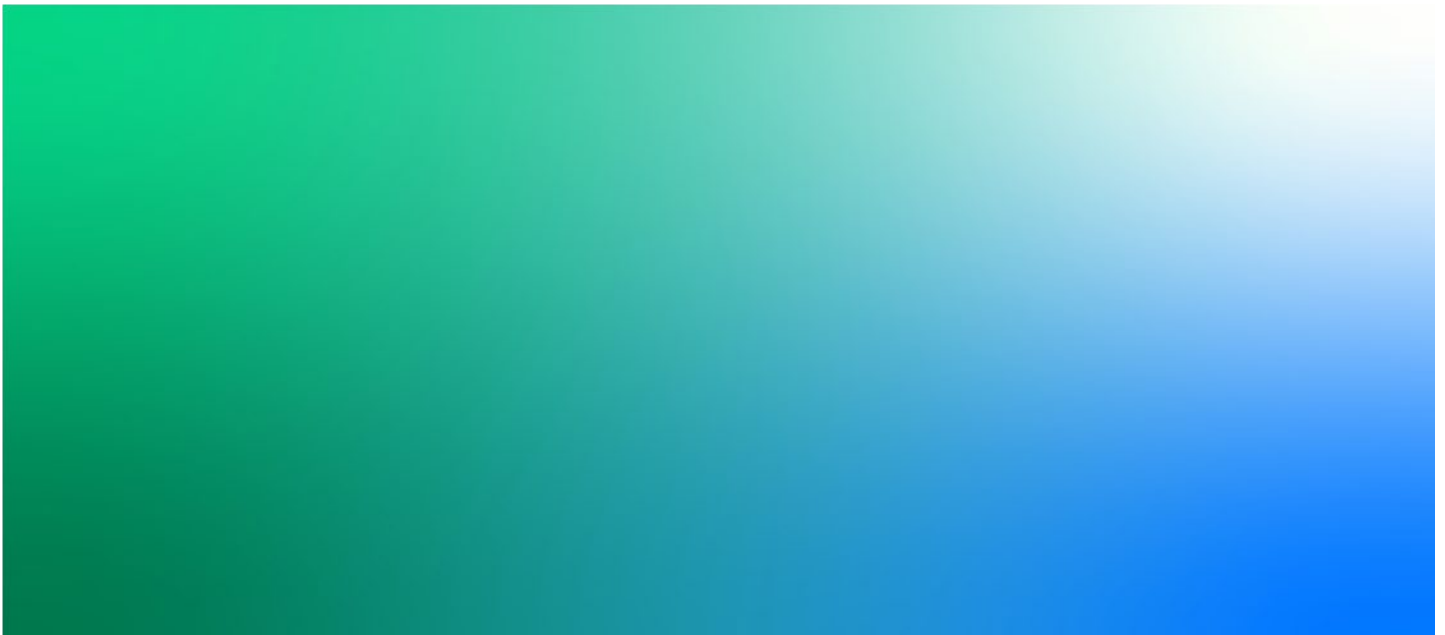




Hunter Power Project - Additional Information

Response to RFI 1: Agency Responses

13 October 2021



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Project Manager: M Luger
Author: T Colman
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Jacobs Group (Australia) Pty Limited
ABN 37 001 024 095
Level 7, 177 Pacific Highway
North Sydney, NSW 2060
PO Box 632
North Sydney, NSW 2059
Australia
T +61 2 9928 2100
F +61 2 9928 2444
www.jacobs.com

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Contents

1.	Introduction	1
2.	DPIE Water.....	2
2.1	Comments and recommendations	2
2.2	Snowy Hydro response	2
3.	Heritage NSW	3
3.1	Comments and recommendations	3
3.2	Snowy Hydro response	3
4.	Biodiversity and Conservation Division.....	4
4.1	Comments and recommendations	4
4.2	Snowy Hydro response	4
5.	Cessnock City Council.....	5
5.1	Comments and recommendations	5
5.2	Snowy Hydro response	5
6.	Transport for NSW.....	6
6.1	Comments and recommendations	6
6.2	Snowy Hydro response	6
7.	References.....	7

1. Introduction

Snowy Hydro Limited (Snow Hydro) propose to develop an open cycle gas fired power station near Kurri Kurri, NSW (the Proposal). The Proposal involves the construction and operation of a power station, electrical switchyard and associated supporting infrastructure. The Proposal will operate as a “peak load” generation facility supplying electricity at short notice when there is a requirement in the National Electricity Market (NEM).

