

**Attention: The Honourable Paul Scully MP,**  
Minister for Planning & Environment and Public Spaces  
**C/- Anthony Ko, Project Contact Planner, DPE**  
Department of Planning and Environment Locked Bag 5022<sup>[1]</sup><sub>SEP</sub> Parramatta NSW 2124

By email: [Anthony.Ko@planning.nsw.gov.au](mailto:Anthony.Ko@planning.nsw.gov.au)

15 October 2023

Dear Minister,

**Submission of Objection to the Proposed Oven Mountain Pumped Hydro Storage Proposal:**  
Application Number SSI-12422997, EPBC ID Number 2020/8850, Assessment Type; Critical State Significant Infrastructure. Exhibited as: (EXH-62250958)

As resident of the Macleay Valley and owner of a riverbank property in Kempsey, I am most concerned about the proposed Oven Mountain Pumped Hydro Storage Project.

My concerns are

- Potential contamination of the Macleay River by tunnelling and reservoir building on the project site
- Potential contamination of the Macleay River by run-off from the necessary earthworks for road and bridge construction close to the riverbank
- The impact on the Kempsey Shire Council finances regarding road construction and ongoing, long term road maintenance
- Increased traffic through the town of Kempsey and the villages of Willawarrin and Bellbrook, particularly during the construction phase
- Insufficient, if not dishonest, community consultation.

Assuming that Macleay Valley residents with more expertise in the areas of geology, hydrology and project construction details will submit their concerns, I will concentrate on latter point, the so called community consultation by OMPHS.

Under the heading "Consultation" p ES.8, it is stated that since August 2017 OMPHS has "proactively engaged with the community, stakeholders and industry in the surrounding region."

In my opinion, the proponents are aware of the legal requirements and therefore have ticked all the boxes. In some instances, the community was informed about some technical aspects of the projects. The emphasis was on the on-site development, the necessary infrastructure like roads and powerlines were totally ignored for quite some time. As personally experienced, several of the events listed in appendix D were, as described further below, of no value as community consultations.

First and foremost, there are general problems arising from the fact that the project is located in the Armidale LGA and part of the State Significant New England Renewable Energy Zone, yet the potential impact from any water pollution or flow reduction as well as

the massive impact on the roads will be born by the downriver community in the Kempsey LGA. Therefore, the communities downriver from the project should have the most say. Instead, early consultations were held with Armidale Regional Council (ARC) pre SEARs in August 2017. Two more face-to-face meetings were held with ARC in 2020 before the first meeting was held with Kempsey Council. Meetings with the Federal Member of Parliament in Tamworth in 2017 and a meeting with the State Member of Parliament in Armidale; are listed in Appendix D. Assuming that those meetings refer to the Federal Member of Parliament for New England and the state Member of Parliament for Tamworth, it has to be noted that no meetings at all are recorded with the Federal Member for Oxley.

On publication of SEARs, Kempsey Shire Council (KSC) submitted a detailed list of concerns in February 2021<sup>1</sup>, but those concerns do not seem to be addressed in the Addendum to the Scoping Report from April 2022. To my knowledge, Kempsey Council did not receive a direct response.

According to Appendix D (D.4) local and community consultations were not advertised for Kempsey before December 2021.

I attended two events at the Kempsey Macleay RSL (in January 2022 and June 2022) described by OMPHS as drop-in project introduction. Those kinds of meetings were also held in the Armidale area.

In my opinion those meetings were of no value to the community. The only value to the proponents is the opportunity to tick the boxes, i.e. to state the legal requirements for community consultation are met.

To illustrate my point, I give a description of the meetings I personally attended:

- These community consultations were labelled “drop-in-sessions” with a time frame of 3 hours.
- At the January 2022 meeting around 50 people came in within the first 30 minutes and found that no chairs were provided.
- A projector was set up, but due to a fault could not be operated.
- A map was pinned up where details could only be seen when standing very close (one person at a time).
- Eventually chairs were brought in. Several people were still standing by the door.
- No presentation was given.
- **The audience was encouraged to ask questions which was an impossible task. With no information given, questions could only be based on rumours and prejudice. Some factual questions were not answered or only answered after they were repeated several times and more loudly. As a consequence frustration in the room rose.**
- One example of such a question was: “Who is paying for the access roads?” After it was repeated a third time, the answer was given as follows: “We pay. We pay for the roads on the property. For all other roads we are road users like everybody else.” Considering the proposal to have a new road built and the increased traffic, especially during the

