

File ref: **SSD-78247462**

12 June 2026

Dear Sir/Madam

RE: SUBJECT CANYONLEIGH BESS PROJECT SSD-78247462
962 Canyonleigh Road, Brayton

I wish to make a submission to the proposed Project which includes a development worth approximately \$390,660,000 GST exclusive and consists of:

- 300MW/ 1,200MWh storage capacity battery energy storage system (BESS);
- BESS footprint 15.20ha;
- related additional infrastructure including new underground electrical transmission lines, underground electrical reticulation and high voltage connection of on-site substation to connect the Project to the Marulan Substation;
- operation and maintenance buildings
- 10 x 40ft general containers for storage
- 20m lighting rod protection
- 3 Access locations internal access tracks, earthworks
- On-site Water tank
- 60 on-site space carpark
- Internal site fencing
- Road upgrade works to Canyonleigh Road

A summary of the reasons we are concerned with the project are provided below.

1. Inadequate or unclear information

- The detailed plans do not indicate scaled elevation plans or proposed height of the different elements – it is considered this is a vital impact to allow comment and submission on. Will the BESS containers be single level and to what height?
- Most of the plans indicated Dairy Road to the east of the development site. This is not correct. The land to the east is accessed via a private road and not Dairy Road. Dairy Road is located approximately 2.4km west along Canyonleigh Road. This matter needs to be corrected to avoid confusion and access along the unnamed private access.
- The Application form asks “Does the development involve the erection of a temporary structure” The response states “No.” The accuracy is questioned as a development generating between 70-100 people is likely to require temporary shelters for staff for group meetings, to take meals and breaks away from inclement or bad weather conditions.
- The application does not appear to clarify what the existing structures on-site are and whether they are intended to be retained or demolished/removed.
- The following statement is unclear – if it is referring to the Big Hill RFS sheds, the shed is located approximately 17km by road from the site on Brayton Road. It is unreasonable for such a large development not to be fully self sufficient in the event of a fire or hazard.

The relevant BFRMP for the Project is the Southern Tablelands BFRMP (2018). The Site is not mapped as a bushfire management zone under this plan. The closest asset to the site identified in the plan is the 'Big Hill Development in Upper Lachlan', a residential area, which is 8 km northwest of the BESS development footprint. The Big Hill Development is identified as having low potential for a bushfire event. Treatment strategies applied in this area include maintaining

- It is unclear whether the 12-24m (BAL 29) APZ or 17-33m (BAL 19) APZ is included in the disturbance area identified as the development footprint.
- There is no mention in the BF Assessment as to the required dedicated water supply required on site. The report should make a recommendation on required water balance assessment including water for amenities, potable water for staff, water required for construction and operation.
- The EIS states that clause 7.6 of the GM LEP does not apply. (Refer to below extract). The NSW Planning Portal Spatial Viewer highlights in green the area where clause 6.7 Biodiversity applies. Refer further extract below.

The Goulburn Mulwaree LEP also details additional local provisions regarding terrestrial biodiversity (Clause 7.2), which applies to development on land that is identified as "Biodiversity" on the Terrestrial Biodiversity Map. The Project is not located in land identified as "Biodiversity", and therefore the clause does not apply to this Project. However, an assessment of biodiversity impacts has been undertaken, which identifies potential adverse impacts and advises suitable mitigating measures (refer **Section 6.1**).



- There is a potential that future APZ works may disturb important biodiversity matters. We are concerned that the Biodiversity Assessment does not include the whole site and potentially excluded high quality native grassland and vegetated area along the eastern boundary of the site and central site. F2-2 of the EIS is not accurate as identified modified pastures along the eastern boundary are in fact high quality native grasslands. The whole site needs to be assessed for potential threatened species and communities to make a full and proper assessment of where future disturbance needs to be avoided (i.e. stock, slashing or fire management and the like).
- A Water Management Plan and sources of water need to be determined during the assessment so that a full and proper assessment can be undertaken on critical elements of the application, rather than defer to once the application is determined. Water is an importance resource, and the source, quantities and impact of the source needs to be made available to the community to comment on as part of the public exhibition period. Water bore use may impact available water on our property to the east as the drainage generally runs toward the east as highlighted in the following Planning Portal Spatial Mapping. Many of the plans do not show the existing drainageline within the development site which runs directly onto the land at 1054

and 1031 Canyonleigh Road, which is used for stock watering. There is a concern that there are no measures proposed to prevent contaminated fire water runoff and the potential impact to the receiving waters. (Refer below extract from NSW Planning Portal Spatial Viewer).



- The Noise Assessment uses climatic data from Moss Vale. The appropriateness is questioned – 31km to east and different climatic conditions. Suggest comparison to: Marulan (Johnniefields) **Number:** 70269 **Opened:** 1972 or Goulburn Weather station may be more appropriate and request this be considered by the assessment experts.
- Noise during decommissioning has been identified as a generator for approximately 3 months. The impact on the locality needs to be identified and assessed. (Refer to below extract)

3.6.3.2 POWER SUPPLY

During the operational phase, the Project will use power from the existing network. For the decommissioning phase, an on-site generator will be used for power.

- A draft decommissioning plan should be prepared under a request for additional information and assessed under this application, because it will have impacts on the neighbours and it only fair and reasonable and due process to allow neighbours to comment
- Lack of consultation with neighbours – there was only one (1) on-line briefing consisting of 2 neighbours (3 residents) and no contact after the meeting.
- Figure F2-3 of the EIS contains errors concerning dwelling permissibility. It appears to only consider lots with an area >100ha being the minimum lot size for subdivision. The assessment should also review clause 4.1C and clause 4.2A(2)(b) or (e) of *Goulburn Mulwaree LEP* which is available to the property at 1031 and 1054 Canyonleigh Road. For example:
 - o clause 4.1C(3) - *Average lot size* applies to RU2 zoned land and permits an averaging of the 100ha minimum lot size and states:
 - (3) Despite the other provisions of this Plan, development consent may be granted for the subdivision of land to which this clause applies that requires development consent (whether or not the subdivision is under the *Community Land Development Act 1989*) to create lots of any size if—
 - (a) the consent authority is satisfied that the land to be subdivided is proposed to be used for the purpose of residential accommodation, and
 - (b) the average area of the lots resulting from the subdivision will not be less than the minimum size shown on the *Lot Size Map* for the relevant land, and
 - (c) the consent authority is satisfied that the development retains, and is complementary to, the rural and environmental attributes of the land and its surrounds, and

- clause 4.2A – *Erection of dwelling houses on land in certain rural and conservation zones* applies to the property at 1054 Canyonleigh Road as it applies to land zoned RU2 Rural Landscape by virtue of subclause (2)(b):

(b) a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or

The family is aware that clause 4.2A(2)(b) brings up the former Mulwaree LEP 1995 clause 19(3)(a) which states:

The Council may consent to the erection of a dwelling-house on land to which this clause applies only if no dwelling-house is erected on the land and the land:

(a) has an area of not less than 40ha

Comment: Therefore a land collection containing +40ha has dwelling entitlement.

- clause 4.2A – *Erection of dwelling houses on land in certain rural and conservation zones* applies to the property at 1031 Canyonleigh Road as it applies to land zoned RU2 Rural Landscape by virtue of subclause (2)(e):

(e) an existing holding.

