

MUSWELLBROOK BESS PTY LTD PLANNING AGREEMENT EXPLANATORY NOTE

On 7 July 2023, permission was granted by the Director - Energy Assessments, of the Department of Planning and Infrastructure, for Muswellbrook BESS Pty Ltd to develop a Battery Energy Storage System (BESS) at 20-24 Sandy Creek Road, Muswellbrook, within the Hunter-Central Coast Renewable Energy Zone.

The BESS will have a capacity of up to 150 megawatts (MW) and 300 MW-hour (MWh), and will include a new transmission line to connect to the adjacent Muswellbrook substation. The BESS has an anticipated lifespan of 15-20 years, with the possibility of upgrades to extend its operational life. Up to 75 people will be employed during the 12-month construction period, with 2-3 ongoing jobs during operation.

Condition A14 of the Development Consent (SSD-29704663), requires that Muswellbrook BESS Pty Ltd enter into a Planning Agreement with Muswellbrook Shire Council (MSC). Under this Planning Agreement, Muswellbrook BESS Pty Ltd will make contributions to the value of \$200 per MWh of installed capacity, provided every year of operation and indexed annually to the Consumer Price Index. These contributions will be allocated as follows:

- Muswellbrook Shire Community Benefit Fund – 85% of the value of the contribution; and
- Employment of Environmental Officer by MSC – 15% of the value of the contribution.

Council is required to administer the Planning Agreement in accordance with the *Environmental Planning and Assessment Act 1979* (NSW) and Environmental Planning and Assessment Regulation 2021, in addition to any guidelines published by the Department of Planning, Housing and Infrastructure.

The Community Benefit contributions will be paid into the Muswellbrook Shire Community Benefit Fund and distributed by MSC in accordance with the *Muswellbrook Shire Council Community Benefit Policy* (MSC052E). Funds will be allocated to a activities that provide for the ongoing benefit of the community, including:

- diversifying and growing the local economy;
- improving community wellbeing;
- enhancing liveability;
- increasing education and training opportunity for local people; and
- supporting environmental and heritage conservation.