Tamworth REGIONAL COUNCIL

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Attn: Pragya Mathema
Department of Planning, Housing and Infrastructure
Energy, Resources & Industry Assessments
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Mathema,

Ref: lr/JA/SB/SL Document Set ID 2258437

TAMWORTH REGIONAL COUNCIL SUBMISSION – STATE SIGNIFICANT DEVELOPMENT – KINGSWOOD BATTERY ENERGY STORAGE SYSTEM (SSD-63207219)

I refer to your correspondence received 17 July 2024 regarding the public exhibition of a State Significant Development, being the Kingswood Battery Energy Storage System (SSD-63207219; the Project). Thank you for the opportunity to provide comment on the proposed development. Please find Tamworth Regional Council's comments on the proposal below.

General

Tamworth Regional Council (TRC / Council) is generally supportive of renewable energy initiatives; however, it is also cognisant of the potential of these projects to result in significant and long-term adverse impacts on local communities within the Tamworth Region.

The Project will support large renewable energy development and therefore has relevance at a global, national and regional scale. This Project follows the trend (mega-trend) away from fossil fuel and toward renewable energy power generation.

The TRC Blueprint 100 Document Part 1 (Action 6.5) and Part 2 – Local Strategic Planning Statement identifies renewable energy as being important issues and goals in the region. This is also in accordance with the Department of Planning Industry and Environment New England North West Regional Plan 2036 which identifies the potential for the region to become a renewable energy hub of NSW.

Although most of Tamworth Region is outside the New England Renewable Energy Zone (REZ), its proximity has led to a large interest in establishing renewable energy projects in the area. The Project falls into this category of being outside the REZ but utilising the existing transmission network and other advantages of the region.

Council recognises the potential benefits to the community for a project of this scale with a capital investment value of greater than $30 million. Council also recognises there are impacts from the Project, particularly for local residents. With this in mind, Council wishes to raise the following comments regarding this specific project.

Relevant Issues / Issues of Concern

1. Visual Amenity

A Landscape and Visual Impact Assessment (LVIA) was undertaken with two viewpoints assessed as having a low visual impact rating and the remaining fourteen viewpoints assessed as having a very low visual impact due to existing screening, topography and the electrical infrastructure in the landscape. One of the LVIA's conclusions that partial views of the Project would likely be viewed as an extension of the existing electrical infrastructure does not reflect the concerns the neighbouring properties have raised about views. Further consultation with relevant receivers may be needed to justify this.

Council supports the mitigation measures such as landscaping for screening and the use of building materials that integrate with the surrounding landscape. Council also supports the applicant's commitment to continued community engagement and this should include working with neighbouring properties to ensure screening locations are appropriate.

2. Traffic, Transport and Access

Assessments of clashes with street furniture and the like have been provided – demonstrating that the proposed Over Size Over Mass (OSOM) movements can be accommodated. These trips will be low in number, and will be carried out under escort. As such, it can be reasonably foreshadowed that there will not be any outbound vehicles impinging on the swept paths for the OSOM trips (because the intersections will be temporarily under the management of the escorts). However, general heavy vehicle traffic access to the site is proposed to be taken from Ascot-Calala Lane, via Whitehouse Lane. The Traffic Impact Assessment (TIA) should assess the required geometry at the intersections of Whitehouse Lane with New England Highway, and Ascot-Calala Lane with Whitehouse Lane to ensure that they are upgraded to accommodate free movement of inbound B-doubles in the event that outbound vehicles are stopped and propped waiting to turn out of these roadways.

It is noted that Burgmanns Lane causeway upgrade works will be carried out by Council prior to the end of 2024. The new Causeway replacement will have a higher flood immunity than the current arrangement, and will be less of an impediment for heavy vehicles by virtue of a more generous vertical profile. As such, Burgmanns Land would be available for general project traffic from that date onwards. The applicants may wish to assign the project traffic to Burgmanns Lane as opposed to Whitehouse Lane, thereby utilising a longer reach of the State network. The bend between Burgmanns Lane and Ascot-Calala Lane would need to be assessed for geometric adequacy.