Comment: 1031 Canyonleigh Road is an existing holding (which was held in separate ownership in 1970) which provides for a dwelling entitlement.

As a result s3.3.2 – dwelling entitlement must be updated to reflect future dwelling entitlements and the implications of the development on these dwelling entitlement. Further discussion can be held on this matter.

- Traffic – The EIS does not take into consideration or make it clear that the proposed Tesla 2XL megapac requires a major service between 10-15 years and this may include major repairs or replacement. Traffic impacts during the major servicing and repair and replacement should also be considered in the EIS as a worst case scenario not as provided below from the EIS extract.

If replacement infrastructure is installed, these will remain within the Project Description and predicted impacts for which any development consent is granted (unless a modification is sought and granted).

2. Potential cumulative impacts

- 6 state significant development applications are either in preparation or assessment stage and located adjoining or in close proximity to our land including the following

Project Name	Number of Applications	Distance from dwelling to property boundary of SSD	Non-compliance
Canyonleigh BESS	1 project	Approx. 320m	- Construction Noise - Operational Noise - Unclear generator noise assessment during decommissioning
Marulan Gas Fired Power Station	3 projects	Approx. 1.54km (Canyonleigh Road Boundary)	- Construction Noise - Operational

			Noise
Wattle Creek Bess and Solar Farm	2 projects	Approx 375m	- Construction Noise
Marulan Substation	1 project – existing	Approx. 790m	Not available

- It is unreasonable for a farming family to have such large scale development sited within the locality in an adhoc or first in first served basis. The social and economic impacts have not been assessed within the application and further mitigating matters are required to ensure if the development is approved, the neighbours will not be lumped with any contamination remediation costs, potential impacts on water quality, loss of water availability and water ways, potential loss of stock, increase in insurances, lack of contact and absentee neighbours and adverse impact on neighbouring agricultural land.

3. Impact to Zone: RU2 Rural Landscape

- There is likely to be a negative change to the character and amenity of the area.
- The current character of the area is formed from the objectives of the land use zone and land use table under the former and current Goulburn Mulwaree LEP. This has resulted in rural dwellings and development on lots ranging from 10ha (known as concessional allotments) to 40 ha allotments permitted under the former Mulwaree LEP and 100ha allotments permitted under the current LEPs.
- The current accumulation of projects proposed in this locality (as indicated in the above table) and this project are proposed to cover individual areas with industrial infrastructure ranging in areas of between 12ha (Canyonleigh BESS) to 580ha (Wattle Creek Solar Farm) highlight how significant and adverse the cumulative impact will be on the locality, both on the landscape as well as the amenity and lifestyle.
- The developments themselves are larger than many of the existing parcels of land and out of character with the Council desired character permitted under the current LEP zonings. It should be considered practical and reasonable under the current Rural Landscape zone for landowners in the vicinity to expect a peaceful and rural setting, characteristic of rural land uses and dwellings (permitted with consent) not a landscape characteristic of major energy and industrial hub landscapes which will dominate the landscape.
- The current and existing proposals in the immediate locality consist of:
 - o the nearby existing Transgrid Marulan Substation with capacity of 480MVA, refer to Figure 1 attached;
 - o Existing 330kV and 132kV transmission lines and a scar on the landscape;
 - o 117ha for the approved Marulan Gas Fired Power Station consisting of up to 4 x 40m high exhaust stacks rising out of 2 power stations - either 250-350mw open cycle gas-fires power station for peak electricity generation (stage 1) or a 400-450 mw combined cycle gas-fired power station for immediate/base load electricity generation (07_0174 - 07_0716) with consent modified 16/10/2024, refer to Figure 2 & 3 for reference (subject to a modification application);
 - o 13ha for the proposed Canyonleigh BESS Project – estimated 300MW/1,200MWh storage capacity;
 - o 580ha for the Wattle Creek large-scale solar photovoltaic (PV) generation facility (265 MW AC)
 - o 75ha for the Wattle Creek proposed Battery Energy Storage System (BESS)
- “Summer Hill” is a considerable landholding with an area of approximately 770ha (1900 acres) held over approximately 39 separate titles which has been in the family for many generations. It was ideally located adjoining or close to number of other large holdings for many years and has contributed to the area positively through supporting the local RFS, local schools and businesses.
- Other areas of the state should help bare the burden of energy projects not be subject to a few. This can be seen in both the Goulburn Mulwaree and Upper

Lachlan communities recent objection to the proliferation of energy developments and having already shared a large burden.

- The Goulburn Mulwaree DCP plan aims “to protect the scenic values of the rural landscape and environment and encouraging development to be unobtrusive and sympathetic to the surrounding rural setting. Where practicable, existing vegetation is to be maintained and enhanced, so as to provide buffers and landscaped visual relief within rural areas.”
- How can such large-scale development proceed without negatively impacting on the character of the adjoining area located within the Goulburn Mulwaree and near the boundary of Upper Lachlan LGA.
- Did the development address the potential for radiant heat and the cumulative impact given the scale and nature of the proposed development and adjoining approved developments? Will these potentially have a negative impact on the climatic conditions creating a drier sub-climate.

4. Potential Land Use Conflict

- The EIS identified water quality, bushfire and biosecurity as the main conflicts.
- The EIS should have identified the potential economic impacts including potential loss of farm income where stock will potentially be stressed from the sudden increase in noise and vibration and avoid paddocks near construction, as well as impacts such as an increase in noise and loss of amenity, delays from increased traffic, fencing maintenance, dust on wool quality, productivity and palatability of pastures subject to construction dust, emergency plan requirements and no consultation on this matter.
- The risk assessment process is potentially subjective or reliant on the assessor to be aware of farming concerns and risks associated with the development. It is recommended that the assessment include consideration of the below risk assessment and Right to Farm Policy.

Probability	A	B	C	D	E
Consequence					
1	25	24	22	19	15
2	23	21	18	14	10
3	20	17	13	9	6
4	16	12	8	5	3
5	11	7	4	2	1

Recommended Risk Rating

Activity	Potential Conflict	Probability Level	Consequence Level	Risk Rating
Air Quality	Noise Generation – to farming	A	3	20
	Noise generation to close residential receiver	A	3	20
	Dust to adjoining farmland	B/C	3	17/13
	Dust to residential uses	B	4	12
Traffic	Increased Traffic – to farming practices incl livestock transportation, supply delivery	B	3	17
	Increased Traffic – to residential	A - medical emergency over 18mth construction	2	23
	Traffic impact to wildlife – incl. foggy mornings/ rain/frost/poor visibility or lighting	A/B	1/5	25/7
	Damage to road during construction, maintenance (typical major maintenance/replacement every 10-12yrs)	A – esp wet weather, OSOM & heavy vehicles	1/2	25/23
Water Quality	Impact to water quality – for farming	C	2/4	18/8
	Impact to water quality from OWMF – high water table/natural springs (1.8 bore depth in EIS)	D	1/4	19/5
Safety	Straying Livestock	A - occurring	2	23
	Exposure to hazardous events or substances	C	1	22
	BEES explosion/thermal runaway	C	1	22
	Battery Fire/spread to surrounding land	C –possible & known to occur	1 – harm to fish, birds plants Odour requiring people to evacuate 3 Moderate to medium term impact	C/1 = 22 C/3 = 13 Lack of staff and facilities to actively control particularly during hazardous fire conditions
	Waste – wind blown litter	B	3/4	17/12
	Vehicle overturn incl water truck	C occurred in GMC water transportation	1/2/3	22/18/13
	Damage to gates	B/C – known to occur Canyonleigh Rd east -	1-5	24/22 to 7/4 Canyonleigh Road (east) not fenced off from Livestock -

