Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-57575973
Project	Belhaven Battery Energy Storage System
Location	233 Boiling Down Road, Rowan within Wagga Wagga City
Proponent	Vena Energy Services (Australia) Pty Ltd
Date of Issue	18/5/23
General Requirements	The environmental impact statement (EIS) for the development must comply with the requirements in 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 full description of the development, including: - details of construction, operation and decommissioning, including any staging of the development; - a high-quality site plan showing all infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); - a high quality detailed constraints map identifying the key environmental and other land use constraints that have informed the final design of the development; • a strategic justification of the development focusing on site selection and the suitability of the proposed site with respect to potential land use conflicts with existing and future surrounding land uses (including existing land use, rural / residential development, Crown lands adjacent to the site, and neighbouring industrial and infrastructure developments); • an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including: - a description of the existing environment likely to be affected by the development using sufficient baseline data; - an assessment of the likely impacts of all stages of the development (which is commensurate with the level of impact), including any cumulative impacts of the site and existing or proposed developments in the region in accordance with the the *Cumulative Impact Assessment Guideline* (DPIE, Nov 2021); - a description of the measures that would be implemented to avoid, mitigate and/or offset the impacts of the development (including draft management plans for specific issues as identified below); and

	- a description of the measures that would be implemented to monitor and report on the environmental performance of the development; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • a detailed evaluation of the merits of the project as a whole having regard to: - the requirements in Section 4.15 of the *Environmental Planning and Assessment Act 1979*, including the objects of the Act and how the principles of ecologically sustainable development have been incorporated in the design, construction and ongoing operations of the development; - the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses; and - feasible alternatives to the development (and its key components), including consequences of not carrying out the development. • a detailed consideration of the capability of the project to contribute to the security and reliability of the electricity system in the National Electricity Market, having regard to local system conditions and the Department's guidance on the matter **Capital Investment Value and Employment** • Provide a detailed calculation of the capital investment value (CIV) of the development, prepared by an AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor in accordance with *Planning Circular PS 21-020: Calculation of Capital Investment Value*. The calculation of the estimated CIV is to be accurate at the date of application and include details of all components and assumptions from which it is derived. • Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided. 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); and • a declaration from a Registered Environmental Assessment Practitioner that the EIS includes the information specified in the Department's *Registered Environmental Assessment Practitioner Guidelines*.
Key issues	The EIS must address the following specific matters: **Biodiversity** – including: • an assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with Section 7.9 of the *Biodiversity Conservation Act 2016* (NSW) (BC Act), 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 of the development over time, and a strategy to offset any residual impacts of the development in accordance with the BC Act, unless BCD and DPE determine the proposed development is not likely to have any significant impacts on biodiversity values; • 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;

- if an offset is required, details of the measures proposed to address the offset obligation.

Heritage – including:

- an assessment of the impact to Aboriginal cultural heritage items (cultural and archaeological) 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), including results of archaeological test excavations (if required);
- 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.

Land – including:

- a detailed justification of the suitability of the site and that the site can accommodate the proposed development having regard to its potential environmental impacts, land contamination, permissibility, strategic context and existing site constraints;
- an assessment of the potential impacts of the development on existing land uses on the site and adjacent land, including:
    - flood prone land, Crown lands, mining, quarries, mineral or petroleum rights; and
    - a soil survey to determine the soil characteristics and consider the potential for salinity, acid sulfate soils and erosion to occur;
    - a cumulative impact assessment of nearby developments,
- an assessment of the compatibility of the development with existing land uses, during construction, operation and after decommissioning, including:
    - consideration of the zoning provisions applying to the land, including subdivision (if required);
    - the ongoing operation of the adjacent Gregadoo Waste Management Centre
    - completion of a Land Use Conflict Risk Assessment in accordance with the Department of Industry's *Land Use Conflict Risk Assessment Guide*.

    - **Visual** – including a detailed assessment of the likely visual impacts of all components of the project (including transmission lines, substations and any other ancillary infrastructure) on surrounding residences and key locations, scenic or significant vistas and road corridors in the public domain and provide details of measures to mitigate and/or manage potential impacts;

- **Noise** – including an assessment of the construction noise impacts of the development in accordance with the *Interim Construction Noise Guideline* (ICNG), operational noise impacts in accordance with the NSW Noise Policy for Industry (2017), cumulative noise impacts (considering other developments in the area), and a draft noise management plan if the assessment shows construction noise is likely to exceed applicable criteria;

Transport – including:

- an assessment of the peak and average traffic generation, (including light, heavy and over-mass and over-dimensional vehicles / heavy vehicles requiring escort) and construction worker transportation;
- an assessment of the likely transport impacts to the site access route(s) including for over-dimensional vehicles / heavy vehicles requiring escort, site access point(s), any Crown land, and the M1 Motorway Extension to Raymond Terrace project, particularly in relation to the capacity and condition of the roads, road safety and intersection performance;
- a cumulative impact assessment of traffic from nearby developments; and
- provide details of measures to mitigate and / or manage potential impacts including a schedule of all required road upgrades (including resulting from heavy vehicle and over mass / over dimensional traffic haulage routes), road maintenance contributions, and any other traffic control measures, developed in consultation with the relevant road authority;

Water – including:

- a detailed and consolidated site water balance and an assessment of the likely impacts of the development (including flooding) on surrounding watercourses (including their Strahler Stream Order) and groundwater resources and measures proposed to monitor, reduce and mitigate these impacts including water management issues; noting that the site is located within the Lake Albert catchment area.
- details of water requirements and supply arrangements for construction and operation;
- a description of the erosion and sediment control measures that would be implemented to mitigate any impacts in accordance with *Managing Urban Stormwater: Soils & Construction* (Landcom 2004);
- assessing the impacts of the development, including any changes to flood risk and overland flows on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required;
- where the project involves works within 40 metres 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* (DPE, 2013). **Hazards** – including: • a preliminary risk screening completed in accordance with the *State Environmental Planning Policy (Resilience and Hazards)* and *Applying SEPP 33* (DoP, 2011); • a Preliminary Hazard Analysis (PHA) prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guideline for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011). The PHA must consider all recent standards and codes and verify separation distances to on-site and off-site receptors to prevent fire propagation and compliance with *Hazardous Industry Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning* (DoP, 2011); • an assessment of potential hazards and risks including but not limited to assessment of bushfire risk against the RFS *Planning for Bushfire Protection* 2019, electromagnetic fields or the proposed grid connection infrastructure against the *International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields.* • **Social Impact** – including an assessment of the social impacts in accordance with Social Impact Assessment Guideline (DPIE, 2021) and consideration of cumulative construction workforce accommodation. • **Economic** – including an assessment of the economic impacts or benefits of the project for the region and the State as a whole. • **Waste –** 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
Plans and Documents	The EIS must include all relevant plans, diagrams and relevant documentation required under Part 3 of the EP&A 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 and proposal.
Legislation, Policies & Guidelines	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. 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 • http://www.environment.gov.au/epbc/publications#assessments

Consultation	During the preparation of the EIS, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, affected landowners and any exploration licence and/or mineral title holders. In particular, you must undertake detailed consultation with affected landowners surrounding the development, relevant government agencies including Wagga Wagga City Council. The EIS must: • detail how engagement undertaken was consistent with the *Undertaking Engagement Guidelines for State Significant Projects* (DPIE, 2021); 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 a Development Application and EIS for the development within 2 years of the issue date of these SEARs, 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.

Department of Planning and Environment

Your ref: SSD-57575973
Our ref: DOC23-334469

Karl Okorn
Team Leader, Environmental Assessments
Department of Planning and Environment – Planning Group

Via Major Projects Portal: PAE-57676958

Dear Karl

Subject: Request for Secretary's Environmental Assessment Requirements – Belhaven Battery Energy Storage System (SSD-57575973)

Thank you for your email dated 20 April 2023 seeking input from the Biodiversity and Conservation Division (BCD) into the Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Belhaven Battery Energy Storage System (SSD-57575973).

BCD have reviewed the supplied information against the Scoping Report (Ramboll 2023) prepared for the project. We provide SEARs for the proposed development in **Attachment A.** Guidance material is listed in **Attachment B**.

BCD recommends that the EIS appropriately address the following:

1. Biodiversity
2. Flooding

The EIS should fully describe the proposal, the existing environment, including threatened species habitat not associated with vegetation communities such as paddock trees, and impacts of the development including the location and extent of all proposed works that may impact on flooding and biodiversity. The scale and intensity of the proposed development should dictate the level of investigation. It is important that all conclusions are supported by adequate data. The assessment must include all ancillary infrastructure associated with the project such as roads, water and power supplies, and Rural Fire Service requirements for asset protection.

<u>Biodiversity</u>

We note that while BCD were consulted on a proposed development at this site previously, this consultation occurred in 2018/19 and the impacts, species and issues will vary given the change in project type and scope. Additionally, we remind the proponent that Biodiversity Assessment Method (BAM) survey data has a currency of five years.

The Scoping Report indicates that the subject site is largely cleared for agriculture and remnant vegetation is mostly limited to paddock trees with the ground cover dominated by introduced species. We note that surveys conducted in 2018 and 2019 have identified a number of Superb Parrot nest trees within and adjacent to the site boundary. These nest trees should be avoided wherever possible. The threatened species habitat value of existing and planted native vegetation will need to be determined as part of the EIS process, along with an assessment of indirect impacts to adjoining remnant vegetation or threatened species habitat occurring near the proposed BESS. Mitigation measures will include avoidance of threatened species habitat and an appropriate buffer between the development footprint and native vegetation.