The Environmental Impact Statement (EIS) for the Hunter Power Project (Kurri Kurri Power Station) (the Proposal) was placed on public exhibition by the Department of Planning, Industry and Environment (DPIE) from 13 May 2021 to 9 June 2021.

During the exhibition period, submissions on the Proposal were received from the public and government agencies including the Environment Protection Authority (EPA), agencies within the DPIE, local councils, Heritage NSW, and Transport for NSW. In response to the submissions, Jacobs prepared a Submissions Report (Jacobs, 2021) and a number of revised and addendum assessment reports including:

- Revised Air quality impact assessment
- Groundwater impact assessment addendum
- Aboriginal heritage assessment addendum
- Biodiversity development assessment report addendum
- Revised Noise impact assessment
- Surface water and aquatic ecology assessment addendum.

The DPIE subsequently invited those agencies which had prepared submissions to comment on the response to submissions report, following its publication on 4 August 2021. The following agencies have provided written responses:

- Department of Planning, Industry and Environment: Water (DPIE Water)
- NSW Department of Premier and Cabinet – Heritage NSW
- Department of Planning, Industry and Environment – Environment, Energy and Science Group: Biodiversity and Conservation Division (BCD)
- Cessnock City Council
- Transport for NSW.

This Addendum addresses the comments raised by these five agencies.

2. DPIE Water

2.1 Comments and recommendations

After reviewing the response to submissions report, the DPIE Water has written to the DPIE Planning and Assessments Group (undated) to express its view that the Proponent (Snowy Hydro Limited) "... has not suitably addressed the potential interference of the surface water and pollution control basin with the aquifer and potential associated groundwater takes nor has addressed the potential risk for contamination from the same unlined basin."

The following post-approval recommendations are provided by DPIE Water:

- 1) That the proponent locate the base of the pollution and surface water management basin no less than 1 m above the water table, or
- 2) Should the basin design intersect the water table:
 - a) A lining or similar measure to reduce potential for contamination or take of groundwater during construction and operation of the site is required. A commitment to that effect from the Proponent or a condition of approval to reflect this requirement is acceptable.
 - b) The proponent should provide estimated groundwater take related to construction and operation of the basin (prior to construction).

2.2 Snowy Hydro response

Snowy Hydro acknowledges the recommendations made by DPIE Water. Snowy Hydro makes the following commitments in regard to further design development and ongoing assessment of any potential changes in the Proposal's likely impacts on the environment that may result from refinements of the design:

- During detailed design, the proposed stormwater management system for the Proposal will be refined, including further investigation of the need for stormwater retention and the design of any permanent stormwater infrastructure.
- As recommended by DPIE Water, if a stormwater retention basin is included as part of the ultimate stormwater management system, the basin will be designed such that its bed is more than 1 metre above the water table. If a basin is required and it is not possible to achieve this, the basin will be designed with an impermeable lining.
- If a stormwater basin is required, and if the basin's design is such that it is expected to intersect with the water table, then prior to construction, Snowy Hydro will provide an updated calculation for the Proposal's estimated groundwater take.

3. Heritage NSW

3.1 Comments and recommendations

Heritage NSW has reviewed the response to submissions report, with specific reference to the *Hunter Power Project Response to Submissions Aboriginal Heritage Assessment Addendum* prepared for Snowy Hydro Limited by Jacobs, dated 30 July 2021 (the Aboriginal heritage addendum report).

In a letter to the DPIE dated 23 August 2021, Heritage NSW noted that the Aboriginal heritage addendum report is adequate in addressing the response to submissions report based on the significant depth of fill that exists in the project area. Heritage NSW note that the addendum report now includes management and mitigation measures based on their previous comments.

Heritage NSW recommends however, that the monitoring procedure needs to provide further information on the methodology for test and/or salvage excavations, and the long-term management of Aboriginal objects.