		drive through closed gates		could be fatal to minor impact hitting sheep/cattle/wildlife
	Contamination due to decommissioning – if not correctly done can result in contamination of land and water - POM should not be left to 5 yrs prior	D	1/2	19/14 Required to be undertaken by certified operators and evidence provided to DG and LGA. Where are the hazardous components transported to?
Security	Biosecurity – introduction - spread of weeds	B	3/4	17/12
	Breeding and damage by Pigs	B	2/3	21/17
	Potential Theft/ Vandalism	C/D	2/3	18/9
	Damage to gates	B/C – known to occur Canyonleigh Rd east	1	22/24
	Visual Amenity	B	2/4	21/12
	Light spill	B/C	2/4	21/8
Social	Increased demand on local emergency services/ medical	B	3	13
	Health and lifestyle/ local amenity	A	1/3	25/20 Depending on how quickly issues of concern addressed

Note: Due to the distance of access and issues there was a range provided to the probability assessment above.

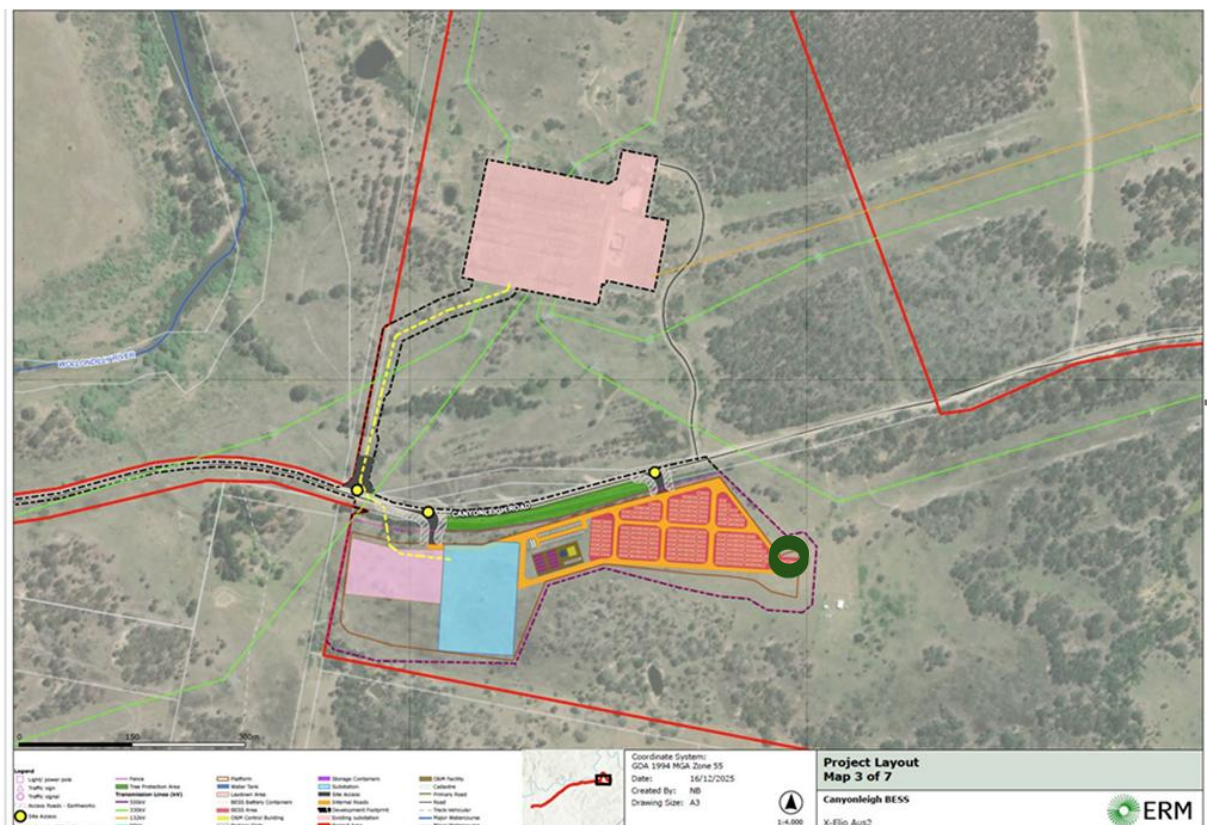
Fire risks - pasture/crop/stock loss together with loss of rural assets such as fencing, machinery and buildings are a real concern and risk.

The LUCRA does not take into consideration potential conflicts resulting from:

- Windblown litter and potential livestock ingestion in addition to the potential veterinary service costs associated with sick livestock.
- Delay in transporting stock and products and the potential associated stress on stock, hazards and extreme temperatures.
- Windblown dust which can make grass and feed unpalatable, thereby reducing the capacity of surrounding land for fodder.
- Potential for weeds to be blown onto surrounding farming land given that much of the wind direction comes from the westerly direction. The management of weeds is required during construction and once operational including priority Regional and State Priority Weeds as identified and listed in the *South East Regional Weeds Glovebox Guide NSW* as produced by Department of Primary Industries and watch for the introduction and control of Prohibited Matter as also identified by Department of Primary Industries.
- Landscaping around the property boundary would be recommended to minimise impacts on views and vistas and help mitigate transportation of weed and dust onto surrounding properties.
- Maintenance of boundary fences should be the responsibility of the developer due to the risk of hazards.
- The noise generated during clearing will be significant on neighbouring properties, rural farming practices and livestock.

- ## 5. Bushfire Risk and Environmental Hazards
- ### PBFP EIS extract

- The Bush Fire Assessment states “The internal roads will provide adequate access to the site, including the BESS units, for emergency vehicle access.”(S5.2). It is argued that the eastern most arrangement does not meet this standard as an access/maintenance road is not proposed north, south or east of the arrangement as shown in the below extract (green bold circle). It is recommended that the eastern most arrangement be deleted from the design if the project is approved.



