

**73 High Street,
Thirroul NSW 2515
13 December 2024**

Submission

**Re: Hume North Battery Energy Storage System -32 Trout Farm Road, Hume Weir
Village**

Application Number: SSD – 6184 2974

**The Planning Officer,
Energy, Resources and Industry Assessments,
NSW Department of Planning, Housing and Environment
4 Parramatta Square, 12 Darcy Street,
Parramatta NSW 2124**

Dear Megan,

The quality of an Environmental Impact Statement is not determined by its length. A 1000-page bad EIS is a bad EIS. The Jacobs' EIS on the proposed BESS battery Project at Hume Weir Village is a bad EIS.

We formally lodge our objection to the Hume North Battery Energy Storage System proposed to be constructed on the hill above our property at 64 Trout Farm Road, Hume Weir Village **(Farm)**.

We categorise our several objections under the following headings:

- Totally inappropriate location with potential to cause immense and enduring harm to the Murray River.
- Disregard of Albury City Council and its intentions for the area.
- Paucity of information provided and unsatisfactory state of presentation
- Multiple dangers associated with exploding lithium-ion BESS storage batteries and consequences of thermal runaway.
- Deliberate misdescription of the Farm and its infrastructure and failure to disclose (let alone resolve) the many issues the Farm presents for a lithium-ion BESS storage batteries.

- Towering over size and construction issues with the Project
- Disregard of NSW Fire and Rescue and its requirements
- Lack of consideration for GHD Report for electricity commission dated 24 March 2023 and the multiplicity of electric battery fires in the recent years
- Non-reliance of Hume Hydro as the previously believed justification for the location of the Project.
- Transport restrictions not considered.
- No provision for emergency access and TFP's access to water rights
- Lack of appropriate Legislation
- Conclusion:

A. Foresight – Executive Summary

1. Infrastructure Capital Services Pty Ltd is trustee for Australian Renewable Investment Fund (ARIF) Hume BESS Holdings Trust (a wholly owned special purpose entity of Foresight Australia Fund Management (Foresight)). The parent company controls a hedge fund operating out of the UK.
2. Whilst funding and management considerations are concealed from the public, in the writers experience, it is highly likely that the Project will be funded partly by the Australian banks and partly by the off-balance-sheet monies controlled by the Federal Environment Department. The costs of operating will be met here but it is probable that the very substantial spot price gains will pass out of the country through the special purpose structure.
3. The relevance of this to Albury Council is that if there is a major fire hazard event coupled with thermal runaway, or if the Project is a failure and decommissioned, no provision or security is to be provided for remediation and compensation. This appears to be a matter that has never been considered and certainly has not referred to in the "thousand pages produced by Jacobs". In other words, this potential environmental mess would be left for Council to clean up. This may be at a crippling cost.

B. Totally inappropriate location and with potential to cause immense danger to the Murray River.

4. All relevant interested parties are unanimous that the location of this Project is not in the interests of residents or of the greater Hume Village environment and is a totally inappropriate development for the region

5. While the height of the retaining wall is said to be 6 m, it is apparent from other BESS sites that the infrastructure is considerably higher, and the overall bulk is substantial and unsuitable for the region. Additionally, the noise report compiled on readings taken in May 2023 is not consistent with the independent expert's consideration of the noise and heat generated from these BESS Projects nor by the very extensive tourist season in the summer months.

C. Justification for being at Hume Village

6. Jacobs' have been working on this concept since 2020 when they first proposed 62 Murray Street as the appropriate site upon which to construct a BESS battery storage facility. Subsequently Foresight became the operators of the Hume Hydro and purchased the above property. At the time, it was believed that the BESS facility was required to operate and augment Hume Hydro. We now learn from the EIS that, the generation of electricity from Hume Hydro is intermittent and therefore not a factor in the current location for the Project.