PCT mapping in the Scoping Report indicate that the subject land includes PCT 277 Blakely's Red Gum – Yellow Box woodland and PCT 74 Yellow Box - River Red Gum tall grassy riverine woodland, both of which are threatened ecological communities (TECs) under the NSW *Biodiversity Conservation Act 2016* and may conform to TECs listed on the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Any planted native vegetation should also be assessed according to Appendix D of the BAM 2020 and outcomes against the decision-making key documented in the Biodiversity Development Assessment Report (BDAR).

We note that the Energy Connect – East project dissects the northern half of the subject land. Any surveys and assessments conducted for this project should be considered for this project.

Minimum requirements for the biodiversity assessment are listed in Appendix K of the BAM. The Accredited Assessor preparing the BDAR is advised to follow the BDAR template. When the BDAR is submitted, we request that the BAM accredited assessor provides spatial data directly to BCD. While other digital data can be uploaded into the Biodiversity Offset and Agreement Management System (BOAMS), there is currently no function to upload zip or spatial files.

Given the proportion of land that has already been cleared in the surrounding region, the proponents must set out how impacts to biodiversity will be avoided and minimised. The cumulative impact of electricity generation in the surrounding region, including mature scattered trees and native grassland values, should be assessed through application of the Cumulative Impact Assessment Guidelines for State Significant Projects.

Regarding the Commonwealth EPBC Act, the EIS should identify any relevant Matters of National Environmental Significance, and whether the proposal has been referred to the Australian Government or whether it is already determined to be a controlled action.

Flood

Most of the development site is subject to shallow overland flows. However, in major flooding events the transmission line corridor used to connect the BESS to the Wagga Wagga substation does cross ephemeral creek lines classified as floodways in the Wagga Wagga Major Overland Flow Floodplain Risk Management Study and Plan (2021). It is important that these floodways are preserved, and that new infrastructure avoid these areas.

Another important consideration in the EIS is that the downstream urban areas of Wagga Wagga are particularly sensitive to increased runoff caused by increases in impervious areas of new developments upstream. As such, this development should be specifically assessed for its downstream flood impacts caused by increased volumes of runoff originating from the site.

The EIS should specifically address the attached requirements for flooding and conduct flood modelling for the purposes of appropriately locating infrastructure and for assessing impacts, including on waterway crossings for site access.

If you have any questions regarding this advice, please contact Leigh Maloney, Senior Conservation Planning Officer, via rog.southwest@environment.nsw.gov.au or (02) 6983 4911.

Yours sincerely

Simon Maffei
26 April 2023

Acting Senior Team Leader Planning South West, Biodiversity and Conservation Division
Environment and Heritage Group
Department of Planning and Environment

ATTACHMENT A – Recommended Environmental Assessment Requirements for Belhaven Battery Energy Storage System (SSD 57575973)
ATTACHMENT B – Guidance material

Attachment A Recommended Environmental Assessment Requirements for Belhaven Battery Energy Storage System (SSD 57575973)

Sources of guidance material for terms in blue are in Attachment B

Biodiversity
1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the *Biodiversity Conservation Act 2016* using the Biodiversity Assessment Method (BAM) 2020 and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and the BAM, unless DPE determines that the proposed development is not likely to have any significant impact on biodiversity values.
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect, uncertain and prescribed impacts in accordance with the BAM.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows; a. The total number and classes of biodiversity credits required to be retired for the development/project; b. The number and classes of like-for-like biodiversity credits proposed to be retired; c. The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; d. Any proposal to fund a biodiversity conservation action; e. Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all digital spatial data associated with the survey and assessment as per Appendix K of the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.
Flooding
6. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including: a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas). d. Flood hazard.
7. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP flood levels and the probable maximum flood, or an equivalent extreme event.

8. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
    a. Current flood behaviour for a range of design events as identified in 7 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

9. Modelling in the EIS must consider and document:
    a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
    b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
    c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
    d. Relevant provisions of the NSW Floodplain Development Manual 2005.