Heritage NSW therefore recommends the following additions to the Addendum report:

Section 2.1.2 Procedure for archaeological monitoring of site works

- Clarify how many test pits will be excavated at each location of intact alluvial deposit
- Clarify the size and spacing of pits (e.g. 50 cm x 50 cm pits at 5 m spacing on a 20 m transect, or a series of transects forming a grid)
- Clarify whether the excavations will be extended to an open area pit under specific circumstances (e.g. if dense or stratified deposit or unusual cultural features are uncovered)
- Clarify whether there are specific circumstances under which large scale salvage excavation will be undertaken
- Provide information about the long-term management of any Aboriginal objects recovered during testing and/or salvage
- Add a statement committing to the preparation of a monitoring report describing any Aboriginal objects uncovered during monitoring that will be submitted to Heritage NSW and AHIMS.

3.2 Snowy Hydro response

Snowy Hydro commits to include the above recommendations in the Aboriginal Heritage Management Plan.

The DPIE has advised that the issues relating to monitoring and salvage procedures have been resolved through consultation with Heritage NSW.

4. Biodiversity and Conservation Division

4.1 Comments and recommendations

The Biodiversity and Conservation Division (BCD) of the DPIE's Environment, Energy and Science Group has provided recommendations to the DPIE in attachments to a letter dated 19 August 2021. The recommendations are summarised as follows:

Biodiversity

- 1) BCD is satisfied that recommendations 1, 3 and 4 of BCD's biodiversity comments on the EIS (dated 9 June 2021) have been satisfactorily addressed in the response to submissions report.
- 2) BCD recommends that the accredited assessor re-assess the serious and irreversible impacts to the Regent honeyeater (*Anthochaera Phrygia*) if the proposed clearing impacts of constructing a retention dam is reduced. This may require a re-calculation of the biodiversity credits in the BAM credit calculator.

Flooding

- 3) Detailed design should consider fit for purpose erosion control measures which do not require a sediment control basin excavated below the water table.
- 4) The proponent should reconsider off site flood impacts and management of stream erosion flows during detailed design.
- 5) Detailed design of pollution controls should consider removing the proposed open pond and using a treatment train approach suitable for the likely pollutants which would be generated by this development. Management of spills and road runoff will be key requirements.

4.2 Snowy Hydro response

In response, after discussions with DPIE BCD and the DPIE Planning and Assessments Group, Snowy Hydro notes the above recommendations from BCD and agrees to the implementation of these measures.

5. Cessnock City Council

5.1 Comments and recommendations

Cessnock City Council has acknowledged by email dated 23 August 2021 that it was consulted in the preparation of the EIS and the response to submissions report in respect of the Proposal. In this communication, Council re-stated its support for the Proposal, and requested that the following points should be noted:

- Council has [not] identified any additional social impacts that have not been identified in the EIS or raised through submissions by public authorities, organisations and members of the public. Council notes that the NSW Environment Protection Authority, NSW Health, organisations and members of the public have made submissions on the EIS regarding the ongoing management of air quality and noise which may have an impact on public health.
- Council is satisfied with the information submitted relating to the Biodiversity Development Assessment Report.
- Council requests that contributions be levied in accordance with Council's Contributions Plan made under section 7.12 of the *Environmental Planning and Assessment Act 1979*.

5.2 Snowy Hydro response

Snowy Hydro notes the issues raised by Cessnock City Council.

If the Minister determines that Snowy Hydro make a developer contribution, as discussed and proposed to Council and DPIE, Snowy Hydro proposes the following:

- The total value of the Planning Agreement be capped
- These funds are put towards project/s agreed between Council and Snowy Hydro during the development of the Planning Agreement
- The project/s under the Planning Agreement have a community benefit and can demonstrate a clear link to the Hunter Power Station project.

6. Transport for NSW

6.1 Comments and recommendations

Transport for NSW acknowledged the DPIE's invitation to comment on the response to submissions report, by letter dated 11 August 2021.

Transport for NSW noted in its letter that "... the proponent lodged a Response to Submissions report ... addressing matters raised by TfNSW", and that "... the proponent has noted and agreed to the key issues raised by TfNSW. Accordingly, TfNSW raises no objection to the proposed development."

6.2 Snowy Hydro response

Snowy Hydro acknowledges this response from Transport for NSW.

7. References

Jacobs (2021) "Hunter Power Project – Response to Submissions. Rev 1, dated 4 August 2021.