7. In 2024, no electricity was generated during the months of May, June and July.

8. Additionally, from 1999 we were subjected to 7 years of drought. Throughout this period the turbines cannot operate because they need approximately 14% water head pressure in the Hume Reservoir to operate the turbines.

These restrictions lasted approximately five months annually, meaning that Hume Hydro is unreliable as a source of power. This reinforces the unsuitability of this Project at this location.

D. Refutation of the purported explanations provided by Jacobs:

9

- i. the fact that Foresight owns the land. We say this is a result of a failure to conduct proper due diligence.
- ii. proximity to Hume Hydro – investigation shows that this is not persuasive and in the EIS they state:
 - a) For avoidance of doubt there is no interface between the Project and the Hume Dam or Hume Hydro Power Station; and
 - b) The functionality of the Hume Dam will not affect the operational capacity of the Project.
- iii. Jacobs" seek to rely upon the Albury-Wodonga Regional Economic Development Strategy – 2023 update
- iv. NSW electricity infrastructure investment roadmap – Renewable Energies Zones (**REZ**) have been identified in the Central-West Orana, New England, South-West, Hunter-Central Coast, and Illawarra regions.
- v. While the Project is not located within the REZs, the Project would contribute to energy storage capacity in the NEM and support the objectives of the roadmap as well as the REZs, including the South-West REZ.
- vi. Albury Council approval of the Hume Village Concept Plan and its effect on the surrounding lands **must justify** the withdrawal of this Project

E. Disregard of Albury City Council and its intentions for the area.

Limited consideration of Albury City Council and its requirements

10. This is demonstrated by the failure to refer in any of the 1000 pages to the Lake Hume Reserve - Concept Plan (**Concept Plan**) approved and issued by Council on 11 November 2024 (**Attachment A**). Additionally, there is the announced substantial improvement to the walking, cycle trail which is to pass immediately in front of the Project, already announced by Council.

11. Jacobs' reliance on its consultation with Council is the result of:

- m) ▪ Email - 21/06/2023, 26/06/2023, 06/07/2023, 13/07/2023, 17/04/2024, 23/05/2024, 28/05/2024, 04/06/2024, 06/06/2024, 12/06/2024, 17/06/2024, 02/07/2024
- n) Meeting - 27/07/2023,
- o) Meeting 23 April 2024 – principally about squirrel glider; discharge pipe below the existing driveway, fire suppression systems and wastewater treatment locations
- p) May 2024 – Albury City Council's service leader of city development was approached to contribute, but advised it was too early to comment – obviously not even a "sham consultation".
- q) proposed subdivisions – based on the Albury City Council website, there are no subdivisions proposed in the surrounding area, including the Project area. Again, shows the carelessness EIS has been prepared.
- r) Further consultation with Albury City Council would be carried out when waste stream quantities are confirmed, and technology supplier is chosen during detailed design. This is patently a meaningless gesture – it is predicated on the decision to proceed with the Project having been already taken.

F. Lake Hume Reserve -Concept Plan

12. a) The Concept Plan includes a new walking trail incorporating a shared between pathway extending along the Murray River to Hume Village and continuing to the Bethanga Bridge.

b) This walking trail will abut Trout Farm Road and will be immediately opposite the Project

c) the plan is to encourage medium density subdivision of the land which for present purposes covers all land west of the Riverina Highway and abutting Trout Farm Road and continuing through to Heywood's Bridge. It also includes land to the west of the Hume Village extending to the Hume Hydro location and the Murray River.

d) The draft Lake Hume master plan will be placed on public exhibition as part of the Murray River Experience Master Plan.

e) The Concept Plan was approved by Council on 11 November 2024

13. **We submit that in these circumstances it is obviously inappropriate for Foresight to continue to propose the Project be located at 32 Trout Farm Road.**

14. Elementary enquiry from Council would have revealed that considerable expenditure was incurred in the recent past installing a large capacity town water supply to the Hume Village. That was clearly intended for further development and not the requirements of the limited number of residents at Lake Hume Village.