10. The EIS must assess the impacts on the proposed development on flood behaviour, including:
    a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
    b. Consistency with Council Floodplain Risk Management Plans.
    c. Consistency with any Rural Floodplain Management Plans.
    d. Compatibility with the flood hazard of the land.
    e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
    h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
    i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
    j. Emergency management, evacuation and access, and contingency measures for the development considering the full range or flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
    k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

Attachment B Guidance material

Title	Web address
Relevant Legislation	
Biodiversity Conservation Act 2016	www.legislation.nsw.gov.au/#/view/act/2016/63/full
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
Environmental Planning and Assessment Act 1979	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Biodiversity	
Biodiversity Assessment Method 2020 (DPIE 2020)	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/accredited-assessors/biodiversity-assessment-method-2020
Biodiversity Assessment Method 2020 Operational Manual – Stage 1 (DPE 2022)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-manual-2020-operational-manual-stage-1
Biodiversity Assessment Method 2020 Operational Manual – Stage 2 (DPE 2023)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-operational-manual-stage-2
BDAR Template (DPE 2022)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template
BAM Assessor Resources (including links to Survey Guidelines, Registers and Databases)	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources
BAM Assessor FAQ	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-questions-and-answers
Biodiversity Values Map	www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap https://datasets.seed.nsw.gov.au/dataset/biodiversity-values-map
Guidance to assist a decision maker to determine a serious and irreversible impact (DPIE 2019)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Ancillary rules: biodiversity conservation actions	https://www.environment.nsw.gov.au/research-and-publications/publications-search/ancillary-rules-biodiversity-conservation-actions
Ancillary rules: reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	https://www.environment.nsw.gov.au/research-and-publications/publications-search/ancillary-rules-reasonable-steps-to-seek-like-for-like-biodiversity-credits
DPE Threatened Species Profiles	www.environment.nsw.gov.au/threatenedspeciesapp/
BioNet Atlas	www.environment.nsw.gov.au/wildlifeatlas/about.htm
BioNet Vegetation Classification – see NSW Plant Community Type (PCT)	http://www.environment.nsw.gov.au/research/Visclassification.htm

Title	Web address
classification link for PCT database login page.	
NSW SEED Data Portal (access to online spatial data)	https://www.seed.nsw.gov.au/
Fisheries NSW policies and guidelines	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
Flood	
Floodplain development manual	https://www.environment.nsw.gov.au/research-and-publications/publications-search/floodplain-development-manual
Australian Rainfall and Runoff: A Guide to Flood Estimation	http://arr.ga.gov.au/
NSW Climate Impact Profile	climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	www.environment.gov.au/climate-change/adaptation/publications/climate-change-impact-risk-management

1/05/2023

Record Number: 23/00113#28

Planning Number: SSD-57575873

Belhaven Battery Energy Storage System

The Department of Planning and Environment – Crown Lands have reviewed the proposal.

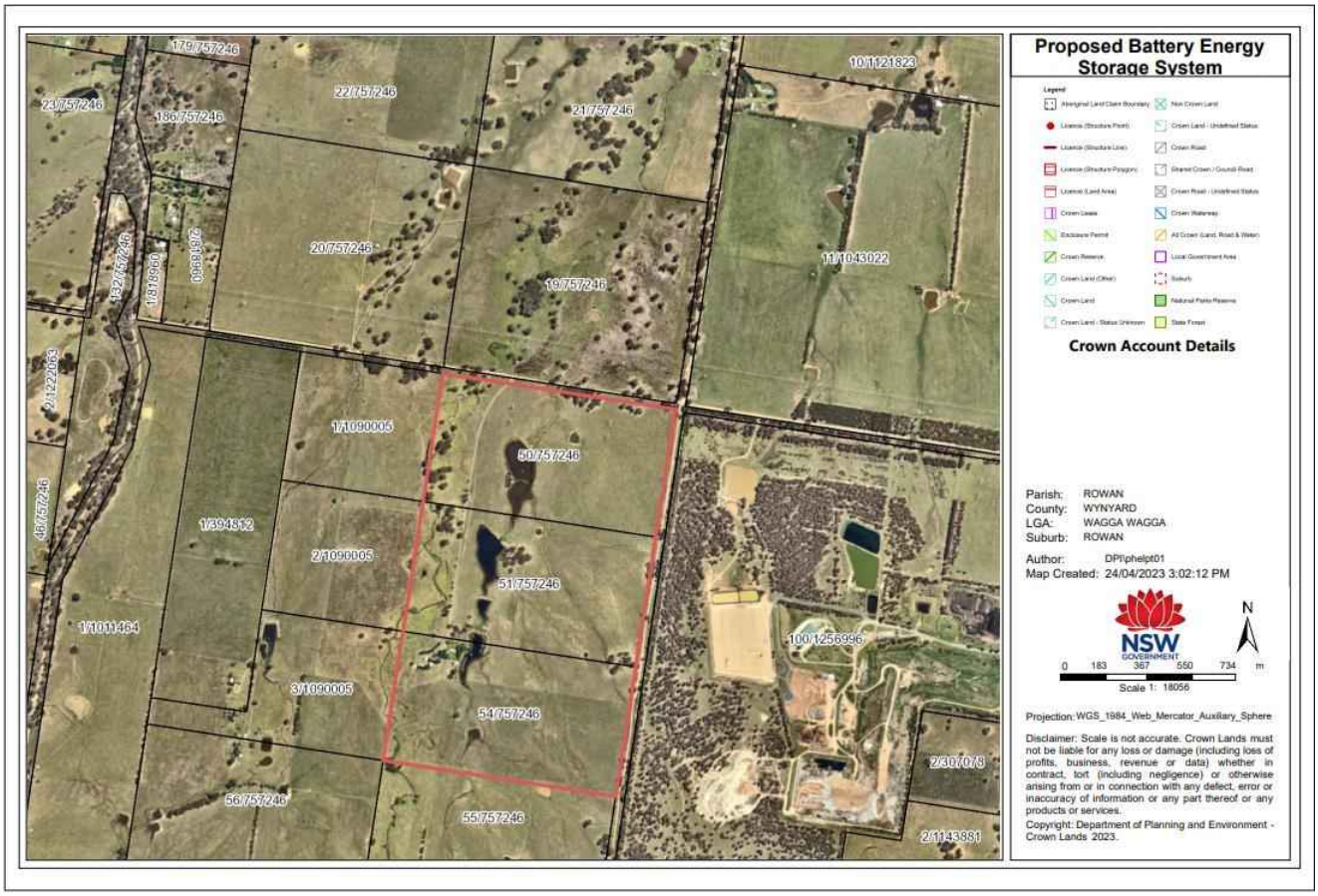
As no Crown land, roads or waterways are in the vicinity of the proposal or are affected by the proposal, Crown Lands has no comments at this time.