Burgmanns Lane is identified in TRC's Blueprint 100 document and the recently exhibited Draft Integrated Transport Plan as a potential southern bypass alignment. The possible future status of Burgmanns Lane is flagged, and Council has been appealing to proponents of projects fronting Burgmanns Lane to "future proof" their developments by ensuring that the possible acquisition of a road widening up to 20m in width would not be hindered by otherwise unnecessary infrastructure. The footprint of the proposed development does not appear to raise any issues in this regard. The matter is nevertheless flagged.

3. Biodiversity

It is noted that offsets are required for the impact from the Project and the Applicant is likely to pay directly into the Biodiversity Conservation Trust. TRC would encourage the Applicant to investigate options for local offsets.

4. Water

The submitted stormwater assessment (EIS Appendix M) presents a high level assessment of sub regional flooding, together with a more localised scale stormwater management strategy (in concept only – not supported by specific details at this stage), looking at both water quality and peak flow management (detention basins).

The assessment as presented is generally supported, noting that detailed assessments will be required. TRC is comfortable that these can be provided in support of the detailed design and associated Construction Certificates – via appropriately worded consent conditions.

As an adjunct to the above comments, TRC requests a coordinated approach between the stormwater, the environmental and fire-response advisers in the following regard. TRC seeks an assessment and commitment around the management of mobilised pollutants in the event of a BESS fire suppression event (typically by water dousing). We suggest the inclusion of a gate valve or similar device on the outlet to any detention basin, and the requirement to shut this valve in the emergency response plan in the event of a battery fire. We see this as a desirable element of the combined management plans in order to protect the downstream receiving bodies (in this case – Goonoo Goonoo Creek and the downstream river systems) from the impacts of mobilised pollutants – including heavy metals. Such a strategy would facilitate trapping and removal of pollutants before they leave the site. Once pollutants have been appropriately dealt with, the gate valve would be re-opened and the stormwater basin would return to normal function.

The site itself is not mapped within a flood planning area but access to the site is. The EIS (page 145) identified access to the Project Site may be impacted should flooding occur along Goonoo Goonoo Creek at Whitehouse Lane or Burgmanns Lane and the CTMP and Emergency Management Plan for the Project would detail the alternative route to be used in consultation with stakeholders during the detailed design of the Project. The alternative routes also experience flooding from the Peel River. Some roads are closed for shorter periods than others but there will be times when all roads are closed. The CTMP and Emergency Management Plan also need to include contingencies for these circumstances.

5. Land

The Applicant has indicated a commitment to prepare a Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) or equivalent in accordance with the ‘Blue Book’ Volume 1 Managing Urban Stormwater: Soils and Construction (Landcom 2004). TRC stresses the importance of managing stormwater and soils to prevent offsite impacts. TRC would encourage the Applicant to look at synergies between managing the groundcover and stormwater runoff.

6. Noise and Vibration

Council acknowledges the applicant redesigned to a 270 MW battery system to address concerns that came from the noise assessment findings.

Operational noise has been modelled to not exceed noise limits at non-associated receivers following mitigation measures. An important part of modelling is monitoring to verify the predictions. Feedback during community engagement also highlighted community concern with noise and monitoring could be a means to address this. Council recommends that noise monitoring is undertaken during operations to verify that noise levels are being met at surrounding residential receivers.

7. Waste

A preliminary Waste Management Plan was provided in the EIS. The Waste Management Plan would form part of the EMS for the Project and would be reviewed and updated prior to the commencement of construction. TRC supports this but wishes to comment on the level of detail. A detailed plan for managing the waste material during the construction phase needs to be developed in consultation with TRC prior to construction. The Waste Management Plan must include options for diverting recoverable or recyclable waste streams from landfill, including recoverable or recyclable options that are outside of the Tamworth Local Government Area. It also needs to detail all types of packaging and material from the construction phase. A condition for the construction phase of the Waste Management Plan to be approved prior to construction commencing is recommended.

