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Megan Ramsdale
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

Dear Megan

**Subject: Canyonleigh Battery Energy Storage System (SSD 78247462)
Request for comments on the Environmental Impact Statement**

Thank you for the opportunity to make a submission on the Canyonleigh Battery Energy Storage System (BESS) SSD and for the extension of time to facilitate this matter to be considered by Council.

A review of the Environmental Impact Statement (EIS) and appendices has been undertaken by Council officers and Council would like to provide the following commentary for the consideration of the Department and the Applicant:

Onsite Waste Disposal

The proposed development will require approval under Section 68 of the Local Government Act 1993 for works associated with:

- Sanitary plumbing and drainage; and
- Any onsite wastewater management system(s).

A Section 68 (S68) application is to be lodged with Council, which may be submitted separately via the NSW Planning Portal. The application must include:

- Detailed hydraulic and drainage drawings; and
- A Wastewater Management Report prepared by a suitably qualified and experienced wastewater consultant.

The application will be referred to WaterNSW for concurrence to ensure that the proposal achieves a Neutral or Beneficial Effect (NorBE) on water quality. As the nominated water supply and sewer authority, Council will also undertake required plumbing and drainage inspections in accordance with the conditions outlined in any Section 68 Notice of Determination.

Biodiversity

Council considers the Environmental Impact Statement (EIS) and Biodiversity Development Assessment Report (BDAR) to be generally well researched and prepared. The Biodiversity Assessment Method (BAM) has largely been applied correctly and the BDAR has been certified by an accredited assessor.

The proposal demonstrates appropriate application of the biodiversity hierarchy of avoid, minimise and mitigate, with project design and layout refined through desktop investigations, field surveys and stakeholder consultation. The project has been designed to minimise impacts on biodiversity values, particularly areas associated with the Critically Endangered Ecological Community, White Box–Yellow Box–Blakely's Red Gum Grassy Woodland and Derived Native Grassland.

Biodiversity values have been appropriately identified and assessed, and the assessment of direct and indirect impacts is generally supported. Suitable mitigation measures and biodiversity offset requirements have been identified, including the retirement of relevant Biodiversity Offset Scheme (BOS) credits. Council broadly supports the findings and conclusions regarding biodiversity impacts.

While Council generally supports the overall findings of the EIS and BDAR, several matters warrant clarification or correction:

- The EIS incorrectly identifies Plant Community Type (PCT) 3347 as Southern Tableland Grassy Woodlands. The correct classification is Southern Tableland Creekflat Ribbon Gum Forest.
- The EIS references vegetative screening as a potential visual mitigation measure; however, the Landscape Character and Visual Impact Assessment does not commit to additional planting, instead recommending only the retention of existing vegetation. Council considers that additional native vegetation screening could provide visual benefits while also improving habitat and landscape connectivity.
- The BDAR incorrectly states that Canyonleigh Road is within Muswellbrook Shire, whereas it is located within Goulburn Mulwaree Shire.
- The BDAR identifies baited camera traps as a koala survey method. This is not a recognised BAM-approved survey technique for koalas, and its inclusion is potentially misleading.
- The breeding bird survey referenced in the BDAR was undertaken in May 2025. With the exception of the South-eastern Glossy Black Cockatoo, this timing is generally outside the preferred breeding survey period for local bird species, which is typically September to December.
- Survey effort for the Gang-gang Cockatoo and South-eastern Glossy Black Cockatoo is presented collectively. As these species have different breeding seasons and survey requirements, Council considers the methodology should distinguish between them to avoid confusion and accurately reflect survey effort.

Notwithstanding these matters, Council notes that they do not materially alter the overall conclusions of the biodiversity assessment.

Benefit Sharing Scheme

The required minimum benefit for this Project under Department of Planning, Housing & Infrastructure Benefit Sharing Guideline November 2024 for a project of this type:

- Per year - $1200 \times \$150$ (benefit rate) = \$180,000
- Over Life of project 30 years - $\$180,000 \times 30 = \$5,400,000$
** The benefit rate is subject to CPI from July 2024.*

Council have received a Letter of Intent to enter into Planning Agreement for the Canyonleigh BESS that provide the minimum monetary contribution. Council will undertake a complete review of the Letter of Intent for this project and ensure any benefits sharing package delivers:

- Council administered Community Benefit Fund (CBF):
 - Direct community benefits dispersed to individuals, families, groups, organisations who must operate or reside in the Goulburn Mulwaree Local Government Area (LGA) value 15% of CBF.
 - Towards localised and LGA wide community outcomes.
 - Benefits managed and administered by the Council.

