Planning, Transport & Regulation. Mansfield.G
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City of Newcastle

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Department of Planning and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Submission via Major Project Portal: https://majorprojects.planningportal.nsw.gov.au/

Dear Jai Reid

BERESFIELD BATTERY ENERGY STORAGE SYSTEM (SSD-31940756) 53 WEAKLEYS DRIVE BERESFIELD

I refer to the Department of Planning and Environment's (DPE) notification of 31 May 2023, via the Major Project Portal, advising it has received an Environmental Impact Statement (EIS) for the development of a 170MW/340MWh battery energy storage system (BESS) and grid connection on land known as 56 Weakleys Drive Beresfield. The State significant development application (SSD-31940756) and EIS was being publicly exhibited and City of Newcastle (CN) has been invited to provide advice on the development.

The EIS has been reviewed and the following advice is provided for your consideration:

1. **Adequacy of EIS**

Concern is raised regarding the lack of detailed plans of the development submitted with the development application. The proposed development appears to be at a conceptual stage with many aspects to be the subject of detailed design sometime in the future, including the following:

- Number and exact layout of the battery modules.
- Location of site office and parking.
- The final location, design and height of the noise barrier.
- Location of security fencing and gates.
- Outdoor security lighting.
- Location of easements on the subject site.
- Location of the proposed sub-transmission line.
- Extent of earthworks.
- Preliminary stormwater management plan.

It is presumed that some of the above details have not been provided because the type of battery storage system to be used in the development has not yet been finalised.

By way of comparison, a development application (DA2022/00588) approved by the Hunter and Central Coast Regional Planning Panel (PPSHCC-133) for a BESS of lesser capacity (28MW) included a detailed site plan for each of the three types of battery storage system

options being considered, detailed engineering plans, as well as illustrations of each system option.

It is requested that the applicant be required to provide supplementary detailed plans which address the above matter.

2. Stormwater Management

The appendices of the EIS include a Water Assessment (WA) prepared by SLR (Appendix K). The WA proposes to connect the proposed development to the existing stormwater management system and to construct over existing impervious areas where possible.

It is noted that the extent of the development – in particular areas earmarked for BESS and the substation – includes substantial existing undeveloped pervious surfaces. Construction of substantial additional impervious areas is highly likely if the indicated development extents accurately reflect the extent of the detailed design.

In 2018 conditional development consent (DA2017/00402) was granted for the *'Demolition of building, erection of a storage facility, associated administration building, parking, wash bay and site works'* on part the subject land. The existing stormwater management system draining to the dam/basin at the south of the site was designed to control runoff from this development only with no surplus capacity to accommodate further future development of the site. Additional discharge and stormwater quality controls will be required to manage new impervious areas constructed as part of the proposed development.

While it is acknowledged that the provisions of the Newcastle Development Control Plan (NDCP) 2012 do not apply to State significant developments they are often used by both applicants and the DPE to consider various aspects of such proposals. Given the scale of the proposed development it is recommended that the applicant be required to submit a stormwater management plan (SMP) demonstrating compliance with water quality and quantity requirements set out in the NDCP and the associated 'Stormwater and Water Efficiency for Development' Technical Manual (SWEDTM).

The SMP is to include hydraulic ('DRAINS' or equivalent) and water quality (MUSIC) modelling to assess the suitability of proposed stormwater controls to manage any new impervious areas. Stormwater controls are to be provided such that the hydraulic modelling demonstrates post-development site discharge does not exceed pre-development levels.

3. Existing major stormwater conveyance system

The approved stormwater management plan for DA2017/00402 includes swales running the perimeter of the Ausgrid substation site to collect and convey excess stormwater flows during major storm events. These drainage swales are to be clearly identified in the plans for the proposed development and should not be filled, constructed over, or otherwise obstructed unless equivalent conveyance systems are provided as replacements.

4. Temporary removal of medium

The appendices of the EIS include a Traffic Impact Assessment (TIA) prepared by Amber Transport and Transportation Direction (Appendix E).

The Swept Path Assessment diagrams (Appendix C of the TIA) indicate the oversized/overmass (OSOM) vehicle will conflict with an existing median island at the intersection of the private access road (in 53 Weakleys Road) and Whites Road. This median island moderates traffic from the private access road but is situated mostly in the public road reserve. Stamped civil plans under RA2018/00214 indicate the median was constructed using 130mm high mountable kerb specified against CN's Standard A1200.

The median may be replaced with a temporary painted median if removal of the median is required to enable access for the OSOM vehicle. If removed, the median is to be reinstated in full (mountable kerb with concrete infill island) prior to the commencement of operation.

5. Social impact assessment

The appendices of the EIS include a Social and Economic Impact Assessment (SEIA) prepared by bd Infrastructure Pty Ltd (Appendix M).

The following issues were identified in the SEIA as having a low social impact and were not subject to further assessment:

- Increased demand for temporary accommodation.
- Impacts on Aboriginal heritage and values.
- Operational employment opportunities.
- Operational traffic.
- Positive impacts, including increased firming of renewable energy projects and a reduction in energy prices.