Further details of decommissioning must be provided and updated during the life of the project. A requirement that information regarding decommissioning be updated during the life of the project should be included in the conditions of consent.

TRC's Forest Road Landfill's Environmental Protection Licence (EPL) allows 60,000 tonnes per annum to be accepted. There is limited capacity for additional waste volumes, such as in the event of a disaster occurring requiring large volumes being disposed of to landfill or a one off decommissioning of a large renewable energy project. Therefore, it is important for the Applicant to provide projected waste volumes in order for TRC to be able to manage it, especially with cumulative volumes from other proposed renewable energy projects. If volumes are predicted to exceed the EPL threshold, then TRC would need to examine whether an EPL amendment is an option or whether the applicant needs to find an alternative solution.

8. Decommissioning

TRC seeks assurances, through conditions imposed on any approval, that it will not be left with any liability if the Project is not decommissioned as planned. For example, if the Project goes into a period of care and maintenance indefinitely. The preferred option is a bond for decommissioning committed to prior to the commencement of any works. Another option could be restriction on title for the decommissioning of the BESS.

Whilst it is acknowledged that the Project is on freehold land, given the high cost it is unclear if the landholders have capacity to decommission an abandoned BESS. Additional information on contingencies with the landholder undertaking the decommissioning would need to be included upfront in a Decommissioning Plan.

9. Social and Economic

On 23 July 2024, Council adopted the Tamworth Regional Housing Strategy (TRHS). Priority 2.3 of the TRHS identifies the need for sufficient temporary workers accommodation in the region due to the large housing demand expected from upcoming renewable energy projects and other activities such as intensive agriculture and manufacturing.

The EIS nominates that a workforce of up to approximately 100 full-time equivalents would be required for construction during the project peak and provides a commitment to prepare a Local Procurement Strategy to mitigate impacts associated with the additional demand for accommodation arising from short-term construction workers. Council supports the preparation of a Local Procurement Strategy, in particular the focus on First Nations participation. To provide further certainty around local procurement and workforce accommodation, Council requests that the Local Procurement Strategy:

- Clearly defines workforce requirements and expectations, including minimum qualifications, to determine the extent/viability of local procurement;
- Provides a commitment to accommodating a non-local construction workforce (regardless of size) should 100% local procurement not be achievable; and
- Be endorsed by Tamworth Regional Council (unless the Planning Secretary agrees otherwise) prior to commencement of construction.

10. Planning Agreements

Any Voluntary Planning Agreement (VPA) offer received from the proponent should be consistent with the *Tamworth Regional Council Voluntary Planning Agreement Policy for Renewable Energy Projects 2023* (attached). The final decision for Council to enter into a VPA would subject to consideration at an Ordinary Meeting of Council.

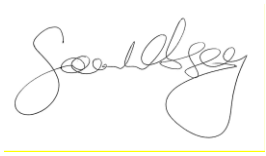
Should the Department grant consent to SSD-63207219, Council also requests that a condition of consent be imposed requiring payment of a Section 7.12 contribution in the event that a VPA is not entered into between the proponent and Tamworth Regional Council. Council notes that although targeted towards wind energy, solar energy and transmission lines, the Draft Benefit Sharing Guideline exhibited by the Department provides a draft policy position that large-scale battery developments "*would be subject to standard Council rates and contributions based on land use zoning and any relevant impacts on local infrastructure and services*". Consistent with the Department's draft guidelines, the proposed Kingswood Battery Energy Storage System is a development type to which Council's *Section 7.12 (formerly 94A (Indirect)) Development Contributions Plan 2013* applies.

Conclusion

Whilst TRC's current position is neutral on the Kingswood BESS, it is mindful of the potential negative impacts such a large development can have on an existing regionally based community and the environment. TRC requests that the requirements of the SEARS, and issues raised in this submission and by others, are appropriately responded to and addressed by the Department prior to any determination.

Should you require any clarification in relation to the matters raised above, please contact Council's Jessica Allen, Senior Development Assessment Planner on the number below.

Regards,



Sam Lobsey
Manager, Development

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16 August 2024