The proposed Benefits Sharing Scheme is to be captured, delivered and governed through the mechanisms of a negotiated Planning Agreement, that includes for the provision of security, enforcement and an annual administration allowance.

It is noted that Council are currently developing a Draft Renewable Energy Community Benefit Sharing Policy. The intent of the policy will be to inform applicants of the expectations held by Council and the community in relation to benefit sharing, and that additional benefits are likely to be expected to offset the cumulative impact when multiple projects occupy a locality, such as the Brayton Rd/Canyonleigh Rd area.

It is expected that a draft Policy will be presented to Council in July 2026, with a public consultation period to follow shortly thereafter.

Social Impact

Within the EIS there is reference to the Goulburn Mulwaree Shire Social Housing Fund.

When Council met with the proponents in June 2024, Council was considering the use of a housing trust within the framework of a community benefits fund. In May 2025 the proponents were advised that the current term of Council had decided not to proceed with this approach. We suggest reference is made to the Business Paper for the February 2026 council meeting that is available on Council's website for further detail on the revised model under consideration. We also note the wording should read 'Council' rather than 'Shire'.

It is noted in 'Section 6.2.2 Labour Force' that the current labour force is insufficient to meet the demand from projects in the region. In addition to these comments, the regional workforce already supports a range of major employers and ongoing development activity, including extractive industries, manufacturing operations, civil infrastructure delivery and broader housing construction associated with regional growth and housing targets. These existing demands may further increase competition for construction, engineering and trade-related labour during peak project construction periods.

When considering workforce requirements and training and employment, there is potential for developing a coordinated regional workforce pipeline in collaboration with other projects in the region. By partnering with TAFE NSW or an equivalent provider, demand can be forecast for these projects and training courses be prepared for future opportunities in the region. This could increase the local participation rates for the current projects and reduce the cumulative impacts, and also provide a future benefit to the region more broadly.

In Section 5.3 of the Workforce Management Plan (Appendix D in Appendix Q) Short term accommodation is deemed a high priority and reported as having a positive impact on the community and economy. We disagree with this statement.

As reflected in the 4.3.2 Housing Impacts Table 4-5, there is strong rental demand in Goulburn Mulwaree with the vacancy rate sitting at 0.66% which is well below the industry benchmark of 3%.

One of the Goulburn Mulwaree LGA's largest social challenges at present is housing availability and affordability. A projected construction workforce accommodation need of 2,308 workers, as per the cumulative impact assessment, is likely to place additional strain on the local housing market, which is already subject to housing stress derived from the current cost of living crisis.

Goulburn Mulwaree has a strong visitor economy that is reliant on an available short-term accommodation market. This accommodation demand in Goulburn is influenced not only by background tourism and workforce activity, but also by a recurring calendar of festivals, sporting competitions, ceremonial gatherings and community events occurring throughout the year. While some events generate primarily day-trip visitation, several involve multi-day stays by participants, officials, exhibitors and families, resulting in short-term pressure on local accommodation providers, particularly during peak event periods. Consideration must also be given to the NSW Police Academy Attestation Parades which are held at regular intervals throughout the calendar year and attract over 3,000 visitors.

As part of any social impact assessment, the increased demand on ancillary services such as health care and community services must be considered and mitigation measures suggested. This is particularly prevalent of in the sourcing of medical services, presentation at hospitals and requirement of ambulance services.

An additional point to note is another reference to Muswellbrook LGA in the detail around construction workforce on page 198 (6.14.1.9) Social Impacts. We assume this is a duplication error.

Council reminds the proponent that undertaking any training of potential workforce or any mitigation of other social impacts is not considered to be a community benefit. This suggestion appears as a mitigating measure in both the EIS and the EIA.

Traffic and Transport Assessment

Council's review of the Traffic Impact Assessment (Appendix M of the Environmental Impact Statement), prepared by Amber Organisation Pty Ltd, identified several matters relating to the proposed transport routes, road network impacts and cumulative effects associated with major project construction activity within the locality.

The proposal involves the transport of Battery Energy Storage System (BESS) components from Port Botany, primarily via B-Double vehicles together with a limited number of Over-Size Over-Mass (OSOM) vehicle movements. Council notes that the Traffic Impact Assessment identifies a transport route that includes travel through the Marulan village area via Brayton Road. This route is inconsistent with Council's previously stated preference, which has been communicated during consultation on this and other State significant development proposals within the locality.

Council's preferred transport route is via the South Marulan interchange from the Hume Highway, then along Red Hills Road, Ambrose Road, Brayton Road and Canyonleigh Road. This route avoids the Marulan village area and is considered to be the most appropriate means of minimising impacts on local residents, village traffic and community infrastructure. Council considers that this preferred route should be adopted for the project and reflected within any transport management measures and approval conditions.

