

Our ref: SDP/Lake Lyell

23 April 2026

Department of Planning, Housing and Infrastructure  
4 Parramatta Square  
12 Darcy Street  
PARRAMATTA NSW 2150

***By email and NSW Planning Portal lodgement***

Dear Director Energy Assessments,

**SUBMISSION - LAKE LYELL PUMPED HYDRO ENERGY STORAGE (SSI-777018220)**

Thank you for the opportunity to provide a submission in relation to the Environmental Impact Statement (EIS) for the Lake Lyell Hydro Energy Storage project (SSI-77018220), exhibited as Critical State Significant Infrastructure under the *Environmental Planning and Assessment Act 1979*.

**1. Project description**

The Lake Lyell Hydro Energy Storage Project consists of development of a new underground pumped hydro-electric power station up to 440 megawatts, upper dam and reservoir, main access tunnels, intake and outlet at Farmers Creek arm of Lake Lyell, grid connection, temporary worker accommodation and ancillary infrastructure.

**2. Council position**

At the ordinary meeting of Council 28 January 2025 a Motion was moved *"that Council administration be requested to present a submission opposing the [Lake Lyell Hydro] Project, when and if they are to be submitted."* The motion was carried (minute 25-6).

While the elected Council's position is to oppose the project, Council also recognises that the Minister may determine that the proposal is capable of approval notwithstanding Council's concerns. Should that occur, Council considers it critical that any approval be subject to a suite of conditions that ensure impacts are appropriately managed, risks are mitigated, and community expectations are met.

Council has produced a set of recommended conditions that would be necessary to address Council's concerns. These conditions are set out in Attachment A of this submission.

Additionally, the following comments and requests are made.

### **3. Workforce impacts on Council stemming from renewable energy projects**

The Major Projects portal indicates that eight (8) major renewable energy projects are proposed in the Lithgow local government area,<sup>1</sup> which are currently under consideration or determined.

While Lithgow local government area is not part of the Central West Orana Renewable Energy Zone (CWO REZ), it is fair to say that if eight (8) major renewable energy proposals are approved, Lithgow will experience impacts similar to the local government areas in the CWO REZ.

Portfolio Committee No. 4 – Regional NSW is a Parliamentary Committee established to inquire into and report on the impact of Renewable Energy Zones (REZ) on rural and regional communities and industries in New South Wales.<sup>2</sup>

Chapter 2 of the Committee's First Report dated August 2025 identifies key concerns raised to date in the CWO REZ. One of the impacts discussed is the intensified workload on Councils generated by renewable energy projects. Paragraph 2.143 of the First Report notes that current support for councils covered by the CWO REZ includes funding for additional staff and an allocation of \$11.25 million per council. Additionally, a contribution of funding was provided to three CWO local councils to manage the Secretary's Environmental Assessment Requirements and EIS application process.

As the Lithgow local government area is not within the CWO REZ, Council does not benefit from the financial support provided to Councils within the CWO REZ. Should the Department grant approval to the Lake Lyell Pumped Hydro project, Council would welcome an offer of financial support from the NSW State Government, relative to the financial support provided to Councils within the CWO REZ.

More broadly in relation to the First Report, Council notes the Impacts, Findings and Recommendations produced in Chapter 2 and requests that the Department considers the Lake Lyell Pumped Hydro project in the context of such Impacts, Findings and Recommendations.

### **4. Voluntary Planning Agreement**

Council requires a Voluntary Planning Agreement be negotiated and agreed with Council, for wider community benefits. This is separate to the proposed Shared Benefits Program and works condition on the consent requiring upgrades and/or repairs to local assets and infrastructure due to impacts from the project.

Council is in the process of drafting a Renewable Energy Planning Agreements Policy. The policy will be informed by the Benefit-Sharing Guideline for Large Scale Renewal Energy Projects published by the Department of Planning Housing and Infrastructures dated November 2024 (Guide).

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<sup>1</sup> Ben Bullen Wind Farm, Great Western Bess, Lake Lyell Hydro Project, Mount Lambie Wind Farm, Mt Piper BESS Pinecrest Bess, Mt Piper to Wallerawang Transmission, Sunny Corner Wind Farm (together with Bathurst), Pinecrest BESS, Wallerawang BESS.

<sup>2</sup> New South Wales. Parliament. Legislative Council. Portfolio Committee No. 4 - Regional NSW. Report no. 62. Impact of Renewable Energy Zones (REZ) on rural and regional communities and industries in New South Wales

While the Guideline does not apply to pumped hydro projects, it strongly encourages benefit-sharing arrangements and recommends that an appropriate rate be evaluated on a project-by-project basis having regard to the nature and magnitude of change likely to be experienced by communities relative to the other infrastructure types.

The Guide recommends that local community benefits are designed to operate across the local government area, focusing on the wider host community that experiences the collective impact of renewable energy infrastructure, such as recurrent costs of infrastructure, services or facilities, additional or improved open spaces, public facilities or infrastructure such as upgrades to local parks, libraries, community centres, showgrounds, museums and transport infrastructure, and more.