- The Bush Fire Assessment states:
“Ongoing operations – There would not be any cumulative operational impacts although it is noted that the proximity of multiple construction and/or operational projects may exceed the current capacity of local firefighting resources. This will need to be addressed in consultation with NSW RFS.”
- The above statement is contradictory; with multiple construction and industrial sites operating it is suggested that the cumulative effect is that in the event of a fire the projects will likely exceed the current capacity of local firefighting resources. This is a major concern that needs to be considered and addressed in the assessment.
- The Bush Fire Assessment does not consider the issue of 1 way in and 1 way out via Canyonleigh Road west. Canyonleigh Road east is substandard, contains gates, bends and changes in terrain. Consideration for a stay in place has not been adequately addressed as an option.
- The Bush Fire Assessment history notes the area had been burnt as a result of the March 1965 fires, however the extent and severity was not addressed. The fire travelled from Chatsbury/Taralga to the north through to Bungonia, Tallong and Wingello in the south and eventually stopped or burnt out near Nowra on the South Coast and covered an area of approximately 250,000ha. We are extremely concerned with the lack of detail and assessment with regards to fire protection and prevention and the intensification of industrial uses this extreme fire may occur again.
- A significant industrial development should identify all the potential construction and operational risks of this scale and not rely on the support of local volunteers from the RFS which have no facilities in the vicinity of the development. The closest stations are too far away (Canyonleigh the other side of Paddy's River which is a steep and narrow decline and incline, Big Hill, Towrang, Marulan and Tallong/Wingello) to ensure an early response. Specialist equipment would be required due to the potential hazards and smoke from the industrial fires. Would these stations be adequately equipped to control a fire from the facility? Surely water fixtures on the back of vehicles is simply not enough.
- It is recommended that a special purpose-built firefighting facility (shed and equipment) should be constructed on site due to the isolation of the site. Family had recently made the community aware of a fire at the Transgrid substation when an explosion/fire started. Had he not been present locally the fire could have been more significant.
- The additional hazard of batteries in the locality is also a concern as information is publicly available on the internet of 3000 lithium battery storage warehouse in Melbourne which exploded in Jan 2025 with potentially hazardous chemicals including hydrogen fluoride gas and heavy metals (such as nickel aluminium copper, manganese and cobalt) in the smoke which don't disappear but settle on surfaces and potentially contaminate land, vegetation and water.
- There appears to be no "Plume modelling" a risk that should be addresses to assist to predict how gases from burning battery chemicals might travel.
- It should be noted that a report of the Goulburn Mulwaree Waste Management Facility in 2024, sited it only had 13 year lifetime capacity. We are concerned the extent of SSD and redevelopment of in the LGA will place strain and significantly reduce capacity of WMF, with the community to be disadvantaged. (Regional <https://aboutregional.com.au/goulburn-recycling-never-easier-as-hopes-rise-to-extend-tip-life/466007/>)
- It is questionable as to whether the site is suitable or the proposed development is suitably designed to adequately address the potential hazards including and not limited to fires due to the isolation of the location, the scale and nature of the development and lack of resources or infrastructure proposed to protect the development from significant fires and hazards.

6. Noise and Vibration

- We are particularly concerned with regards to noise and vibration, because the farm is the most directly impacted during construction. The property is identified a Noise Sensitive Receiver R1 and R44 (Refer to extract Table 5-2 below).
- It should be a requirement that the developer be made to comply with the relevant noise guidelines rather than exceed the limits.
- Due to the identified exceedances, it is argued that the development site and proposed development is not suitable for that location and that it is not in the community interest.
- We are concerned that the potential impact of noise and stress on the livestock will have financial implications to the operation of the farm not just the assessment against the dwelling. Modelling shows there will be no rest from noise at or around 35-40dB during operational period.
- The assessment does not appear to include reference to impacts during temperature inversions and during varying wind speed or prominent wind directions. How will these conditions impact noise to neighbours?

TABLE 5-2 PREDICTED ONSITE CONSTRUCTION NOISE LEVELS

NSR ID	Equipment ^a															Scenario ^b		
	Small pile driving rig	Crane	Drum roller	Padfoot roller	Wheeled loader	Dump truck	Excavator	Bulldozer	Scraper	Grader	Chain trencher	Water truck	Telehandler	Forklift	Tub Grinder/ Mulcher	CON 1	CON 2	CON 3
R1	55	51	50	50	50	49	48	49	57	48	45	45	39	31	57	53	54	55
R44	53	49	48	48	48	47	46	47	55	46	43	43	37	29	55	51	52	53

The construction noise assessment concluded that the ICNG 'noise affected' management level is exceeded at 2 NSRs (R1 and R44) for the site preparation and establishment construction scenario (CON 1), 3 NSRs (R1, R44 and R111) for the delivery of infrastructure construction scenario (CON 2), and 3 NSRs (R1, R44 and R111) for the general construction of infrastructure construction scenario (CON 3).



CLIENT: X-Ello Aus2 Pty Ltd
PROJECT NO: 0711340

DATE: 13 March 2026

VERSION: Final

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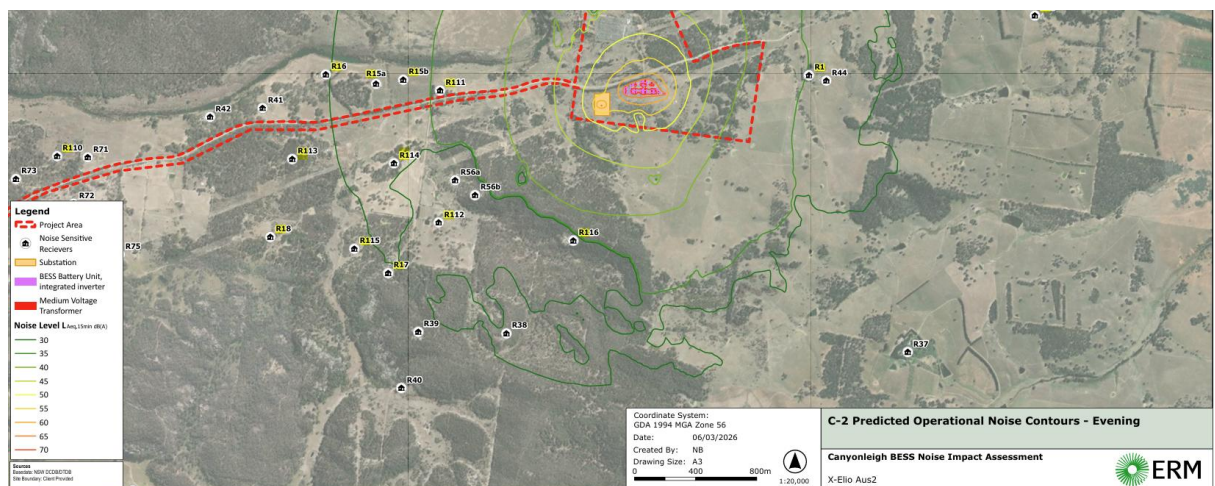
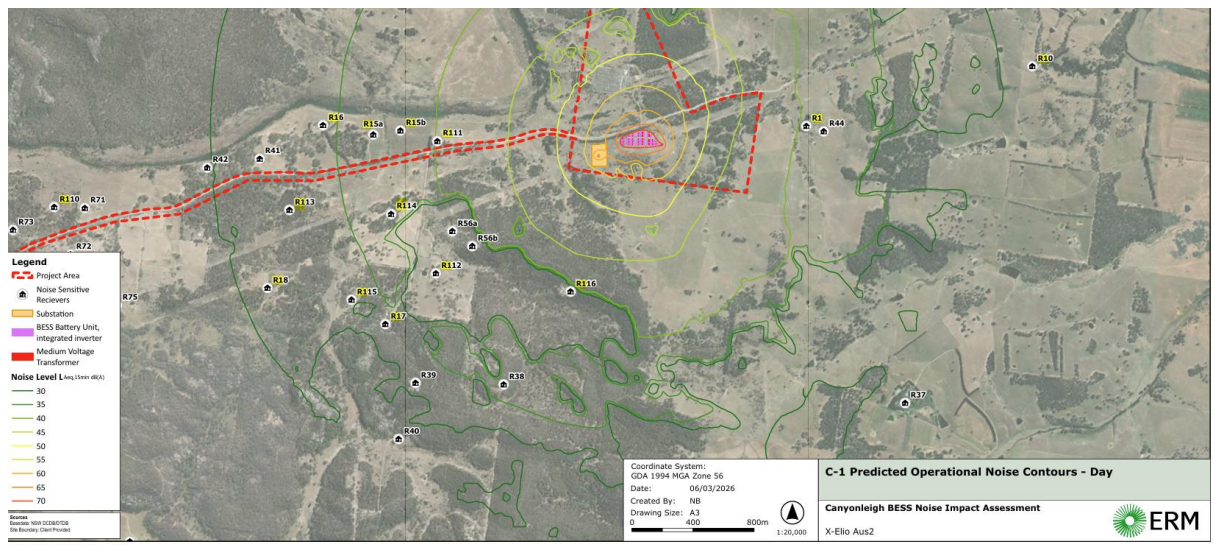
Creek BESS. Review of available relevant noise assessment reports indicates that cumulative impacts on the nearest NSRs to this Project are unlikely.

