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DTQ:DQ

26 July 2023

NSW Department of Planning and Environment
Energy, Resources and Industry Assessments
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150



Dear Kurtis Wathen,

Proposal: SSD-59906734 Yarrabin (Phoenix) Pumped Hydro Energy Storages Project

Property: Lots 5, 6, 7, 16 & 17 DP 756903,
1195 Endacott-Kangaroo Ground Road YARRABIN

Thank you for your correspondence (email) dated 6 July 2023 regarding the abovementioned project. Council Officers have undertaken a preliminary assessment of the proposal and the following comments are provided for input into the SEARs:

(1) Roads and Transport

Road construction in road reserve alignment

The Scoping Report is unclear with regard to:

- Are the roads within the project boundary, maintained by council?
- Are the constructed roads within the legal road reserves or not?
- Does council have a history of maintaining the roads (within or outside the road reserve)?
- Are the roads to be upgraded council public roads? Or are they intended to be upgraded and dedicated to Council as public road?

Public roads

The EIS needs to establish legally what roads within the Indicative Project Boundary are 'council public roads'. That is, they need to procure and provide to council a 'Road Status report' of all road reserves within the project boundary, to establish who owns them legally (eg. crown roads, council public roads, or privately owned roads).



All communications to: **CHIEF EXECUTIVE OFFICER**

ABN 53 539 070 928

PO Box 81 Dubbo NSW 2830

T (02) 6801 4000 **F** (02) 6801 4259 **E** council@dubbo.nsw.gov.au

Civic Administration Building Church St Dubbo NSW 2830

W dubbo.nsw.gov.au

Council ownership

It would appear that Dubbo Regional Council doesn't maintain any roads that would provide direct access to the actual site but we may maintain roads on the power line route and some of our roads may be required for transportation of materials.

For example, Endacott Road is located within the Dubbo Regional Council LGA but is on Crown Land. Council doesn't maintain any part of Endacott Road or any other public or Crown Roads in that vicinity. It would appear that Mid-Western Regional Council maintains roads east of the LGA boundary at Mudgee Park.

Council is unlikely to accept additional roads (or sections of roads) to our maintenance list, particularly given the low population density and the remote location.

Should any Council public roads exist in the project boundary, then the EIS needs to address this issue and reflect that Council is an impacted owner, potentially needing compensation, not just a public authority.

Proposed Subdivision Plan to Dedicate Road Reserves

The EIS should provide a proposed subdivision plan which shows where upgrades to the road reserve network will be needed, and to acquire and dedicate the upgraded road reserves to council as a public road (if that is agreed as an extension of council's road network).

Note. A number of constructed roads are not located within the road reserve (eg. Lot 6/DP240821).

Services/Powerlines & Easements

The EIS should indicate where services and their easements will be required, so that Council can establish if easements will be required over Council public roads.

Transportation routes

The Scoping Report indicates that access to the main project site will be via roads in the Mid-Western Regional Council LGA. The Scoping Report also mentions the lack of hard rock for concrete onsite, which may lead to concrete aggregate and other hard rock materials being sourced from Dubbo (if nothing suitable is found onsite). The impacts of hauling this could be to Council owned and maintained public roads, which should be addressed in the EIS.

Quantities of the hard rock products would be relatively small when compared to the materials onsite for dam embankments. However, if haulage from Dubbo is necessary the impacts on roads should be noted and addressed.

In respect of the power line connections, the scale of the maps provided within the Scoping Report are difficult to read and it is not possible to tell if any Council public roads will be used

for the installation of the transmission lines. The roads will need to be identified and the impact during the installation of the power lines will need to be addressed.

Council also notes the points mentioned in the Scoping Report under 6.3.3 Assessment Approach (p.50):

- A Driver Code of Conduct;
- A road dilapidation report for before the construction of the project and after decommissioning of the project;
- Measures that will be taken to minimise traffic related incidents.

(2) Building Works

The submitted Scoping Report has provided an indicative section and perspective plan of the development's powerhouse silo. However, the full extent of the powerhouse support structures are not shown. Scoping Report (p.15) makes reference to a site office/facilities, water & sewer power supply, parking and stockpile areas, quarries, concrete batching plant.

On previous occasions with proposed SSD's, Council has identified the lack of detail associated with the permanent buildings associated with the development, which may require a Construction Certificate. No floor plans, elevation and site plans have been provided in the Scoping Report.

(3) Bushfire Prone Land

The land adjoining the development site is mapped as being bushfire prone. The Scoping Report identifies that a Bushfire Assessment to Planning for Bushfire Protection 2019 will be undertaken for the development's EIS. It is essentially the powerhouse site which would potentially be adversely impacted by bushfires, the tunnels being underground and the intake structures located within the reservoirs.

(4) Dams Safety Act

The Scoping Report under its Chapter 4 Statutory Context, does not identify that the development's proposed Reservoirs will likely need to be assessed to determine whether they will require registration under the Dams Safety Act 2015. The EIS will need to address this legislation as to its applicability to the proposed development.

(5) Biodiversity/Vegetation Impacts

There is no reference to any required linking transmission lines. If/where these are required they must also be assessed/considered with the EIS and the application.

(6) Cumulative Impacts

The access road to the site, appears to be the same as that proposed for the Burrendong Dam Wind Farm (SSD-8950984). All the cumulative impacts need to be considered in the EIS.

(7) Workforce Accommodation

With the range, timing and workforce requirements of projects in the Central West and Orana Renewable Energy Zone, workforce accommodation is required to be carefully considered to ensure projects do not unreasonably impact communities of interest.

Council requests that the EIS include a preliminary accommodation plan, which identifies the accommodation requirements of the project, existing accommodation and how the project is proposing to provide accommodation for employees. It is noted that the Scoping Report includes discussion around a temporary workers camp.

(8) Voluntary Planning Agreement

A Voluntary Planning Agreement is required to be negotiated and agreed to with Council for the project by the Proponent. Council has an adopted Community Benefit Framework, which requires renewable energy projects to contribute a total of 1.5% of the project Capital Investment Value for wider benefits for our community.

Benefit/s to the community includes (but may not be limited to) the following:

- Road infrastructure provision and maintenance;
- Housing opportunities and initiatives;
- Strategic planning;
- Economic development and investment attraction opportunities and initiatives;
- Skills development;
- Community facilities and recreation opportunities;
- Youth welfare and support;
- Town centre development and maintenance in Wellington;
- Other infrastructure provision that provides for the continued health, wellbeing and development of the community.

However, it should be noted that the primary impacts of the development need to be considered and ameliorated as part of the State Significant Development process.

Please note that Council is seeking the proponent ACEN Phoenix Pty., Ltd., to provide an overview of the project, to both staff and Councillors. As such, further comments regarding the project may be forthcoming.

If you have any enquiries in this matter, please do not hesitate to contact Mr Quigley during normal office hours, on 6801 4000.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D. Quigley', written in a cursive style.

Darryll Quigley
Manager Building and Development Services