15 The complete misguiding of Jacobs' "enquiries" and "consultations" is demonstrated by the fact that its last enquiry of Council was 24 April 2024.

16. Responsibility for this fiasco falls squarely on Jacobs' shoulders. It was never appropriate for this Project to be placed at this location. It is now totally inappropriate, indeed, demonstrably to continue with the Project as proposed.

G. The manifest paucity of information provided and is completely unsatisfactory state of presentation in the categories of complaint are evidenced by:

17.

- I. several hundred pages of the appendices have not been paginated
- II. there is no reference to the three documents referred to under Hazards below
- III. if the Project is safe, then there is no justification for building a prison style construction – the design of the building is eloquent implied admission of its inherently dangerous nature.
- IV. totally inadequate consideration of the risks associated with thermal running and remediation measures necessary in the event of failure.
- V. deliberate misdescription throughout, examples being:
 - 1) deliberately and repeatedly using the word "former Hume Weir Trout Farm" in circumstances where no enquiry was made to establish that TFP and its associates own or are subjected to approximately 16 permits and licenses from various government and semi- government authorities which TFP has maintained at very considerable cost, both in annual fees and compliance, for the past 25 years
 - 2) deliberate attempt to mislead government agencies by attending to limit the risks and hazards associated with the proposed lithium-ion battery storage facility to " *Potential hazards associated with battery energy storage systems include risk of a fire associated with the Li-ion batteries, environmental pollution from a spill of oil or other pollutant, electric hazards and arc flash, external fire (i.e. bushfire), lightning, flooding and earthquake risks*".
 - 3) Not addressing the lessons learnt from the Victorian Big Battery fire, particularly when this is constructed on level land and clearly had hydrant access.
 - 4) the kitchen in the principal residence on the Farm is 171.5 metres from the boundary fence of 32 Trout Farm Road. This house and the infrastructure below would be subject to thermal runaway.

- 5) There is no disclosure or consideration of the second residence on the Farm. The EIS states *The Project is located away from residential receivers, and would not adversely impact on the operation of the former Hume Weir Trout Farm*. This is obviously evasive and probably false.
 - 6) throughout the EIS, references are made to distances of 220 m or 330 m to the Farm, when in fact the Farm abuts the Project. Additionally, there are 16 references to the term *the former Hume Weir Trout Farm*. The importance of this is that it gives a totally false insinuation to the government agencies that the Farm is defunct, when it is not.
 - 7) the distance from the Project boundary fence to Hume Hydro station is 429 m (not 600 m).
 - 8) throughout the EIS, *Potential hazards associated with battery energy storage systems include risk of a fire associated with the Li-ion batteries, environmental pollution from a spill of oil or other pollutant, electric hazards and arc flash, external fire (i.e. bushfire), lightning, flooding and earthquake risks*. This is the total of the inadequate explanation regarding lithium-ion BESS storage batteries. Many of the dangers as outlined in the GHD Report had not been addressed.
 - 9) the distance from the Project boundary fence to the closest part of the Murray River, all downhill, is 366 m
- VI. the aerial photographs of the Farm appear to have been photoshopped meaning that the significant infrastructure is not identifiable for the benefit of government agencies.
 - VII. The fact that each of the appendices relied upon by Foresight in its EIS are not independent but have been produced in-house by Jacobs' and continue to perpetuate the misstatements and misrepresentations in the EIS. It is noted that two are independent with one being redacted.
 - VIII. The fact that the area is in a high bushfire risk area adjacent to the several thousand red gums stretching along the Murray River, and which are contiguous to the trees on the riverbank and surrounds adjacent to the Project.
 - IX. the suggestion that the noise and vibration impact assessment conducted by Jacobs" in May 2023 is in any way representative of the "after construction position", and additionally, noise in the summer season (and not the middle of winter), and more reliable.
 - X. the socio-economic impact assessment dated 14 October 2024, as prepared by Jacobs", is not reliable. No one can ignore 20 m towers, 6 m plus walls together with large substation shown as depicted on the plan **attached**. No 3D plan has been presented by Jacobs".
 - XI. The unacceptability of the independent Bushfire Assessment of July 2024 as explained below, and the redaction of the OzArk Report, means that there is no independence of opinion and, consequently, lack of objectivity.
 - XII. The landscape character and visual impact assessment is unreliable. No 3D examples of the scale of the Project have been produced, meaning that the visual impact assessment cannot be relied upon. The photos of the Farm (pages 22, 38 and 49) have been selectively taken at fence level,