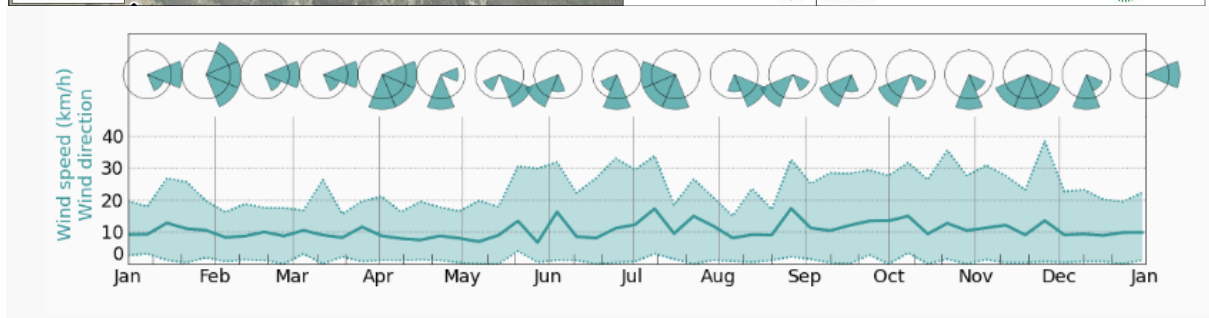
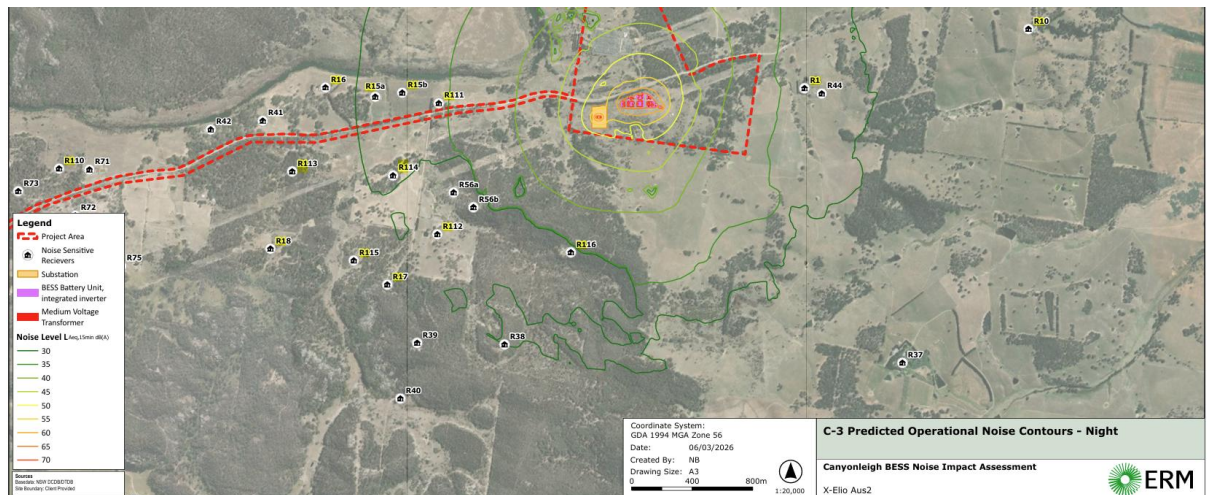
the Project were assessed in accordance with the assessment methodology and criteria outlined in the RNP. The assessment concluded that traffic along Canyonleigh Road is to be limited to 4 heavy vehicles in the early morning from 6am to 7am. Additional heavy vehicle movements are recommended to arrive on site after 7am. During the operational stage of the Project, traffic noise impacts at NSRs are expected to be negligible.

nighttime period,

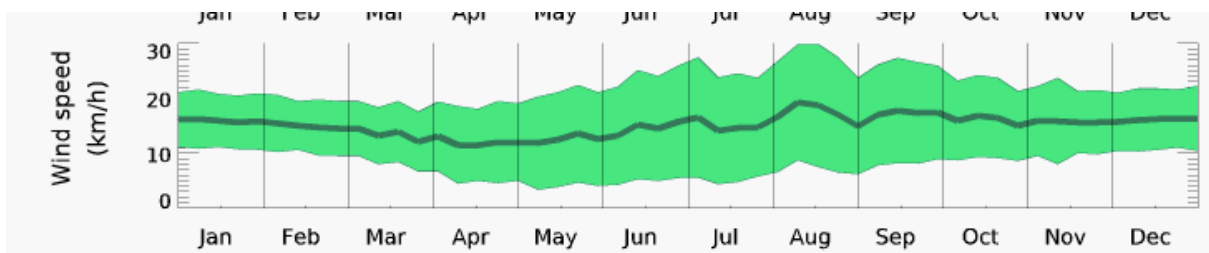
- The ICNG 'noise affected' management level during the nighttime period is derived to be 45 dB(A) $L_{eq}(15min)$;
- The ICNG 'noise affected' management level is therefore predicted to be exceeded at the closest Sensitive Receiver by up to 22 dB;

- Where an equipment item (drum roller, the padfoot roller, the cranes, the small pile driving rigs, scraper and tub grinder / mulcher) operates close to the boundary of works area and these works are anticipated to generate high levels of noise e.g., > 45 dB(A) at a NSR as per **Table 5-2**, potential respite periods, e.g., three hours of work, followed by one hour of respite should be applied. Respite should be implemented if it is the preference of the affected receivers and if they are feasible and reasonable, and practical, to implement during the works. In some circumstances respite may extend the duration of works and



