



23 June 2025

Kirsty Vogel
Major Projects
Department of Planning, Housing and Infrastructure

Dear Madam,

Proposal: Construction, operation, and decommissioning of a Battery Energy Storage System with a capacity of approximately 1000 MW / 4000 MWh, and ancillary infrastructure.
Property: 847 and 893 Hue Hue Road, Kiar, NSW, 2259
Application: SSD-86051481

I refer to your email of 17 June 2025 for Council to provide comments on the exhibited development to obtain SEARS.

Council provides the following in relation to the provided scoping report for the intended development on the subject development site:

Planning

- Subject site is legally described as Lot 3 DP719762 and Lot 2 DP 719762 at No. 847 and 893 Hue Hue Road, Kiar NSW 2259. The overall site area is 80 hectare (ha) and is currently occupied by farmhouses and ancillary structures.
- The site is located within a Bushfire prone land area.
- The site is impacted with Flood Prone Land mapping indication 1% AEP.
- The site is partially impacted with Flood Precincts 4: High Hazard, Flood Precincts 3: Flood Storage, Flood Precincts 2: Flood Planning, Flood Precincts 1: Probable Maximum Flood.
- The site has identified watercourses and 40m buffer zone traversing the site.
- The site is zoned RU6 Transition pursuant to *Central Coast Local Environmental Plan 2022*.
- The site is located within the Mine Subsidence Guideline 6 area.
- The proposed development for the intent of electricity generating works with a value greater than \$30 million is identified under Part 2.2 Section 2.6 (1) of *State Environmental Planning Policy (Planning Systems) 2021* to be State significant development per Schedule 1 of this policy. The proposed development will be processed as State significant development and will be assessed and determined by the Department of Planning, Housing and Infrastructure.



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- The proposed development is to comply with the relevant provisions of the SEPP (Resilience and Hazards) 2021 and SEPP (Biodiversity) 2021 that are relevant to this proposal.
- The proposed development must demonstrate compliance with the provisions of the *Central Coast Local Environmental Plan 2022* *Central Coast Development Control Plan 2022*. Any proposed variations are to be suitably justified.
- The applicant is to demonstrate in the Crime and Safety report how the proposal has been designed with consideration of the Crime Prevention through Environmental Design (CPTED) strategies relating to surveillance, access control, territorial reinforcement, and space management.

Engineering

Flooding

- The site is impacted by flooding from a tributary of Wallarah Creek.
- Clauses 5.21 and 5.22 of the CCLEP 2022 and Chapter 3.1 of the CCDCP 2022 will need to be addressed within the EIS as part of the application.

Stormwater Drainage

- A watercycle management plan will be required. It shall be undertaken by a suitably qualified and experienced civil/hydraulic engineering consultant for the management of runoff from hardstand areas in accordance with Council's DCP Chapter 3.1, Civil Works Design Specification, AS/NZS 3500.3 Plumbing and drainage Part 3: Stormwater drainage (current version) and Australian Rainfall & Runoff 2019.
- Any assumptions used in the watercycle management plan must be clearly stated, including impervious fractions used for existing and post developed land use modelling. The post developed scenario is not considered to be 100% pervious.
- All stormwater drainage would need to be designed and constructed in accordance with Council's *Civil Works Specification (CWS) Design Guideline and standard drawings*. This includes any stormwater that discharges to the surface and requires an energy dissipater or similar.
- The overflow from any retention, detention and or rainwater tank/s will need to be identified on the stormwater management plan, ensuring the overland flow paths will remain unobstructed to the point of discharge.

Earthworks and Acid Sulphate soils

- Areas of cut and fill is to be identified and shown on the plans.
- The site is not located within an area mapped to have Acid Sulfate Soils.

Roads, Access, Traffic & Parking

- A Traffic Impact Assessment prepared by a suitably qualified traffic engineer is to be submitted with the DA to address as a minimum the following:
 - The impact of the proposed development on the surrounding road network.
 - Compliance with the proposed accesses in relation to the requirements of AS2890.1:2004, in particular for sight distances to vehicles and pedestrians entering and exiting the site. This analysis needs to include consideration of the retention of the existing vehicle access crossing and driveway for parking in the front of the site.
 - Justification for the number of car parking spaces.
- Access and carparking will need to adhere to CCDCP 2022 Chapter 2.13 Access and Parking and AS2890.1 2004.
- All vehicles will need to be able to enter and exit the development in a forward direction.
- Swept path overlays (including unobstructed clearances around the vehicle) will be required for all vehicles entering and exiting the site. In particular, these swept paths shall demonstrate compliance for the largest design vehicle to enter and exit the development in a forward direction, anticipated to be a medium rigid vehicle (MRV).
- Carparking, driveways, and waste collection storage area dimensions to be identified in plans.
- Longitudinal driveway profile (including levels, grades and transitions) is to be included on the drawings.
- If a new VAC is proposed, the design will need to comply with Council's Civil Works Specification 2020 (CWS) Design Guideline and Standard Drawings, CCDCP 2022 Chapter 2.13 Transport & Parking, and AS2890.1:2004 – Off-street car parking.