ignoring photographs from all directions which would highlight the extensive infrastructure and the two residences.

- XIII. The superimposed project size and dimensions on pages 31, 34 and 40 are amateurish in their presentation and appear to be intended to make little or no discernible explanation of the magnitude of the Project. They particularly make no relevance when compared to the landscape plan attached.

H. Hazards associated with large Lithium-ion battery storage facilities

18. The following articles are commended to Council and Planning to understand the significance of the dangers associated with this Project:

- a. GHD guidance report for battery energy storage systems dated 24 March 2023 (**GHD Report**) and prepared for the Australian energy Council Limited. This is the only independent assessment that has been produced in this country.;
- b. Technical Information report issued 26 July 2023 by NSW Fire and Rescue and titled large-scale external Lithium-ion battery energy storage systems –fire safety study considerations (**F&R Report**);
- c. PFAS Forever Chemicals published by the ABC health and well-being department on 19 September 2024 and,
- d. NSW Coroner enquiry into Lithium-ion batteries to be conducted in 2025.
- e. The F&R Report states *Coverage by street hydrants is not considered adequate for such a facility*
- f. The F&R Report states *Where application of water is the strategy to suppress fire, provision must be made for the containment of all contaminated firefighting water for the entire expected duration of the incident. Any provided containment system must ensure that contaminated firefighting water is not able to enter the local waterways or groundwater.*

I. Multiple dangers associated with exploding lithium-ion BESS storage batteries and consequences of thermal runaway.

Risks to Farm from thermal runaway not considered.

19. 32 Trout Farm Road is located on a hill 20 m above 64 Trout Farm Road. Most of any water runoff from 32 Trout Farm Road because of firefighting efforts, would flow onto the Farm. Farm has approximately 20 concrete large holding ponds, 12 large additional ponds, numerous raceways and approximately 20 yabby dams. These yabby dams extend from the eastern boundary adjoining 32 Trout Farm Road.

All the watering systems on Farm are fully interconnected.

20. All water passes through three settlement ponds and two dams and then flows into the Murray River tributary located in the south-western corner of the

Farm. This means that there is a clear, fast, and unrestricted channel for thermal runaway to enter the Murray River.

21. The independent Bushfire Assessment of July 2024 relied upon by Jacobs' makes no mention of the F & R Report. Accordingly, Foresight has not produced any acceptable fire prevention expert opinion, including adequate preventative measures.

J. Deliberate misdescription of the Farm and its infrastructure and failure to disclose the many issues the Farm presents for a lithium-ion BESS storage batteries

22. The Jacobs' EIS report uses aerial photographs which have been largely photoshopped to make it difficult to identify the very significant structural improvements on 64 Trout Farm Road, including the two residential buildings. Nothing in the EIS discloses that the Project abuts the Farm – all references are 220 M to 320 M away! – Which is demonstrably false.

23. The fact that no consideration has been given to the 16 licenses and permits which TFP own and have maintained at considerable expense over the past 25 years is inexcusable. TFP is subject to very strict EPA requirements. It is difficult to understand how EPA would accept the risk of thermal runaway entering the water system on the Farm. The EIS confirms that surface water drains onto the Farm. Similarly, NSW Fisheries would not renew the three Fisheries licences TFP holds, one being for intensive land-based aquaculture for 10 species, one to operate a hatchery business, and the third to operate the fish out.