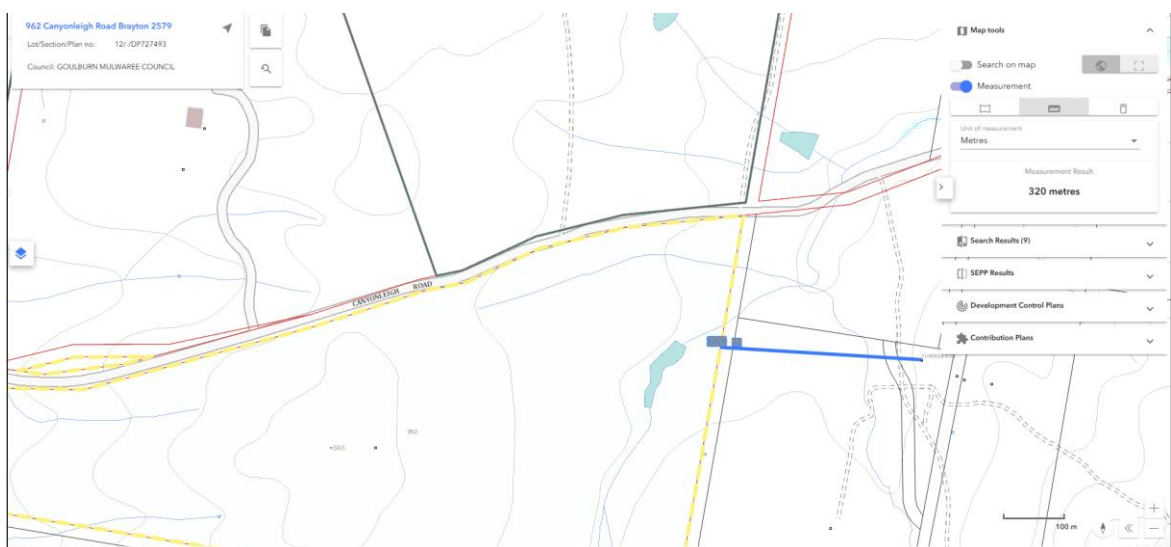


Source: [Weather Archive Marulan - meteoblue](#) for 2025



Observed historical climate & weather data for Marulan - meteoblue – Goulburn

- The assessment of noise should also be considered on the dwelling entitlements mentioned above.
- It should be noted that R1 dwelling is located less than reported 350m, but rather 325m to the development boundary. (Refer to below extract from NSW Planning Portal Spatial Viewer)



- In addition to the exceedances of the noise requirements, it is highlighted that exceedances were identified for the Marulan Gas Project (R26). Refer to extract below.

R26	Day	33	34	37	35
	Evening	34	35	38	
	Night	34	35	38	

- In addition to the exceedances of the noise requirements, it is highlighted that exceedances were identified for Wattle Creek (R003). Refer to extract below

Table 13: Indicative range of construction noise predictions at receivers (not including host landowner receivers), dB L_{Aeq}, 15 min

Construction phase	Nearest receiver (distance, m)	Predicted level range	Noise affected management level	Exceedance	Highly noise affected management level	Exceedance
Battery installation	R283 (2,400)	25-30	45	-	75	-
Civil earthworks	R003 (550) ^[1]	50-55	45	5-10	75	-
Component delivery	R283 (2,400)	30-35	45	-	75	-
Site establishment, clearing and fencing	R283 (2,400)	35-40	45	-	75	-
Substation construction	R283 (2,300)	20-25	45	-	75	-

1 R003 is outside the 3 km scale line from primary noise generating infrastructure associated with the Project, but close to overhead transmission line infrastructure common to both the Wattle Creek Solar project and the Project. Further details are provided in Section 8.3.2

- How can the cumulative impact not be considered significant where each project potentially exceeds the criteria? We stress that 1 project adjoining a property is significant and will have potential adverse impacts. It is stressed that 6 state significant projects is unreasonable and unacceptable.
- Modelling appears to be based on daytime and nighttime wind speeds of 3m/s-2m/s respectively. It should be noted that assessment should also include assessment under a range of windspeeds (including worst case scenario) to give true reflection of likely impacts rather than use mild modelled assumptions.
- Such a large-scale development should use more extensive modelling to determine a more realistic impact on the neighbours and locality. It is requested that the development be remodelled to determine a more accurate indication of the proposed development, together with the potential cumulative impacts from the approved and potential developments.

7. Traffic Noise, Disruption and Safety

- We are concerned with regards to the scale and nature of traffic being generated by the development.
- For example, it is estimated if spread evenly the Peak traffic volumes of 174v/d = 21.75v/hr = 1v/3 minutes. Similarly, the average projected traffic movements of 122v/d = 15v/hr = 1v/4minutes. This just illustrates the significant increase in level of vehicles being generated as a result of the development. (EIS Extract below)
 - It is anticipated that during peak construction, the Project could generate up to 100 light vehicles, 8 shuttle buses, and 66 heavy vehicle movements per day. The average traffic movements during construction will be up to 70 light vehicle, 8 shuttle buses and 44 heavy vehicle movements per day.
- No discussion is made on the potential decommissioning traffic or impact of erosion and sedimentation and dust during remediation. Due to the significant traffic, any conditions of consent must ensure remedial maintenance and resurfacing is undertaken as required to ensure the road is maintained to the required Council standard.
- There appears to be no indication of the access standard required for transformer transport and to allow the transformers to be replaced during the lifetime of the battery or required clearance for transporting under or near the transmission line infrastructure. Will any disconnection be required?

- It is unclear if any blasting is required. There should be a requirement that no blasting be permitted due to impact on livestock and wildlife.
- If construction-noise related complaints are received, the matter(s) must be investigated by an independent accredited acoustic consultant approved by DG NSW Planning to ensure a full and proper assessment is undertaken to ensure compliance with the conditions should it be approved.
- Similar to the details above, the Noise Assessment modelling appears to lack detail required for such a large-scale development and it is requested that further and more detailed modelling be undertaken to ensure the proposed impacts can be fully and accurately assessed.
- **Access Safety**
It is noted that the Gas Fired Power Station was required to upgrade the access in accordance with the following extract.
Prior to the commencement of construction, the Proponent shall level, grade and apply a single coat seal onto the portion of Canyonleigh Road between the Brayton Road intersection and the Power Station Site access, unless those works have previously been completed
- It is contended that safety is a critical matter with the proposed increase in traffic. If the road upgrade was considered a requirement under the prior development, it should be argued that a similar requirement be applied to this development and be maintained.

8. Water Supply

- It would be expected to be reasonable and feasible for a large project like this to have detailed the source and impacts as a result of the development. At the moment the details are unclear as to how they will be sources and how many of the traffic movements includes the water supply. The local community does not want to be adversely impacts by significant water extraction from the locality either by a water licence or ground water licence, given the already approved gas power plant water requirements and water required for Wattle Creek projects.

3.5.5.1 WATER SUPPLY

Construction of the Project will require approximately 11 megalitres (ML) of water for civil works, dust suppression, workforce use, fire safety and potential watering of revegetated areas.

The Applicant proposes to purchase water tanks and truck in water to support the construction demands and does not anticipate the need to use existing water sources from within the Project Area. A 40 KL water tank is proposed at the centre of the Project Area, adjacent to storage containers and the O&M Control building.

The water tanks may capture rainwater for site amenities. Where possible during construction, water will be reused. It is assumed that this will likely be possible for equipment washdown and/or dust suppression demands.

The Applicant may source additional water, if required, from:

- Reuse water from sediment basins; and
- Agreements with landholders to source from farm dams or via Water Access License held by the landholder.

9. Weed Management

- Refer above to LUCRA comments.

