Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Part 8, Division 2 of the Environmental Planning and Assessment Regulation 2021

Application Number	SSD-32286107
Project Name	Central West Pumped Hydro project, which includes the development of an underground pumped hydro power station, upper and lower reservoirs, grid connection and ancillary infrastructure.
Location	Adjacent to Molybdonite Road and Fish River, 4 km south of Yetholme in the Bathurst Regional local government area.
Applicant	ATCO Australia Pumped Hydro Pty Ltd
Date of Issue	10/06/2022
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8, Division 5 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and must have regard to the *State Significant Development Guidelines*. In particular, the EIS must include: · a stand-alone executive summary; · a summary of the background to the project, including the alternatives that were considered to the project; · a full description of the project accompanied by suitable maps and plans, including the: - disturbance area; - physical layout of the project over time, including sections of key components; - key uses and activities to be carried out on site; - likely timing of the project including any stages, the key phases within each stage (site preparation, construction, commissioning, operation, decommissioning and rehabilitation) and the sequencing of these stages and phases; · the relevant strategic context for the project having regard to: - State and Commonwealth legislation, policies and guidelines, and current initiatives to improve energy security and reliability in the National Electricity Market; - key features of the environment that could affect or be affected by the project (including Nature Reserves and State Forests); - any other existing, approved or proposed projects that could result in cumulative impacts with the project; · the relevant statutory context for the project, including: - the assessment pathway for the project under the *Environmental Planning and Assessment Act 1979*; - the approvals required before the project may be carried out; and - any relevant matters for consideration; · a description of the engagement that was carried out during the preparation of the EIS, the key issues raised during this engagement and the proposed engagement strategy for the project if it is approved; · an assessment of the likely economic, social and environmental impacts of the project having regard to the requirements in any relevant Government legislation, policies and guidelines (see below), including: - the state of the existing environment; - community views;

	- the measures that would be implemented to avoid or minimise impacts, including a consolidated summary of the proposed mitigation measures for the project; - the predicted impacts of the project, including any cumulative impacts of the site and existing or proposed developments in the region taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice including *Cumulative Impact Assessment Guideline* (DPE); - actions proposed to deal with any uncertainties associated with the assessment;; · a detailed evaluation of the merits of the project as a whole. The EIS must also be accompanied by a report from a suitably qualified person providing: · a detailed calculation of the capital investment value (CIV) (as defined in the Dictionary of the EP&A Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; · an estimate of jobs that will be created during the construction and operational phases of the proposed infrastructure; and · certification that the information provided is accurate at the date of preparation. The development application must be accompanied by the consent of the owner/s of the land (as required in Section 23(1) of the EP&A Regulation).
Key Matters	The level of assessment of key matters must be proportionate to the likely significance of the impacts on the matter. In particular, the EIS must include the following: · **Biodiversity**: - an assessment of the biodiversity impacts of the project on terrestrial, aquatic riparian and groundwater-dependent ecosystems, including listed threatened species and communities, and impacts on Nature Reserves) including: o an assessment of the biodiversity values and the likely biodiversity impacts of the project, in accordance the *Biodiversity Conservation Act 2016* (NSW), the Biodiversity Assessment Method (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR), including a detailed description of the proposed regime for avoiding, minimising, managing and reporting on the biodiversity impacts; o an assessment of the likely impacts on listed aquatic threatened species, populations or ecological communities, scheduled under the *Fisheries Management Act 1994*, and a description of the measures to minimise and rehabilitate impacts, - a strategy to offset the residual impacts of the project on these ecosystems; · **Heritage**: - assess the impact to Aboriginal cultural heritage items (archaeological and cultural) in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010); - provide evidence of consultation with Aboriginal communities in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010); and - assess the impact to historic heritage having regard to the *NSW Heritage Manual*. · **Water:** - a detailed site water balance for the project, including the water take from each surface and ground water source, any licensing requirements, and determine whether an adequate and secure water supply is available for the

development;
- an assessment of the impacts of the project on:
  - the quantity and quality of the region's surface and ground water;
  - resources, including Fish River and Frying Pan Creek;
  - water security for local downstream receivers including other dependent water industries;
  - hydrological flows on site, including any potential flooding impacts;
  - key water features on site, including potential impacts on riparian land;
  - type and extent of any dredging or reclamation activities within 'water land'
  - water-related infrastructure, basic landholder rights and the entitlements of water users;
- a description of the likely changes to the hydrological regime of the Fish River, and any associated biodiversity impacts;
- where the project involves works within 40 metres of the high bank of any river, lake or wetlands (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the *DPI Guidelines for Controlled Activities on Waterfront Land* (2018) and (if necessary) *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (DPI 2003); and *Policy & Guidelines for Fish Habitat Conservation & Management* (DPI, 2013);
- a strategy to manage spoil and enhance any new landforms created;

· **Land**:
- an assessment of impacts of the project on:
  - soils including potential impacts associated with the use of hydrocarbons and chemicals, dealing with the spoil generated by the project and a soil survey to determine the soil characteristics and consider the potential for erosion to occur;
  - the topography of the site, including the creation of any new landforms;
  - the geotechnical stability of the site;
  - consideration of agricultural land and Crown lands;
  - completion of a Land Use Conflict Risk Assessment in accordance with the Department of Industry's *Land Use Conflict Risk Assessment Guide*
- a strategy to manage the progressive rehabilitation of the land disturbed by the project and enhance any new landforms created;

· **Transport and Access**:
- an assessment of the impacts of the project on the:
  - capacity, condition, safety and efficiency of the local and State road network, including a road safety audit of the proposed haulage route;
  - public access to recreational facilities (including rivers);
- a strategy to enable regular and emergency management activities to be carried out on site during the project;

· **Amenity**:
- an assessment of the:
  - construction, operational and road noise impacts of the project;
  - blasting impacts of the project;
  - visual impacts of the project, including lighting impacts and potential impacts on views of the project from key vantage points;
- including amenity impacts on Nature Reserves;

· **Air:**
- an assessment of the particulate matter and greenhouse gas emissions of the project;
- an assessment of the likely greenhouse gas impacts of the project including a breakdown of scope 1, 2 and 3 emissions as defined by the Greenhouse Gas Protocol and measures to minimise emissions and consideration of climate change adaptation related to the project;

	· **Hazards:** - an assessment of: o any potentially hazardous impacts of the project; o any public safety risks, including bushfire and flooding risks (including potential impacts on Nature Reserves, State Forests and downstream landholdings). · **Social:** - an assessment of the social impacts of the project in accordance with *Social Impact Assessment Guideline* (DPE), including impacts on: o the locality; o the demand for infrastructure and services in the Bathurst Regional local government areas; o users of nearby Nature Reserves, Fish River and Frying Pan Creek; · **Economic:** - an assessment of the economic impacts and benefits of the project on the locality and the State as a whole; · **Waste**: - an assessment must identify, quantify and classify the likely waste stream to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste, taking into consideration capacity and availability of local landfills.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site, proposal, and proposed road upgrades.
Legislation, Policies & Guidelines	A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at: · https://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework/Improving-assessment-guidance · https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines; and · https://www.awe.gov.au/environment/epbc/publications#assessments
Consultation	During the preparation of the EIS, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups, affected landowners and any exploration licence and/or mineral, coal and petroleum title holders. The EIS must: • detail how engagement undertaken was consistent with the *Undertaking Engagement Guide: Guidance for State Significant Projects* (DPE); and • describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, an explanation should be provided.
Expiry Date	If you do not lodge an EIS for the infrastructure within 2 years of the issue date of these requirements, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.