If the proponent requires further information, or has any questions, please contact Tony Phelps, (02) 69372725 in Crown Lands, or at tony.phelps@crownland.nsw.gov.au.

Yours sincerely

Shona Cowley
Group Leader Property Management.
T (02) 6937 2713 | E shona.cowley@crownland.nsw.gov.au

Attachment A: Proposed Battery Storage System; Lot 50,51 and 54 in DP 757246.



Department of Primary Industries - Agriculture
Department of Regional NSW

OUT23/6302

Mr Karl Okorn
Department of Planning and Environment
Major Projects Planning Portal

karl.okorn@dpie.nsw.gov.au

Belhaven Battery Energy Storage Development (SSD - 57575973) (Wagga Wagga City Council)

Dear Mr Okorn,

Thank you for your correspondence of 20th April 2023 requesting Environmental Assessment Requirements (EARs) for the above proposal. The NSW Department of Primary Industries (DPI) Agriculture collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

We have reviewed the scoping report prepared by Ramboll Australia Pty Ltd, dated 31 March 2023 and recommend the following matters, not included in the scoping report, be considered in the issuing of the Secretary's EARs:

- Describe the agricultural productivity of the proposed development site and the intended use of the land that will not be developed for the battery energy storage development, including its management.
- Undertake a Land Use Conflict Risk Assessment (LUCRA) to identify potential land use conflict with identified sensitive receptors including surrounding agricultural land uses. A LUCRA is described in the DPI Land Use Conflict Risk Assessment Guide.
- Detail the potential impacts from the proposed development on agricultural land, agricultural land uses and resources on the site and in the locality and measures to avoid or mitigate these impacts.
- Assess impacts on any agricultural support services, processing and value adding industries.
- Detail the design of fencing and its adequacy to form a barrier for livestock.
- Detail traffic impacts on the surrounding agricultural land uses and proposed mitigation measures. This should include a consideration of Travelling Stock Reserves (TSR) and the movement of livestock or farm vehicles along / across the affected roads.
- It is noted that the soil is highly erodible, subject to waterlogging and strongly acidic. Measures to manage these aspects during the construction phase is to be detailed.
- Outline any impacts to water use for agriculture and measures to mitigate against these impacts.
- Undertake a biosecurity risk management plan that will include details on monitoring, preventing, eliminating, or minimising the introduction, presence, spread or increase of diseases and weeds.
- The depth of cables/ pipes is to be stated. Note that a depth greater than 500mm will allow greater opportunity for agricultural activities, particularly cropping, following decommissioning if the decommissioning process does not propose to remove all underground infrastructure.

Should you require clarification on any of the information contained in this response, please contact Ms Wendy Goodburn, Agricultural Land Use Planning Officer, by email at landuse.ag@dpi.nsw.gov.au.