10. Air quality

- Refer to air quality during construction and operation

11. Potential loss in Property Value

- The potential negative impact from the loss of value of the property could potentially cripple the value of the land. The land is made up of numerous allotments which have the potential to be developed. While this is not the intention of a multi-generational farm, we should not be adversely affected by the change in character and from the realisation that land adjoining drainagelines and water courses is currently eagerly sought after. The land has been sensitively managed which has a mix of native vegetation stands and improved pastures and largely a northerly aspect is potentially severely devalued.
- The NSW Government introduced legislation to allow farms to undertake agritourism and farm stay accommodation with elements as exempt and complying development. Having an Industrial Energy Hub concentrated on the boundaries of the locality severely constrains future opportunities available on the land.

While this is a summary of the family concerns regarding the proposed development, it does not include potential concerns with regards to the biodiversity of the area. We have taken family from overseas to see Platypus in the Wollondilly River and are well aware of the diversity of wildlife including many bats, possums, birds and insects included in the recent surveys. It is a concern that these will also be negatively impacted.

The proposed development completely changes the amenity of the environment from rural to industrial with the total area for the major projects exceeding the size of a variety of lots within the locality.

Compliance

Should there be non-compliance with any of the conditions of consent, details as to the non-compliance and measures to mitigate and manage should be made available to direct neighbours.

Should complaints be received during the construction and operation of the development it is requested that a satisfactory outcome be reported back to the submitter as part of the proposed complaints hotline mitigating measure.

Should the developer propose not to decommission the site, a modification of the application must be required so that the community have the opportunity to object /provide comment.

A development should not be permitted at the detriment of their neighbours. The serious cumulative impact must be assessed with this application.

It is a severe omission of the NSW Government that there is currently no BESS guidelines for assessments to be considered against. It is stressed that no further approvals be granted until such guidelines are developed to ensure a full, proper and consistent assessment approach can be achieved.

NSW Farmers stated "Australia experienced a 14 per cent decline in land used for food and fibre production between 1973 and 2017, a loss of about 106 million hectares. " [State's best farming land under threat](#) and The NSW Government will review current land use planning mechanisms and instruments, with the aim of delivering a planning policy framework that supports the management of current and future farming practices. It is highlighted that this is not recognised under this SSD.

The NSW Government needs to critically evaluate the land use conflict assessment provided in the application. It lacks detail and the full range of potential impacts.

There needs to be establishing ongoing monitoring and evaluation of land use conflicts particularly during construction and at commencement of operation. How will complaints and non-compliance be managed under the proposal?

That the review of the Right to Farm Policy explores the feasibility of a study into the suitability of current planning controls for non-scheduled agricultural operations. How does this proposal meet those requirements?

The NSW planning framework sets clear guidance for the objectives and preferred land uses in rural, residential, employment and conservation zones. It is important that a strategic approach is undertaken to ensure planning for rural land, and the agriculture it supports, considers the needs of agricultural industries, the expectations of the community and, the diverse land uses that occur in rural areas.

It should be highlighted that agricultural production can be undertaken on land with a diverse range of characteristics. Even though rural land may not be identified as being prime agricultural land, it does still make a valuable contribution and therefore should not be discounted for agricultural purposes. Land that is not prime agricultural land is valuable for agricultural production and in many cases is where most livestock grazing production occurs and organic production. This land can also support some intensive agricultural production such as poultry farms or intensive plant agriculture which does not rely on soil and agritourism.

The Application needs to recognise and respond to the diversity in rural landscapes and established rural practices within the locality, including agriculture, organic production and farming, native forestry/conservation and tourism/agritourism. The proposal does not balance the interests of agriculture and tourism of the locality.

The application should be refused based on

- no water bore licences are available;
- that opportunities for the growth of agricultural activities and industries have not been considered;
- the application did not give a due and proper consideration of the dwelling entitlement rights for land use and cumulative impacts in the area;
- the development does not recognise the current clear policy position that agricultural land use is supported and encouraged in rural areas.
- that land owners should not be disadvantaged by potential soil and water contamination, increased costs from insurances or reduced productivity.
- if approved the area will become an industrialised area, followed by industrial costs.
- the development must not undermine existing safeguards for the maintenance of agricultural land and agricultural activities.
- there is insufficient information to justify the development will not contribute to changed climatic conditions i.e. from operation of the BESS and more intensive fire events.
- the development does not support existing and potential intensive agricultural land uses by preventing encroachment by incompatible land uses
- the development does not establishment appropriate buffers to manage the risk of land use conflict between agricultural and energy generation uses.

- the development does not recognise the broader role agriculture plays in establishing the character of rural areas and its importance to local communities and agritourism.
- the development did not demonstrate genuine consultation and engagement with adjoining landholders about their concerns and impacts to their businesses. A one of \$5,000 contribution will not cover costs of potential damage of transporting a truck load of stock delayed and stressed by road construction works.
- Requires the noise assessment be updated for the final Project design configuration and equipment selections, in order to verify compliance with the project noise trigger levels and cumulative impact prior to the commencement of construction and at operational stage.

Please take our concerns into serious consideration given the proximity of the development to our family property which we have managed and protected over many generations.

It is requested that we be given the opportunity to view and respond to the response to submissions due to the severity of the issues raised in this submission.

Please feel free to contact me should you wish to discuss this submission further.