The Traffic Impact Assessment identifies the need for upgrades to the Canyonleigh Road and Brayton Road intersection to accommodate turning movements associated with B-Double and OSOM vehicles. The assessment concludes that the intersection currently provides adequate sight distance; however, physical improvements are proposed to facilitate the safe movement of project-related heavy vehicles.

The assessment also identifies the potential use of shuttle bus services to transport construction workers to and from the site, thereby reducing the number of individual vehicle trips generated during the construction phase.

Council notes that Canyonleigh Road and Brayton Road are proposed transport routes for several existing and proposed major developments within the locality, including renewable energy projects, energy infrastructure projects and extractive industry operations. Collectively, these developments have the potential to generate substantial construction traffic and heavy vehicle movements over an extended period.

As a consequence, concerns arise regarding the cumulative impacts on Council's local road network resulting from repeated short-term construction haulage associated with multiple projects. These impacts include accelerated pavement deterioration, increased maintenance requirements, potential reductions in road safety and additional pressures on intersections and transport infrastructure.

While the submitted Traffic Impact Assessment acknowledges that project-related haulage may require upgrades to sections of the transport route and may contribute to accelerated road wear, it concludes that the cumulative traffic impacts associated with this proposal and other identified developments can be accommodated within the road network.

Notwithstanding this conclusion, Council considers that the Department should carefully assess cumulative traffic impacts across all approved and proposed developments in the locality and ensure that appropriate road upgrade, maintenance and restoration measures are implemented to prevent unreasonable impacts on Council-managed infrastructure.

- ***Recommended Traffic and Transport Conditions***

1. Council requires the OSOM & B-Double transport route from the Hume Highway via the South Marulan / Hume Highway interchange, then Red Hills Road / Ambrose Road / Brayton Road and Canyonleigh Road, so that loads avoid the Murulan village area. The proposed B-Double route from the northern Hume Highway access through the Marulan village area is not supported.
2. The recommended access route is not a designated B-Double route past the Gunlake Quarry access off Brayton Road and all heavy transport vehicles will require an NHVR permit to be obtained for this route.
3. The proposed main access for the Project area off Canyonleigh Road shall provide -
 - A bitumen sealed rural property accesses at the proposed entry/exit location which facilitates turn movements of B-Double vehicles, with a gate either set back to permit standing of a B-Double off the travel lane to allow gate entry or alternatively provision of a grid.
 - T-intersection and Truck warning signs on the approaches to the entry in Canyonleigh Road
 - A Rural Address number to Council's requirements
4. Canyonleigh Road and Brayton Road (west of the Gunlake Quarry access) are local roads that are totally unsuitable for transport of materials to the Project site in their current state and require upgrade to Council's adopted standard for a heavy transport route as follows –
 - Provision of a gravel pavement comprising a 7.0m wide carriageway and two 1.0m wide gravel shoulders;
 - A bitumen sealed surface (primer plus two coat seal) for the travel lanes;
 - A 0.5m sealed shoulder each side of the travel lanes;
 - Upgrade of the Canyonleigh Road / Brayton Road intersection to provide satisfactory swept path movements for B-double vehicles and relocation of the existing school bus bay and shelter to a location to be determined by Council ; and
 - Linemarking and signposting.
5. Council notes that other proposed State Significant Developments are also proposed with heavy haulage transport via the above roads. The developer will need to agree with Council to contribute funding to the required upgrades proportionate to the heavy haulage movements caused by the development as a percentage of the total movements proposed by all of the SSD projects proposed for the area.
6. The Applicant must, in consultation with Council:
 - (a) undertake an independent road safety audit of the proposed access route from the Hume Highway to the site;
 - (b) undertake any road improvements identified by the road safety audit prior to commencement of road transport haulage;
 - (c) undertake an independent dilapidation survey to assess the existing condition of the local roads used as the access route prior to construction, upgrading or decommissioning works; and
 - (d) repair and/or make good any development related damage to the haul roads identified by the dilapidation surveys during construction, upgrading or decommissioning works in consultation with Council.

If there is a dispute between the Applicant and Council about the upgrading or repair of the subject roads, then either party may refer the matter to the Planning Secretary for resolution.