Sincerely

2/5/23

Wendy Goodburn,
Agricultural Land Use Planner
Agriculture Strategy and Initiatives

File Ref. No: FRN23/1480 BFS23/2046 8000027701
TRIM Doc. No: D23/35818
Contact: Qualified Firefighter Barton Hill

2 May 2023

Karl Okorn
NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Karl,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – BELHAVEN BATTERY ENERGY STORAGE SYSTEM (SSD-57575973)

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on the 20 April 2023, requesting input into the preparation of the SEARs for the BELHAVEN BATTERY ENERGY STORAGE SYSTEM (SSD-57575973). FRNSW have reviewed the SEARs along with the Scoping Report and make the following comments:

There is currently insufficient information available regarding the fire safety and emergency response management aspects of the project. FRNSW notes the Scoping Report details a 400MW/800MWh BESS. It is the experience of FRNSW that BESS facilities present special problems of firefighting when responding to and managing an incident. FRNSW requests to be consulted and given the opportunity to review the hazard and risk analysis and provide comment regarding the proposed fire and life safety systems at the preliminary and final design phases of the project.

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS23/2046. Please ensure that all correspondence in relation to this matter is submitted electronically to firesafety@fire.nsw.gov.au.

Yours sincerely,

Superintendent James O'Carroll
Manager
Operational Liaison and Special Hazards Unit

Cc: karl.okorn@planning.nsw.gov.au

From:	Nicole Davis
To:	Karl Okorn
Subject:	Heritage NSW - Advice on Draft SEARs - Aboriginal Cultural Heritage (ACH) - Belhaven Battery Energy Storage System (SSD-57575973) (Wagga Wagga City)
Date:	Monday, 1 May 2023 1:26:00 PM
Attachments:	..datacontentImagerteImageslogo1644468813661.png image001.png

Dear Karl,

Heritage NSW has reviewed the Draft Secretary's Environmental Assessment Requirements (SEARs) for the proposed Belhaven Battery Energy Storage System (SSD-57575973) (Wagga Wagga City) with respect to Aboriginal Cultural Heritage (ACH). Heritage NSW is satisfised that the proposed SEARs are adequate to access any ACH sites or values associated with the proposal. Heritage NSW has no additional comments. If you require any further information please contact me directly.

Kind Regards
Nicole Davis

Nicole Davis
Manager Assessments
Heritage NSW
Department of Planning and Environment
T 02 4927 3156 **M** 0409 394 343 **E** nicole.davis@environment.nsw.gov.au
Locked Bag 5020 Parramatta 2124

NSW GOVERNMENT

From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Sent: Thursday, 20 April 2023 2:16 PM
To: Tanya Pelz <tanya.pelz@environment.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Cc: Karl Okorn <karl.okorn@planning.nsw.gov.au>
Subject: Major Projects – New Request for Advice - Belhaven Battery Energy Storage System (SSD-57575973) (Wagga Wagga City)

The Department has sent you a request for advice in relation to the Belhaven Battery Energy Storage System.The due date for this request is 03/05/23.

Please sign in to your account to view the details of this request and to upload your advice.

If you have any enquiries, please contact Karl Okorn on 0299955207 /at karl.okorn@planning.nsw.gov.au.

To sign in to your account click here or visit the Major Projects Website.

Please do not reply to this email.

Kind regards

The Department of Planning and Environment

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Regional NSW

Karl Okorn
Team Leader Environmental Assessments
NSW Department of Planning & Environment
12 Darcy St
Parramatta NSW 2150

Our ref: RDOC23/89528
Your ref: SSD-57575973

Emailed: via Major Projects Portal

24 April 2023

Dear Mr Okorn

Subject: Belhaven Battery Energy Storage System (SSD-57575973) – Secretary's Environmental Assessment Requirements (SEARs)

Thank you for the opportunity to provide advice on the above matter. This is a response from the Department of Regional NSW – Mining, Exploration & Geoscience (MEG) – Geological Survey of NSW (GSNSW).

MEG-GSNSW has no additional requirements to those in the Draft SEARs.

Queries regarding the above information should be directed to the MEG-GSNSW - Land Use team at landuse.minerals@regional.nsw.gov.au.

Yours sincerely,

M.J. Drummond

Malcolm Drummond
Senior Geoscientist, Land Use
for
Steven Palmer
Manager, Land Use
Geological Survey of NSW – Mining, Exploration & Geoscience

2 May 2023

TfNSW reference: STH23/00113/01
Your reference: SSD-57575973 (PAE-57676960)

Planner
Department of Planning and Environment
By Email: karl.okorn@planning.nsw.gov.au
CC: information@planning.nsw.gov.au

Attention: Karl Okorn

SSD-57575973 – Belhaven Battery Energy Storage System – LOT: 50, 51 & 54 DP: 757246 – 233 Boiling Down Road ROWAN

Dear Karl

Transport for NSW (TfNSW) is responding to the SSD-57575973 referred on 20 April 2023.