K. Risk to the viability of Farm

24. The Farm would be inoperable in all respects if the battery storage facility were established on its boundary. The potential risk of a thermal runaway event would be too great to justify any further investment in the Farming operation.

TFP purchased the property and separately purchased the licenses, rights and entitlements, and livestock in 1999. The consequences are that our family has invested more than \$4 million into the Farm.

L. Consequences of any fire arising from the Project

25. a) The massive water retention and containment requirements in circumstances where fire likely to last for 2+ days cannot be met on this site.

b) There is no provision for the massive supply of water required, coupled with the issue of access given the location of the existing high voltage power lines.

- c) no explanation has been provided as to how fire services could begin to contain any fire, given the high-tension power poles on the east and the 6 m wall on the west.
- d) it is now demonstrated that water will not suppress lithium-ion fires
- e) There has been no investigation or consideration of the property being located adjacent to a fish Farm with all its infrastructure, significant quantities of which are underground and therefore especially vulnerable to contamination.
- f) no consideration has been given to the aquaculture permits issued by Department of Primary Industries and the strict operating terms which control the Farm and its activities.
- g) similarly, no consideration has been given to TFP's EPA licence and the stringent operating terms which control the Farm and its activities.

M. Towering over size and construction issues with the Project

26. The EIS have revealed Foresight's real plans and that the landscape changes associated with this large battery complex are much bigger than indicated. See Figure 1.3 **attached**.

27. Brief description-

- Almost complete clearing of the house paddock and all infrastructure
- Same for the area east of a line from the entrance and west of the middle gate
- Irreversible change at Lanark & Trout Farm Rd view-
- 14,000 m3 cut then fill to the west
- House paddock: split terraced halved- 1m wall, then 2-3m + retaining wall on the west side
- Front paddock: 6m retaining wall slightly more west current entrance.

On those terraces- batteries on the house/tennis court/pond/sheds area

Inverters -on the sheds to sheep yard area

Transformers (substation) and maintenance shed -sheep yards/ west of middle gate to front gate

Lighting and lightning poles across the whole site- 20 m tall.

The impact for the Farm would be disastrous to totally devalue the property.

The TFR is the gateway access to LH Village for everyone (visitors) coming from Victoria.

N. NSW Fire and Rescue and its requirements

28. Fire & Rescue make several important statements in its report, which include:

- 1) They are yet to fully understand the relatively new technology with a new risk profile.
- 2) There have been several significant incidents at which firefighter injuries and fatalities have occurred.
- 3) They now recognise that there are fire consequences with large-scale BESS lithium-ion facilities including hazardous electrical, chemical and fire risk with potential community consequences that necessitates special consideration throughout the design, installation, and lifetime management of the asset.
- 4) Thermal and electrical abuse or failure may result in the expulsion of chemical compounds, propagation of chemical vapours and/or thermal runaway event and fire and/or explosion.
- 5) Potential for propagation and secondary incidents including the management of chemical components or byproducts released during an incident and the environmental impact of toxic water run-off.
- 6) The rapid intervention of a permanent full-time fire brigade cannot be relied upon as it is subject to resource availability and proximity to the incident.
- 7) Large-scale LiBESS constitutional electrical hazard. NSW F&R including supporting infrastructure are considered to constitute an electrical hazard when involved in an incident. NSW F&R currently does not have the equipment or capability to be able to detect live direct (DC) power.
- 8) Coverage by street hydrants is not considered adequate for such a facility.
- 9) A LiBESS may produce large volumes of flammable, corrosive and toxic vapours and gases when involved in a thermal event because of pyrolysis of combustible materials.
- 10) Where application of water is the strategy to suppress fire, provision must be made for the containment of all contaminated firefighting water for the entire expected duration of the incident. Any provided containment system must ensure that contaminated firefighting water is not able to enter the local waterways or groundwater.
- 11) the NSW Coroner's enquiry scheduled for 2025 may recommend even more stringent fire control conditions.

