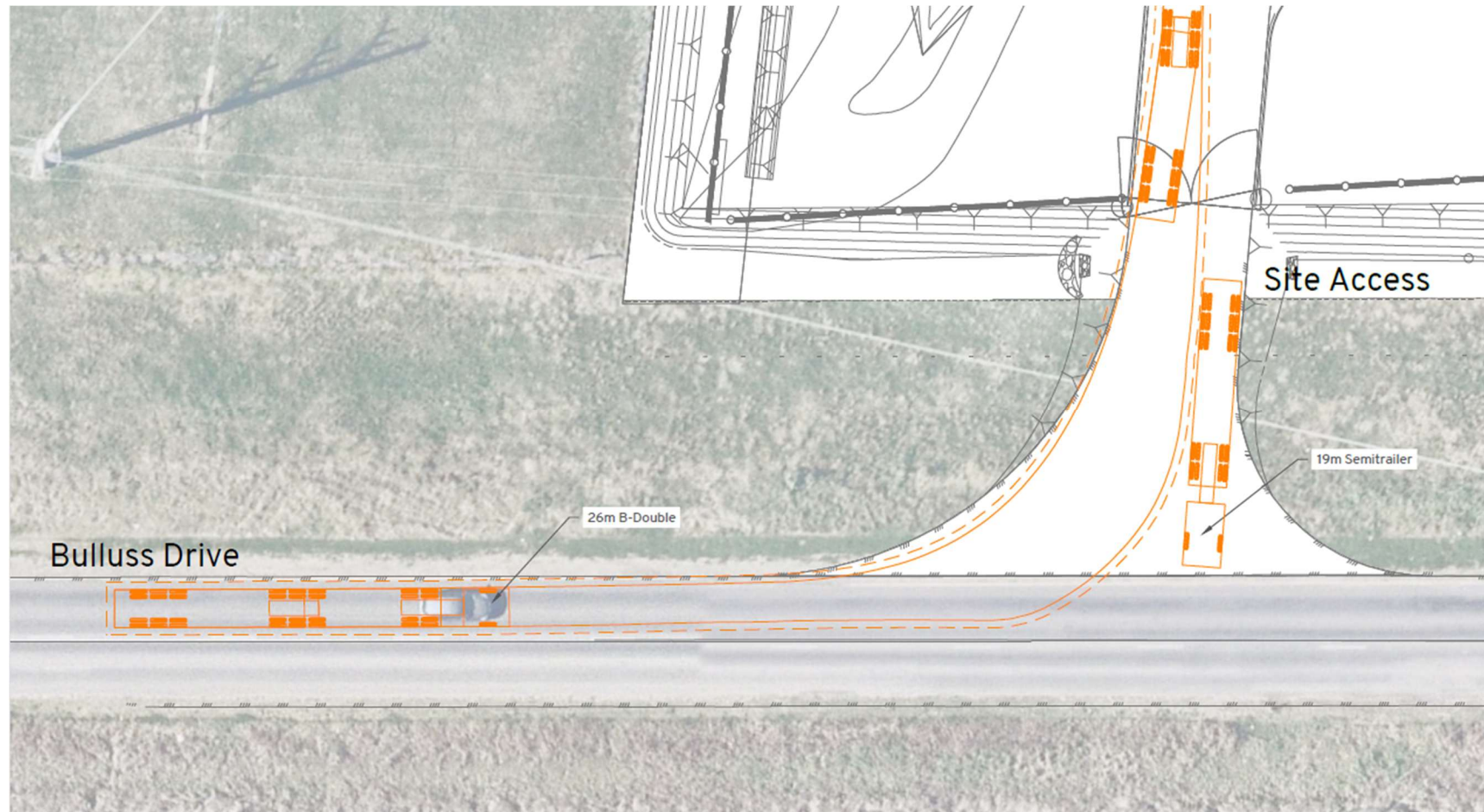
APPENDIX 5 SITE ACCESS DESIGN PLANS



Moree SAP
Campion Close Access
Strategic Design

DRAWN: WC
DATE: 19/08/2025
DWG NO: 1044 F02A
SCALE at A3: 1:500m

Amber 01



Moree BESS
Moree Special Activation Precinct
Site Access Swept Path Assessment

DRAWN: SE
DATE: 28/02/2025
DWG NO: 1044 S01C
SCALE at A3: 1:250

Amber 02

APPENDIX 6 SENSITIVE RECEIVERS



APPENDIX 7 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via compliance@planning.nsw.gov.au.
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C7), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident;
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

5. If requested by the Planning Secretary, within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
6. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.