Utilities

- Water and sewer is not available to the site.



Construction Issues, Dilapidation, etc

The proposal will require the preparation and documentation of *Dilapidation Reports* on Council assets and neighbouring properties, and a suitable *Construction Traffic Management Plan* to ensure the safety of all road users, prior to the issue of any Roads Act approval and/or commencement of any development works.

ECOLOGY

- The preparation of a Biodiversity Development Assessment Report (BDAR) that has been prepared by an accredited person in accordance with the Biodiversity Assessment Method (BAM).
- As required by the BAM, avoidance as required under the *Biodiversity Conservation Act* should be discussed in terms of site selection, as well as avoidance and minimisation of impacts at the location. For example, discuss other sites with lower biodiversity values considered for this development. At the site scale, it must be demonstrated how ecological values have informed the footprint.
- There are multiple watercourses on site that lead to Wallarah Creek. The application is to address the NSW DPE Water "*Guidelines for riparian corridors on waterfront land*". This includes retention of waterways and provision of suitable Vegetated Riparian Zones, calculated in accordance with the Guidelines. The proposed development involves works within 40 metres of a watercourse and will require a controlled activity approval under the *Water Management Act 2000*.
- An area of the site is included on the NSW Biodiversity Values Map. Much of the site is mapped as "Core Habitat" for threatened biodiversity by Council. There is limited publicly available ecological survey results for the site. However based on known values present on adjoining lands, it is expected once the site is adequately surveyed and assessed it will be found to have high biodiversity values including threatened flora and fauna and their habitats. There is likely to be one or more Endangered Ecological Communities on site and within the receiving environment downstream.
- Council is aware of recent Giant Dragonfly records in riparian habitats in the Bushells Ridge area that may not yet have been published on the NSW Bionet Wildlife Atlas. This is a species that requires SAI assessment.
- Note that surrounding properties have high biodiversity values and are part of an ecological offset for the Wallarah 2 Coal Mine approval. The impacts of the proposed development in relation to potential connectivity, fragmentation and offsite impacts will need to be assessed.

- A minimum of 12 months of ecological surveys are likely to be required. The Central Coast LGA has a number of cryptic threatened species that can only be detected at certain times of year. For example, *Grevillea parviflora subsp parviflora* known to occur nearby needs to be surveyed between August and December and coincide with peak flowering. The Central Coast also has a number of orchid species that are known occur in disturbed and managed areas. [Councils Flora and Fauna Survey Guidelines 2019](#) and Species Management Plans provide advice on some local species. Adopted Species Management Plans (SMPs) can be found on Council's website [here](#).
- The study area must include all areas likely to be directly and indirectly impacted by the development, including areas off site. These may include road upgrades, asset protection zones, stormwater infrastructure and water quality basins and water, energy and sewer services to connection point. Indirect impacts may include altered flow regimes, noise, light and weeds.

TREES

In order to address the proposed tree removal on the site and impacts to trees on neighbouring properties from works, an Arboricultural Impact Assessment will be required. The assessment must be prepared by a qualified arborist (minimum AQF Level 5) and include assessment of all trees (> 3 m in height) on, or where relevant, adjoining the subject site. The report must address the impact of the proposal on trees and provide a Tree Protection Plan that specifies measures required to protect trees to be retained. Any cavities (tree hollows) identified by the Arborist are to be documented in the report. Retention of existing native trees with medium to long SULE ratings is to be maximised, this is to include consideration of moving the development footprint to allow improved tree retention. All retained trees must include tree protection measures consistent with the Australian Standard AS4970-2009 Protection of Trees on Development Sites.

WASTE MANAGEMENT

All DA applicants are expected to lodge the completed RWMP form as part of their DA submission, regardless of whether a suitably qualified waste consultant has produced an external Waste Management Plan. The intent of the standardised RWMP form is to streamline information for Council and encourage applicants and consultants to think deeper about how each material flow is managed.