29. Jacobs' has ignored the obviously critically important NSW fire safety guidance Tribunal Information. There is no reference to NSW Fire & Rescue in the bushfire assessment dated July 2024 which Foresight seeks to rely upon. Equally, there is no reference to the devastation caused to the Farm by the Black Saturday fire. A repeat of that intensity would have a high risk of igniting the lithium-ion batteries. Separately, the Project site and the Farm was flattened on 6 December 2024 by a tornado with massive destruction.

30. While the submission suggests that the Project will include a dedicated water supply for firefighting purposes, there is no mains connection, no on-site hydrant, no local training or equipment to fight this type of emergency. Thus the "dedicated water supply" is an empty gesture. There can be no assurance that it will be effective to control and extinguish any fire.

31. Despite all the points above, Jacobs" assert that they have concluded that the Project is not considered potentially hazardous, based on intended storage and transport of hazardous materials. This is potentially indefensible.

32. There have been several articles published recently regarding firefighters and cancer risks. There have been two major court settlements relating to claims arising from firefighting PFAS contaminated waters, one being in relation to the regional towns near Williamstown RAAF base and the other being in respect of the aboriginal community at Wreck Bay.

33. xx.

34. No explanation has been provided as to why this Project needs massive walls surrounding it including the external 6 m wall, if it is so environmentally safe. This type of construction is not evident in the South Australian or Victorian BESS storage facilities. Jacobs" must make a full and frank disclosure of the engineering brief and tying the design and the risks it is designed to meet.

O. Hume Weir Transformer Fire

35. This fire occurred on 15 October 2012. Local fire crews poured water onto the transformer building for two days, during which the fire and explosion released a plume of toxic gas over the whole area. This event would be far less hazardous than lithium-ion based fire originating at the Project.

P. GHD report for electricity commission dated 24 March 2023 and the multiplicity of electric battery fires in the recent years.

36. GHD make several claims in its report, the most relevant being:

- a) it has been acknowledged that the battery penetration into the energy storage sector has outstripped "our actual knowledge of the risks and hazards associated with them".
- b) The composition of the battery Li-ion chemistries is diverse but include nickel-manganese-cobalt and iron phosphate formulations. This heightens the potential for thermal runaway. Jacobs" have made no disclosure as to the manufacturer or composition of the proposed battery. Currently most are produced in France, hence the several fires in that country.
- c) Thermal runaway is a consequence of electrical abuse – overcharging/discharging; thermal abuse – overtemperature; mechanical abuse – external impact; and existing latent defect – electrolyte leaks, faulty components. All these risks are inherent in the Project.

- d) In urban areas, large-scale Bess facilities may have a nearby "heat island" effect on its surroundings.
- e) There is a potential for people in the vicinity of a BESS facility fire to be exposed to hazardous gases such as is asphyxiants and irritants. GHD name 10 categories
- f) in all scenarios of a Bess leak or explosion, there is a potential to pollute groundwater and run-off into local water mains.
- g) There are very serious security issues especially given the potential for Bess facilities to be remote and unmanned.

Q. Recent examples of major Lithium-ion battery fires /explosions in Australia and Overseas

37. Victorian Big Battery fire

- a). This resulted in two Tesla Megapacks heat damaged in two megapixel he defected to various extents during testing and commissioning activities.
- b) The response effort took four days, 30 fire engines, a team of 150 firefighters to bring the fire under control. Tesla claimed that the fire was extinguished in eight hours!
- c) "Jacobs" have made no reference or consideration to these events. It is suggested that there is no fire equipment in the region, save for the Army, that could handle such an event.
- d) Additionally, Fire and Rescue have decreed that fire officers cannot go within 70 m of the fire. With a 6 m wall surrounding it, how is this expected to be controlled. With high tension 132 KV power lines running through the property, how is Fire and Rescue to gain access when they cannot into the zone.
- e) : how is it expected that a run-off holding facility/retention pond would contain the damage likely to spread from a big battery fire at this location. Given it is proposed that construction would be on a concrete base, what realistic hope would there be of restricting surface water and thermal runaway running 20 m down the hill to the Farm and continuing through its integrated network of pipes and concrete ponds to discharge into the Murray River.
- f) . Report of technical findings issued by the energy safety response group on 30 July 2021.