TfNSW has reviewed the information and requests the matters outlined in Attachment 1 be included in any SEARs issued and as such should be addressed in the Environmental Impact Statement (EIS) prepared for the development.

If you have any questions, please contact Elira Reynolds, Development Services Case Officer, on 02 9549 9397 or email development.south@transport.nsw.gov.au.

Yours faithfully

Elira Reynolds
Development Services Case Officer, Development Services

Attachment 1

SSD-57575973 – Belhaven Battery Energy Storage System – LOT: 50, 51 & 54 DP: 757246 – 233 Boiling Down Road ROWAN

Context

TfNSW notes for this project:

- The development proposes the construction, operation and decommissioning /repowering of a 400 MW battery energy storage system (BESS).
- The subject site is located on the corner of Boiling Down Road and Redbank Road, both local roads managed by Council.
- The project is likely to share haulage routes with the approved Gregadoo Solar Farm located to the northeast of the site. The use of the Elizabeth Avenue/Sturt Highway intersection for vehicles associated with this development will be similarly restricted.
- The project is considered State Significant Development under Part 4 of the *Environmental Planning and Assessment Act 1979* and the *State Environmental Planning Policy (Planning Systems) 2021*.

Required information

The following matters will need to be included in the Secretary's Environmental Assessment Requirements (SEARs):

1) *Traffic Impact Statement (TIS):* As a guide Table 2.1 of the *RTA's Guide to Traffic Generating Developments* outlines the key issues that should be considered in preparing a TIS. In addition, regard should be had for the Austroads publications, particularly the *Austroads Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments* and *Part 3: Traffic Studies and Analysis Methods*.

   TfNSW advises that the development should be addressed in three distinct phases as follows:

   - Establishment – the transport of materials and equipment/components for the establishment of the facility and ancillary infrastructure, the movement and parking of construction related vehicles, including personnel vehicles, during the construction period.
   - Operation – the traffic generation due to the operation, maintenance and servicing of the various elements of the project in addition to any existing traffic generation from other activities in the vicinity of the subject site (e.g. Gregadoo Solar Farm).
   - Decommissioning/repowering – the transport of equipment/components for the decommissioning or repowering of the facility and ancillary infrastructure, the movement and parking of related vehicles, including personnel vehicles, during the decommissioning/repowering period.

The TIS needs to include, but not be limited to, for each of the phases and for the lifetime of the project:

a) Detailed plans identifying the proposed location of any:
    - Project-related infrastructure within and outside of the project boundary, particularly any within the road reserve of a classified road;
    - Permanent or temporary access to classified roads.
b) Project schedule, including hours and days of work, number of shifts and start and end times;
c) A description of the current movements along the classified road network in the vicinity of key intersections which are likely to be used to access the site. Justification must be provided for the use of these intersections to travel to/from the site. This should include raw data from current traffic surveys conducted during peak hours, preferably across multiple days, with movements divided into heavy and light vehicles;
d) The additional movements (particularly heavy vehicles) which are expected to be generated by the development, broken down into peak and off peak times. This should include details on the types of vehicles and road transport routes that are proposed to be used to provide access to and from the site, and proposed hours for transportation and haulage. This must include consideration of the approved road upgrades associated with the Gregadoo Solar Farm;
e) The potential for oversize and over mass (OSOM) vehicle movements, including the type of OSOM vehicles proposed to be used;
f) Turn warrant assessments at key intersections with the classified road network (i.e. the Sturt Highway), per Section 3.3.6 of the *Austroads Guide to Traffic Management Part 6*. The assessment must include both light and heavy vehicles. Strategic concept designs must be prepared for any identified upgrades which are required. See this link for guidance on preparing a strategic design: Strategic design requirements for DAs - February 2022 (nsw.gov.au).
g) A swept path analysis in accordance with Austroads turning templates to demonstrate that the largest vehicle likely to travel to/from the site can turn into and out of the classified road network (i.e. the Sturt Highway) without crossing the lane line marking;
h) An assessment of the predicted impacts of the additional traffic and any identified offset measures on road safety and the capacity of the classified road network using SIDRA or a similar traffic model. This must include consideration of the traffic likely to be generated by the construction and operation of the facility. Any modelling undertaken must ensure the base model has been calibrated with current on-site observations and electronic copies of all modelling must be provided.
i) A Construction Traffic Management Plan (CTMP) and Driver Code of Conduct to outline measures to manage traffic-related issues generated by the development.

Please note the above relates only to potential impacts on the state road network. Discussions should be had with Wagga Wagga City Council in relation to the information they may require to be included in the TIS concerning any potential local road impacts.