Council requires that applicant use the correct forms within the Guidelines to ensure continuity and consistency in applying the intentions of the guidelines across a diverse range of development applications and associated activities. The forms provided support to applicants and ensure that all applications address Councils requirements in a uniform manner.

Central Coast Council RWMP form can be found here - [CCC Waste DCP - RWMP form 2023.pdf \(nsw.gov.au\)](#)

Site Prep / Demolition (SP-RWMP):

- Site Prep RWMP to address the key information and touchpoints for the site prep stage of the development.
- It's unclear if the exiting dwellings are to be retained or removed, if removed this needs to be captured in the Site Prep stage.

Construction (C-RWMP):

- Key information and Touchpoints to be addressed for the Construction stage of the development.

Occupancy (O-RWMP):

- Key information and touchpoints to be addressed for the ongoing stage of the development.
- If the facility is to be manned, then any waste generated by the people working onsite needs to be captured in the O – RWMP.

WATER & SEWER

- The proposed development site is outside of Council water and sewer servicing area.
- The proponent will need to consider an alternative water supply and any on site sewerage management system if it is required.

CONTRIBUTIONS

Section 7.11 and 7.12 Contribution Plans

- A detailed contributions quote can be obtained from Council's Section 7.11 Contributions Officer. Please note that fees are required to be paid prior to issue of the construction certificate and that contributions will be adjusted to the amount applicable at the time of payment.
- Refer to the link for access to full copies of the [Section 7.11 and 7.12 Plans](#).

Housing and Productivity Contribution (HPC)

- The HPC applies to the whole of the Central Coast Local Government area and to the following types of development:

Region	HPC class of development	Amount	HPC unit
Greater Sydney	Residential subdivision	\$12,000	new dwelling lot
	Medium or high-density residential development	\$10,000	new dwelling
	Commercial development	\$30	square metre of new GFA
	Industrial development	\$15	square metre of new GFA
Central Coast Illawarra-Shoalhaven Lower Hunter	Residential subdivision	\$8,000	new dwelling lot
	Medium or high-density residential development	\$6,000	new dwelling
	Manufactured home estate	\$6,000	new dwelling site
	Commercial development	\$30	square metre of new GFA
	Industrial development	\$15	square metre of new GFA

- The HPC came into effect on 1 October 2023 and will apply to development applications and complying development certificates across 43 council areas in the Greater Sydney, Illawarra-Shoalhaven, Lower Hunter and Central Coast regions. The [Ministerial Order](#) sets out how the contribution will operate.
- The HPC will be required to be paid prior to issue of a construction certificate/CDC/Subdivision Certificate, depending on the type of work consented to.

ENVIRONMENTAL HEALTH

Noise Impact Assessment

The proposal is likely to generate noise during construction and operation. Council expects that the noise impact of construction and operation will be appropriately assessed, modelled and mitigated in accordance with NSW EPA (2017) Noise Policy For Industry as part of the Environmental Impact Statement (EIS). Furthermore, Council requests that the EIS for noise will consider that an appropriate mitigation measure for construction and operation is a complaint handling process in order to receive and investigate noise complaints. This will allow /council to minimise the time and resources required to investigate and resolve noise complaints which may arise as a result of the development's noise impact .Documents to be provided with the application:

- Architectural plans, including site plan, floor plans, elevations, sections and long sections.
- Survey Plan.
- Environmental Impact Statement.



- Quantity Surveyors Report.
- Traffic and Parking Impact Assessment.
- Construction Traffic Management Plan.
- Water Cycle Management Plan.
- Arborist Report.
- Biodiversity Development Assessment Report (BDAR).
- Preliminary Civil Engineering Plans.
- Soil and Water Management Plan.
- A Bushfire Assessment Report in accordance with *Planning for Bushfire Protection 2019*.
- Landscape Plan.
- Acoustic Report.
- Crime Prevention through Environmental Design (CEPTED) Report.
- Operational Management Plan (including hours of operation, lighting, noise control, waste management, servicing, carparking and any other relevant information).
- All RWMP need to be submitted using this form: [CCC Waste RWMP Form](#)
- Swept Turning Path Overlays for all intended vehicles using the site.
- Due Diligence Aboriginal Impact Assessment ([AHIMS Search](#)).

Should you have any questions please contact Council's Principal Planner Ross Edwards on 0437 628 027 or via email ross.edwards@centralcoast.nsw.gov.au

Regards

A handwritten signature in black ink, appearing to read "Antonia Stuart".

Antonia Stuart
Section Manager
DEVELOPMENT ADVISORY SERVICES