38. Queensland

- g) September 2023 – Tesla battery on fire at Bouldercombe energy storage site.

39. USA

- h) October 2022 – three incidents at the Moss Landing energy storage facility located in California.
- i) October 2024 – lithium battery recycling plant explodes in Missouri – one of the world's largest Lithium-ion battery facilities
- j) October 2020 – FEMA government article on emerging hazards of battery energy storage system fires

40. France

- k) February 2024 – warehouse storing 900 tons of lithium batteries goes up in flames in France amid growing fears over their dangers – at Viviez in Aveyron, France requiring 70 firefighters to attend

41. Great Ocean Fire

- l) March 2024 – Volkswagen Group now facing two lawsuits claiming that the fire that the cause of the fire was triggered by an exploding lithium-ion battery in a new Porsche EV on board the Mitsui OS K line ship which sank in the Atlantic Ocean with 3800 vehicles on board travelling from Germany to the USA. The fire continued until the ship sank in February 2022. The lawsuit against Volkswagen group is \$155 million.

42. There are scant references to any dangers illustrated by those numerous international incidents in this 1000 pages presented by Jacobs” to NSW Planning.

43. On 20 July 2024, ABC published an article headed Lithium-ion batteries are causing more than 10,000 fires a year in Australia. Waste chiefs say an 'urgent' management plan is needed.

44. There is a pending 2025 NSW Coroner’s investigation into the risks associated with lithium-ion battery fires.

R. Environmental impact during normal operations

45. From an asset and public safety perspective, there have been numerous self-heating and thermal runaway incidents associated with lithium-ion batteries. Larger facilities are likely to have more failures and smaller ones. Larger facilities need more comprehensive safety control systems and more detailed siting and layout assessments and small facilities to achieve the similar risk levels.

46. The best units and associated power equipment produce heat while operating. This coupled with solar radiation could increase the ambient temperature in and around the best facility. Therefore, a pollution may be the potential side effect on the facility as well as adjacent areas during normal operations. Additionally, there are potential noise controls issues during normal operation.

47. We are asked to rely upon internal readings conducted by Jacobs’ in May 2023- (*Background noise monitoring was performed over a two-week period from 26 April 2023 to 4 May 2023*). This is a totally irrelevant time to conduct such tests (middle of winter at a summer tourist facility) as the basis of this report.

S. General Observations

48. The property at 32 Trout Farm Road is not a suitable location for a Battery Energy Storage System because:

- a) It is located on a hill immediately above the Murray River

- b) The premise of the Project is to store hydro-generated electricity.
- c) There is no reference in either Jacobs' Reports to the unreliability of supply of hydroelectricity in circumstances where for eight years from 1999, the Hume Reservoir level was not sufficient for periods up to 5 months to drive the turbines at the Hume Dam Power Station.
- d) The massive water retention and containment requirements in circumstances where fire likely to last for 2+ days cannot be met on this site.
- e) There is no provision for the massive supply of water required, coupled with the issue of access given the location of the existing high voltage power lines.
- f) There has been no investigation or consideration of the property being located adjacent to a trout Farm with all its infrastructure, significant quantities of which are underground and therefore especially vulnerable to contamination.
- g) The 2023 Jacobs' Report lodged with you to support this application totally ignores (or deliberately omits reference to the GHD Report and the 2023 Fire and Rescue Technical Report.
- h) No consideration has been given to the hazards regarding the safety of BESS Storage facilities as highlighted by NSW Fire and Rescue.
- i) No considerations have been given to the current Federal investigation into the search to find a replacement for PFAS firefighting foam, following the Williamstown airbase class action and its recent resolution.