7. No heavy haulage shall occur on a nominated heavy vehicle haulage road during morning and afternoon school bus travel times.
8. Council supports the use of shuttle bus transfer of construction employees in order to reduce traffic volumes on the local road network.
9. Prior to commencing any heavy vehicle road haulage, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council, and to the satisfaction of the Planning Secretary. This plan must include:
 - (a) details of the transport route to be used for all development-related traffic;
 - (b) details of the road upgrade works required by Condition XX above;
 - (c) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - details of the dilapidation surveys required by Condition XX above
 - ensuring compliance with the access route described Condition XX above;
 - monitor the compliance of vehicles using the access route;
 - temporary traffic controls, including detours and signage;
 - scheduling the arrival and departure of heavy vehicles from the site to avoid the PM peak hour where practicable;
 - notifying the local community about development-related traffic impacts;
 - procedures for receiving and addressing complaints from the community about development related traffic;
 - minimising potential cumulative traffic impacts with other projects in the area;
 - minimising potential for conflict with school buses and other road users as far as practicable, including preventing queuing on the public road network;
 - minimising dirt tracked onto the public road network from development-related traffic;
 - details of an employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage employee use of this service;
 - encouraging car-pooling or ride sharing by employees;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing heavy vehicles requiring escort;
 - (d) a driver's code of conduct that addresses:
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport routes and speed limits; and
 - procedures to ensure that drivers implement safe driving practices;

- (e) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan; and
- (f) provisions for reporting to TfNSW and Council of vehicles using the access route described in Condition 2 above, every 3 months during construction.

Following the Planning Secretary's approval, the Applicant must implement the Traffic Management Plan

10. The Applicant must ensure:

- the internal roads are constructed as all-weather roads;
- there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;
- the capacity of the existing roadside drainage network is not reduced;
- all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
- development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the public road network.

Issues Raised by Adjoining Landowners and Local Residents

Submissions received from adjoining landowners and local residents raised concerns regarding both the proposed development and the cumulative impacts associated with the increasing concentration of renewable energy infrastructure and other major energy projects in the vicinity of the Marulan Substation. Concerns were expressed that, in addition to traditional assessment matters such as traffic and biosecurity, broader impacts on neighbouring rural landholders should be considered as part of the State significant development assessment process.

Submissions identified concerns regarding ongoing property management responsibilities during the extended pre-development phase of the project. Matters raised included uncertainty regarding the maintenance of boundary fencing, stock containment and general management of land adjoining the project site. Concerns were expressed that neighbouring landowners may incur ongoing costs associated with fencing maintenance and stock management where responsibility for these matters is unclear. It was suggested that a clear and reliable contact point be established for adjoining landowners to address property management and operational issues.

Potential construction impacts on surrounding agricultural land uses were also raised. Concerns included the generation of dust, noise and wind-blown litter, particularly where neighbouring properties may be located downwind of construction activities. Submissions noted the potential for these impacts to affect agricultural operations, pasture quality and the amenity of adjoining rural properties if not appropriately managed.

Bushfire risk, emergency management and hazardous industry considerations were identified as significant concerns. Submissions questioned the adequacy of emergency response arrangements in circumstances where facilities may have limited on-site staffing during operation and highlighted concerns regarding the potential consequences of fire incidents associated with battery energy storage systems and related infrastructure. Concerns were also raised regarding the cumulative demand that multiple renewable energy and energy-related developments may place on local firefighting resources, water supplies and emergency response capabilities.

Submissions questioned the appropriateness of undertaking detailed hazardous industry and fire safety assessments following project approval and requested that these matters be comprehensively assessed as part of the current development assessment process. It was argued that a full understanding of potential hazards, emergency management requirements and associated mitigation measures is necessary to enable a complete assessment of the proposal. Concerns were also raised regarding the identification and provision of firefighting water supplies and associated infrastructure within the development footprint.

Environmental concerns were raised regarding the presence of native grassland communities within the project area. Submissions noted that some areas may have experienced limited historical disturbance and may therefore possess ecological values warranting further investigation, protection and ongoing management.

Traffic and road network impacts were also frequently raised. Concerns related to the volume of construction and operational traffic, the condition and capacity of local roads, and the potential impacts of prolonged construction activity on road safety and accessibility. Particular concern was expressed regarding the suitability of local rural roads with constrained widths, drainage limitations and other existing deficiencies to accommodate increased heavy vehicle movements associated with the development.

Submissions also raised concerns regarding the potential use of local roads as alternative access routes and the resulting impacts on rural properties, including damage to infrastructure such as gates and fencing, stock management issues and associated biosecurity risks.

Should the assessment of the application be favourable, Council requests to be consulted in relation to any draft conditions.

If you require any further information, please contact me on (02) 4823 4480.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'SA M', is positioned above a thin horizontal line.

Scott Martin
Director Planning & Environment