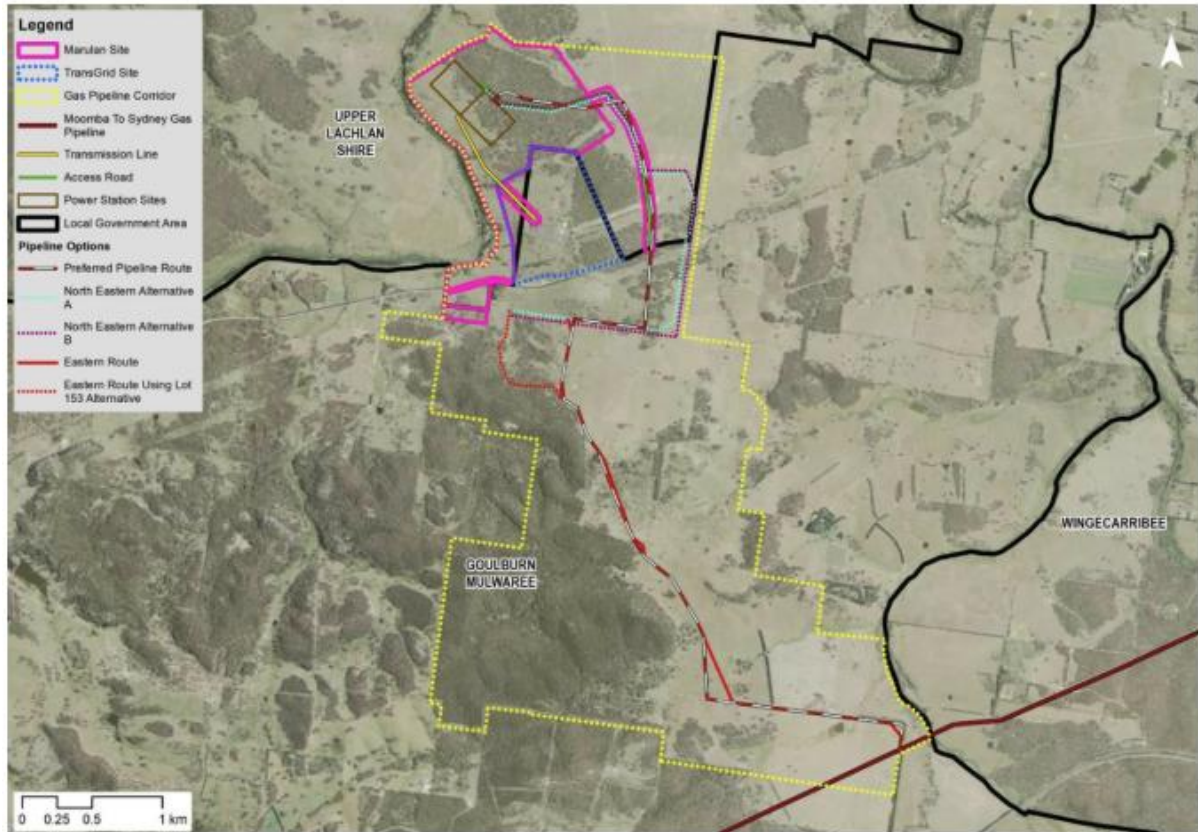
Yours sincerely

Dianne James
B.App.Science
Post GradDipUrban&RegDevelopment
34 years experience in the Town Planning Field
&
Noeleen Sieler

Figure 1: Existing Marulan Transgrid Substation



Figure 2: Energy Australia – Gas Fired Power Plant - footprint



An overhead map of the site. Photo: Energy Australia.

Figure 3: Concept picture of existing Energy Australia Gas Power Plant - Tallawarra



Energy Australia also runs the 440 MW Tallawarra A gas-fired power station at Lake Illawarra in Yallah, NSW. Photo: Energy Australia.

Figure 4:

Proposed Canyonleigh BESS – opposite Marulan Substation – Location of 1054 Canyonleigh Road inserted for reference

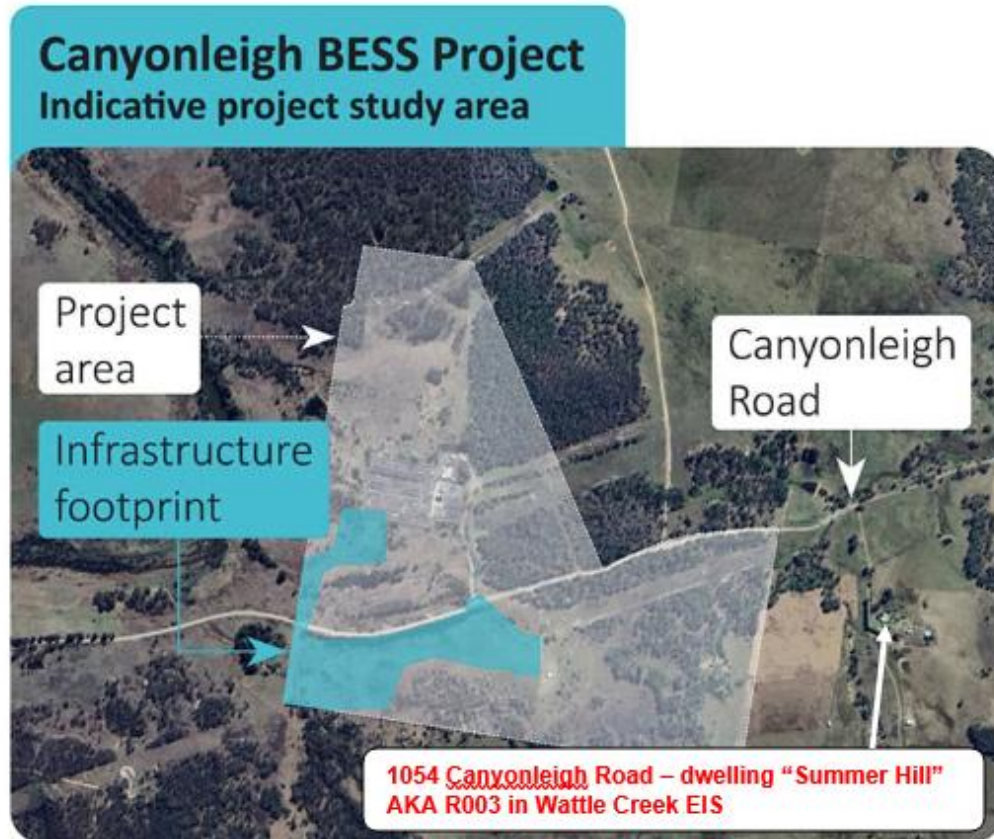


Figure 5: 1054 Canyonleigh Road, Brayton – Landholding

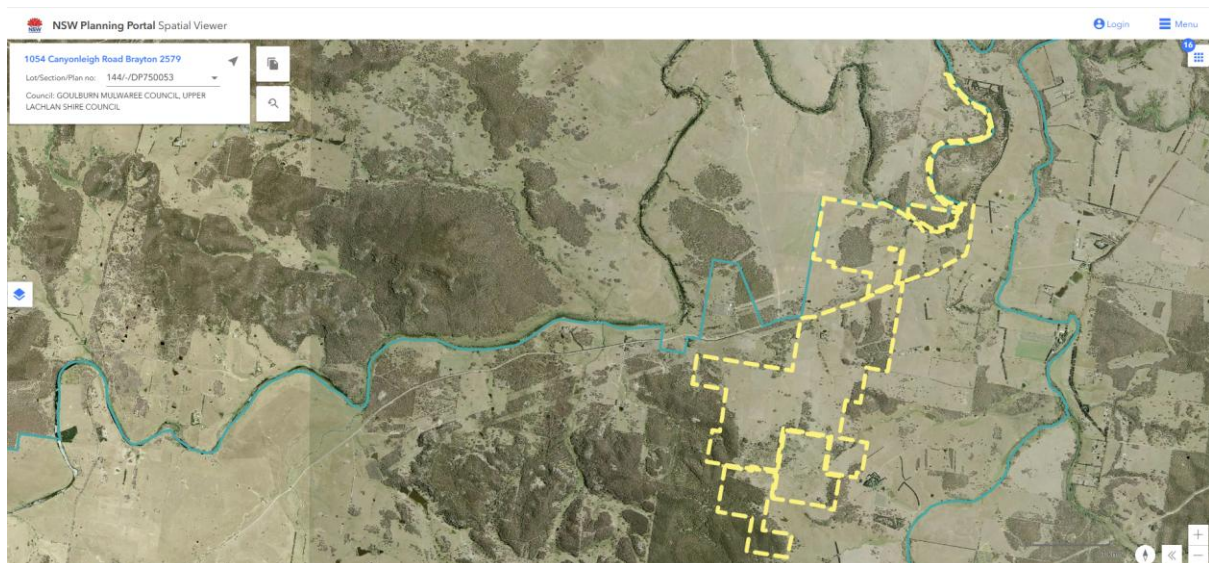


Figure 6: 1051 Canyonleigh Road, Brayton – Landholding



Figure 7: Canyonleigh Road east – an example of poor site lines, gates and narrow width



Image 01 Typical agricultural landscape within the Study Area

Extract Landscape Plan – showing 1 lane width of Canyonleigh Road east.