T. Non-reliance of Hume Hydro

49. While the approved Hume BESS development objective was to couple a battery with the run-of river hydro power station to maximise value of the operation of the Hume Dam Power Station, this Project is decoupled from Hume Dam operation. The Project will charge from the National Energy Market, which is likely to include,

but not rely on, the Hume Dam. For avoidance of doubt:

- There is no interface between the Project and the Hume Dam or Hume Hydro Power Station
- The functionality of the Hume Dam will not affect the operational capacity of the Project.

50. With this revelation, the continuation of the Project in this location cannot be justified. We believe that this is a factor that is not known to most who are considering this matter and always assumed that Hume Hydro was integral. We demonstrate the unreliability of this power source above.

U. Transport

51. The Victorian big battery Project is a 300 MW/450 MW H battery energy storage Project containing 212 Tesla Megapack BESS units, each comprising 13-tonne Tesla lithium battery.

53. On the scant Information available from Jacobs", this scale is not dissimilar from that proposed at the Project.

54. No consideration has been given to whether and made for how the B-double trucks propose travelling along the Riverina Highway could safely navigate the bridges.

55. No consideration has been given to B-double trucks traversing the roundabout proposed to be installed on the Bethanga Road.

56. Volume of truck traffic and turning right at site entrance/ traffic disruptions, Temp road closures for the 40 + 27 m double articulated low loaders coming in and leaving the site (Mitta St T turn interesting)

- effects on visitors/tourists/restaurant and business \$\$
- Permanent eyesore up Trout Farm Rd, the gateway entrance to LHV from Victoria
- Noise impact at the Resort during construction

A Construction Traffic Management Plan (CTMP) will be prepared prior to construction, in consultation with TfNSW and Albury City Council and approved by the Consent Authority.

A vehicle access permit will be sought (from the National Heavy Vehicle Regulator (NHVR) in consultation with Albury City Council) for all B-doubles and OSOM vehicle movements in accordance with the permit requirements and be outside of peak traffic periods where possible.

For B-double vehicles, permits would need to be sought from NHVR in consultation with Albury City Council to allow heavy vehicle access on Riverina Highway, Murray Street and Trout Farm Road outside of the permitted network near the site.

Permits would be required to be sought from NHVR in consultation with Albury City Council to allow OSOM vehicle access on Murray Street and Trout Farm Road.

V. Emergency access and TFP's access to water rights

57. The entitlement to the Right of carriageway created by DP 740398 (**attached**) registered on 7 February 1987 was abandoned in 2002 and has not been used since.

Emergency access is denied. Considerable damage would be caused by heavy vehicles passing along this path. Her

58. TFP relies upon the easement for water supply, access use and maintenance of pump and pipeline to metres wide as created by DP 740398. This easement and its infrastructure connect into the two tanks on Lot 11 located under

the transmission line on the eastern boundary of Lot 11. This entitlement passes through the centre of Lot 11 to TFP.

TFP asserts its rights to the benefit of this easement.

W. Legislation

59. Jacobs' seeks to rely on several pieces of legislation which they say govern the operation of the Project. However, almost all the legislation is 10 years old and the only recent legislation to which they refer is in 2021 (State environment resilience and hazards) and drafted prior to the Victorian big battery fire.

60. This means that the operation of the Project is effectively unregulated, Jacobs' is endeavouring to steamroll this Project through government departments, including Albury Council, because they say that they are operating in the interests of climate change and the greater good of the Country and therefore avoid scrutiny. This is obviously fatuous rhetoric for what is patently a commercial undertaking by a UK parent hedge fund and is not in the Australian environmental charity.

X. Conclusion

61. Application Number: SSD – 6184 2974 to establish the Hume North Battery Energy Storage System at 32 Trout Farm Road, Hume Weir Village must be refused.

Trout Farm Properties Pty Ltd



Tony Gye
Director