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1 <https://www.kempsey.nsw.gov.au/Your-Council/Council-meetings-forums-catchups/Council-meeting-agendas-minutes/Ordinary-Council-Meeting-17-May-2022-Minutes/Ordinary-Council-Meeting-17-May-2022-MinutesAgenda/9.6.1-Oven-Mountain-Pumped-Hydro-Energy-Storage-Planning-Secretarys-Environmental-Assessment-Requirements>

construction phase, an answer like this can only lead to cynicism in the community.<sup>2</sup>

- Another example regards questions around the ownership of the project. Clear answers were avoided. The project partnership with any overseas interests was denied or obscured.

Reports from the meetings in Armidale provide a similar picture.

The June 2022 meeting was structured in the same way.

- Tables and chairs were set up, but not enough.
- No presentation
- Questions to be asked - based on what?
- Questions not answered (as above)
- Frustration rose to the point of abusive behaviour. Alcohol consumption, freely available at the venue, was involved.

With more and more urgent questions raised by the public, the community group Save Our Macleay River Inc decided to organise a public meeting at an alcohol free venue in Kempsey where OMPHS representatives, Thunggutti Elders and a couple of environmental experts could give presentations. It was envisaged that all speakers would also answer questions. About 100 people attended the meeting. Unlike the “drop-in-sessions”, the meeting had a clear structure and was lead by a strict moderator. Disappointingly, the OMPHS representatives left the meeting immediately after their presentation without answering questions. The organisers collated questions from the floor, sent them to OMPHS, but never received a response.

In Appendix D, several community events and community engagements are listed indicating they were consultations in the sense of the legal requirements. I object to the claim that Show and other community event sponsorships are anything but attempts to raise the project's positive image. They cannot be counted as “community consultations” and should be disregarded.

Last not least: At the events I attended, OMPHS promised to inform the interested public immediately when the EIS and DA were placed on exhibition by the NSW government. For that purpose, they collected email addresses. The extensive EIS and DA documents were published on 19 September 2023 with 28 days for the public to lodge submissions. The email from OMPHS to inform of the exhibition was sent on 6 October, leaving all of 10 days for submissions. The proponents' commitment to keep the public informed and engaged is not credible.

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2 “...a new eastern access road (EAR) is proposed to connect the Project site to the Kempsey Armidale Road. The EAR will many avoid the narrow and constrained sections of the Kempsey Armidale Road (e.g. at Flying Fox Cutting).

The peak in traffic movements is predicted to occur when the greatest construction activity occurs in mid 2027. The peak daily vehicle trips (note that a ‘trip’ refers to one inbound movement plus one outbound movement) are estimated to be a total of 219 daily vehicle trips on the external road network, comprising 64 daily heavy vehicle trips and 155 daily light vehicle trips.” OMPHS EIS, p ES15

Thanking you for the opportunity to provide this submission and looking forward to working with all involved to achieve a good result for the community, economy, environment we live in.

Yours sincerely

## **‘Summary’**

*Works in Progress update as of: 9<sup>th</sup> October*

**2023**

*The fact that the NSW Government (DPE) has designated this a “Critical State Significant Infrastructure” Project and they consider it critically important to the State. – So, your submission needs to be concise, strongly worded and reasoned.*

***The below Summary of major issues is suggested for those who do not wish to get into the details:***

**Summary of major issues: - As seen by SOMR:**

1. **Public Consultation and Community engagement**, including and specifically First Nations. – SOMR has observed; ‘Consultations’ have been ‘drop-in-sessions’ and shop-front and promotions such as at shows; where questions are answered. As far as is known locally, OMPHS have never instigated a physical “Presentation of the Project” to the broader community. Importantly; formal written questions from SOMR’s Forum were twice sent; with no response. The only known ‘Project presentations’ hosted by OMPHS have been to engage ‘Contractor’/ ‘Worker’ support and this even before, DA/EIS lodgement, exhibition or Approval to garner support. - *Is this appropriate for such a project? - The recent EDO challenge to Woodside Hub decision demonstrates not.*

