

ADDITIONAL MATTERS REQUIRING ATTENTION – PPSWES-165

1. Bush Fire

The land has recently been mapped as bush fire prone. Section 4.14 of the EP&A Act is a relevant consideration:

s.4.14 Consultation and development consent—certain bush fire prone land(cf previous s 79BA)

(1) Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) **on bush fire prone land** (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) **unless the consent authority—**

(a) is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled **Planning for Bush Fire Protection** prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) **that are relevant to the development** (the relevant specifications and requirements), **or**

(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.

These provisions need to be addressed in the assessment report.

2. The assessment report is required to address the DPE Hydrogen Guidelines. It should discuss details of the hydrogen production, storage and use in electricity generating works. Also, note if TESS storage is proposed for the hydrogen.
3. Page 22 of the SEE discusses how TESS units would be assembled and tested on site. Are these only the TESS units to be used on site or are they to be distributed across NSW/Australia for similar ventures?
4. A condition is required for a waste management strategy, including food processing if it is conducted on site. Condition 8 and the required CSMP only relates to construction not operational phase.
5. There will also need to be a condition requiring the applicant to submit a notice of modification under the EP&A Regs modifying the existing consent (DA2008/0063) to address any potential changes arising from the current DA.
6. The assessment report should include discussion regarding designated development.
7. The report is to address whether noise mitigation controls during the operation of the facility is required
8. Details of the food processing to occur on site? – may need a condition relating to this.
9. Details of the volume of hydrogen and food to leave the site by truck.
10. SEE page 31 talks about BESS Storage – do we have details of this?
11. As there are multiple land uses proposed hours of operation need to be identified.
12. Some discussion of the water balance should be provided in the report and advice that adequate water supply is available.
13. Regarding Condition 3 – review the plan and document references – is it Council's standard practice to list all the relevant plans and dates? Also, there are 2023 dates referenced that are yet to be reached.
14. Condition 4- needs to reference where the agency conditions are listed.
15. Condition 7(c)(iii) requires clarification.
16. Outline the purpose of condition 10.
17. Condition 12 – is any lighting proposed? If yes, has it been assessed?
18. Given historical uses on site should a Phase 1 assessment have been undertaken?

Reference Documents:

https://www.rfs.nsw.gov.au/data/assets/pdf_file/0005/174272/Planning-for-Bush-Fire-Protection-2019.pdf
<https://www.planning.nsw.gov.au/sites/default/files/2023-03/hydrogen-guideline.pdf>