City of Wagga Wagga

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12 May 2023

Re: SSDA-57575973 – Belhaven Battery Energy Storage System

Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Sir/Madam,

The Department of Planning and Environment (DPE) is in receipt of SSDA-57575973 for Belhaven Battery Energy Storage System at 233 Boiling Down Road, Rowan. Wagga Wagga City Council has been requested to provide inputs into the SEARs for the proposal, including details of any key issues and assessment requirements.

Please find below the key issues and requirements identified by Council:

- **Infrastructure**
  - There are a number of state significant development and infrastructure projects within this locality that are relying on the current road network to enable their delivery (including roads such as Redbank Road, Boiling Down Road, Plumpton Road and Ashfords Road). The impacts of the development should not be considered in isolation given the increasing demand on road infrastructure in this area.
  - Council recommends a condition be applied at the appropriate stage of the approval pathway that requires the proponent undertake road upgrades as determined by Wagga Wagga City Council.

- **Environment**
  - Council requires that the proponent works be at least 40m clear from Crooked Creek and its tributary streams.
  - Council requests that the proponent adequately consider prevention of site contamination (soil, groundwater, surface water) during construction, operation and decommissioning of the batteries and transformers. It is unknown which batteries will be used on site at this point in time (Pb-A? Na-S? Li-S? or Li-ion? LiPF6 break down?) and how this may impact contamination.
  - Council requests that the proponent undertake a life cycle assessment of the project/Circular Economy opportunities during the construction and decommissioning phases.
  - Council requests that the proponent recognise the site is located within the Lake Albert catchment area and any application will need to have regard to the potential impact on the waterways and biodiversity values that are identified under the *Wagga Wagga Local Environmental Plan 2010,* and which are critical to the function of this catchment. Whilst the SEARs require the proponent to address biodiversity and water

generally, the scoping document is largely silent as to the significance of this catchment and any potential risks posed to it by the development.

- Council requests that the SEARs require examination of any potential impacts of the development on existing land uses, as well as the compatibility of the development with these land uses. This aspect should have particular regard to the ongoing operation of the adjacent Gregadoo Waste Management Centre (GWMC) and other proposed infrastructure projects yet to be delivered in this area. Examination of any potential impact of the GWMC on the development will be critical in determining if it is an appropriate land use within the area currently buffering the GWMC.

- **Socio-economic Impacts of the project**
  - A number of significant infrastructure projects will be occurring in Wagga Wagga over the next 10 years, and these will place significant pressure on housing and accommodation options across the Wagga Wagga LGA. The Social Impact Assessment should consider:
    - the impact of accommodating the construction workforce on local housing supply;
    - the impact of accommodating the construction workforce on tourist and visitor accommodation capacity and availability;
    - the social, economic and health impacts of accommodating the construction workforce in worker camps (if proposed); and,
    - the cumulative impact of accommodating multiple major project workforces on housing supply and tourist and visitor accommodation in Wagga Wagga.

    Council is able to provide information to the proponent to inform the cumulative impact **assessment** and encourages the proponent to engage with Council in relation to workforce accommodation, to enable the proponent to take a holistic approach to the assessment process.

- **Hazards**
  - The scoping report states that the site does not contain vegetation that is categorised as a bushfire hazard. This is incorrect - the report includes an extract of the latest bushfire mapping, which demonstrates that the entirety of the site is mapped as containing Category 3 vegetation.
  - Council requests that the proponent demonstrate that earthworks are required to establish the Flood Planning Level will not impact flood behaviour.

- **Additional Considerations for the Proponent**

  Council also wishes to note several items which would be beneficial for the proponent to be aware of in preparing the relevant documentation:
  - The proponent should be made aware that the 1%AEP flood mapping (as opposed to the Flood Planning Area mapping) demonstrates the site is flood-impacted. The proponent should refer to Section 11.5.2 of the *Wagga Wagga Major Overland Flow Floodplain Risk Management Study and Plan* 2021 for information.
  - Council notes that the site has been zoned for specific purposes (SP1 Waste Disposal Facility). Council has also enacted a statutory planning regime around the site to protect the future growth and development of the GWMC. Any proposal that has the potential to impact on the site will

need to consider this. Council compulsorily acquired land to facilitate its use as a waste management centre.

- Page 20 of the Scoping Report – Council would prefer that any required infrastructure be co-located within existing land encumbered for electricity infrastructure to minimise any further impact on the waste management operations on the site. Co-location of infrastructure would be contingent on appropriate compensation being paid to Council.

Council encourages the proponent to contact Council with any questions regarding the comments above or in relation to the project more broadly, to ensure a holistic approach is undertaken.

If you have any questions, please do not hesitate to contact Chloe Boyd, Strategic Town Planner, on 1300 292 442.

Yours Sincerely,

John Sidgwick
Director – Regional Activation