While it is generally agreed that the issues above have a low impact, it is recommended the applicant gives consideration to the following:

(a) Increased demand for temporary accommodation:

Further clarity on the type of temporary accommodation the project would require would be useful. For short stays (days or weeks) at a time accommodation such as hostels, hotels and motels should have sufficient availability. However, if the project would be seeking short term rentals of several months to one year, Newcastle LGA is currently experiencing some of the lowest rental vacancy rates in its history, less than 1% vacancy. If rentals are sought out, this should be taken into consideration.

The preference would be that local construction workers are employed to avoid increased pressure on the rental situation in Newcastle. It is noted that a local procurement policy is proposed as part of the project and supports this recommendation.

(b) Operational employment opportunities:

While it is noted that only two to three full time jobs have been assessed as feasible in the operation of the battery storage system, it is suggested the applicant establish contact with the Hunter Jobs Alliance who campaign for local and sustainable jobs in relation to the changing energy market. They may be able to provide expert local insights and guidance of use to the project. https://hunterjobsalliance.org.au/

The following social impacts were identified as having a moderate or high impact which require further assessment:

(a) During construction:

- Increased construction traffic: impact on how residents and the local community move around the local area during construction.
- Construction noise: Potential decline in way of life and associated health and wellbeing for local residents due to noise annoyance.
- Air quality impacts: Impacts associated with construction works, primarily earthworks.
- Increased employment opportunities: Impact on the community's access to local and regional employment opportunities.

(b) During operation:

- Network resilience: The ability to reduce the chance of blackouts during high demand periods, overall reducing health and wellbeing risks associated with moderate blackout events.

- Operational noise: Decline in way of life and associate health and wellbeing for local residents due to operational noise annoyance.
- Visual impact and landscape changes: Permanent changes to the aesthetic value of the area.

The SIA recommends the following actions be adopted in order to enhance potential benefits and mitigate potential social impacts:

- Develop and implement a local procurement policy that aims to engage the local construction workforce and relevant suppliers.
- Develop and implement a complaint handling process prior to construction.
- Develop a website as a central source of information.
- Adopt the technical mitigation measures identified in other technical reports.

These mitigation actions are supported. In particular, development and implementation of a local procurement policy and the continuation of targeted consultation with nearby sensitive receivers, as part of the complaints handling process.

In addition to the sensitive receivers who are located nearby the project site, consideration of key population groups is also encouraged. As noted in the Social Baseline, the social locality has a higher proportion of Aboriginal and Torres Strait Islander people than the Newcastle LGA, almost double, as well as several suburbs in the locality that have high levels of disadvantage (Beresfield, Woodberry and Tarro). Specific consideration of these groups throughout the duration of the project is encouraged to ensure the negative impacts of the project are not disproportionately experienced by them.

6. Contamination

The appendices of the EIS also include a Soil Contamination Assessment prepared by Firmpower Pty Ltd (Appendix. I)

An objective of the report is stated as:

> *'The objective of the site was limited to an assessment of the contamination status off on-Site soils and suitability of the Site for commercial/industrial use and information on the type, extent, and level of shallow contamination for the Site.'*

It is noted the report is not stated as being either a preliminary or detailed site investigation report in accordance with the NSW Environment Protection Authority's publication 'Guidelines for Consultants Reporting on Contaminated Sites'. CN's records that the site has a significant history of investigations and some remediation as well as site auditor review and statements.

The SLR report has not drawn on all the history of investigations and remediation work and the level of investigation may not be adequate for determination of the development proposed. Additionally, the limited shallow contamination investigation is unlikely to adequately characterise the site. It may be appropriate for the applicant to do a more detailed site investigation and\or draw on a more thorough review of previous reports and if necessary, involve a site auditor to review the report to confirm the suitability of the site for the proposed development.

7. Wastewater disposal

The subject land has historically been unsewered. applicant will need to consider the method of wastewater disposal from any on-site amenities that may be proposed.

8. Waste Management Plan

It is noted the EIS refers several times to a Waste Management Plan (WMP), which is yet to be prepared.

According to the EIS, '*Operational waste associated with the facility is of a limited nature, being likely limited to small amounts of packaging associated with plant maintenance / replacement and general waste from site staff.'*

Whilst it is most likely that a commercial waste provider will be engaged, it would be helpful to have a WMP submitted to ensure all facets of operational are covered and understood, including a contractor capability assurance, estimated waste generation volumes, bins sizes and anticipated collection frequencies, storage areas and presentation points.

9. Section 7.12 Development Contributions

The provisions of CN's Section 7.12 Development Contributions Plan, which became operational on 1 January 2022, apply to the subject site. Under the plan, a contribution rate of 1% of the cost of the development applies to all non-residential developments having a cost of more than $200,000. It is recommended the applicant be required to address the requirements of the above plan and submit a cost summary report for the proposed development. It is further recommended that the full 1% levy is applied to the development and it is requested that should the application be approved that s.7.12 contribution conditions are imposed on any determination issued.

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield Development Assessment Section Manager on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au.

Yours faithfully

Amy Ryan
CITY SIGNIFICANT & STRATEGIC PLANNING MANAGER