A proposed condition of consent for a Voluntary Planning Agreement is included in Attachment A.

## **5. Impacts on the Visitor Economy**

Tourism is an emerging economic pillar for Lithgow and the Seven Valleys, underpinned by the region's natural landscapes, outdoor recreation assets and its reputation for tranquillity and escape from metropolitan Sydney. Lake Lyell itself plays an important role in this visitor economy, supporting camping, fishing, swimming, power boating and passive recreation for both overnight visitors and day trippers.

The Lake Lyell Hydro Project has the potential to generate both positive and negative tourism impacts during construction and operation phases, which require careful management to avoid erosion of visitor experience and local tourism capacity.

### Construction Phase Impacts on Visitor Experience

During the construction phase, increased heavy vehicle movements along Magpie Hollow Road and Sir Thomas Mitchell Drive are likely to significantly affect visitor perceptions of safety, amenity and tranquillity. These roads form key access corridors for visitors exploring Lake Lyell, State Mine Heritage Park, Hassans Walls, Marrangaroo National Park and broader Seven Valleys drives.

While the proposed widening of these roads may be welcomed by locals due to improved safety outcomes—particularly reduced animal strikes and better road edge management—the scale and duration of construction traffic represent a material inconvenience.

Increased noise, dust, convoy movements and interaction between heavy vehicles and recreational traffic (including caravans, campervans, cyclists and motorcycles) risks diminishing the sense of remoteness and calm that attracts visitors to the area. This may deter repeat visitation during peak construction periods, particularly from drive tourism markets seeking “quiet nature-based experiences.”

### Pressure on Tourist and Rental Accommodation

The anticipated peak workforce of up to 600 workers presents a significant risk to the already constrained accommodation market in Lithgow and surrounding valleys. There is uncertainty around how many workers will be accommodated within purpose-built worker accommodation versus sourcing housing independently within the local rental and visitor accommodation market.

Lithgow regularly experiences periods of near 100% occupancy in motels, caravan parks and short-term accommodation during power station outages, railway maintenance shutdowns and major infrastructure works. If a significant proportion of the workforce seeks accommodation outside the proposed worker accommodation, it is likely to:

- Further tighten the residential rental market, impacting housing availability for tourism workers and residents
- Displace leisure visitors from motels, caravan parks and short-term rentals
- Increase accommodation pricing volatility, reducing affordability for traditional visitor markets

This displacement effect risks reducing tourism yield at critical times, particularly during school holidays, major events and peak outdoor recreation seasons.

Consideration also needs to be given to other projects around the district that will further impact accommodation to ensure that the timelines of each project do not put undue pressure on the rental and tourism accommodation sectors.

#### Lake Lyell Recreation and Long-Term Tourism Considerations

A core long-term tourism consideration is the impact of daily operational water level fluctuations associated with pumped hydro operations. Lake Lyell's popularity as a camping and day-use destination is strongly linked to predictable water levels, shoreline accessibility and perceived safety.

There is a risk that visitors may be discouraged from camping, swimming and shoreline activities if frequent drawdown and recharge cycles result in:

- Unstable or muddy shorelines
- Reduced amenity at boat ramps and swimming access points
- Safety concerns around submerged hazards and rapidly changing water conditions

Perceptions—whether actual or perceived—will play a significant role. Even if recreational use remains technically possible, uncertainty and reduced aesthetic quality could weaken Lake Lyell's brand as a relaxed, family-friendly recreation destination unless carefully managed and communicated.

#### Request for further information in relation to Tourism aspects

Council requests that the applicant provide clear commitments demonstrating that tourist specific accommodation with the Lithgow local government area will not be utilised for the construction workforce, together with a robust framework to monitor and mitigate any residential accommodation displacement impacts during the construction phase.

Council also seeks detailed traffic management measures that minimise conflict between construction vehicles and visitor traffic during peak tourism periods, as well as identification of any operational constraints and associated communication strategies necessary to protect ongoing recreational use of Lake Lyell.

Council requests a firm commitment to deliver publicly accessible lake foreshore upgrades, walking and cycling trails and viewing infrastructure as part of the project's enduring legacy for the community.

## **6. Workforce accommodation site – planning pathway**

Lithgow is not a local government area to which Part 13 of Chapter 2 of the State Environmental Planning Policy (Housing) 2021 applies.

Request for further information in relation to workforce accommodation site

Will the applicant be required to separately obtain a development consent from Council in relation to the workforce accommodation site?

Please do not hesitate to contact the undersigned if you require further detail or information, or have questions arising, in relation to this submission.

Yours sincerely

**Shaun Elwood**  
DIRECTOR PEOPLE AND PLACES

## **ATTACHMENT A**

### **Recommended conditions of consent**

#### **1. Construction Activities and Hours**

- (a) The construction activities and hours approved for the project are as provided in condition [to be inserted] (Construction Activities and Hours).
- (b) The Construction Activities and Hours are reviewable by the consent authority after 12 months from the date of commencement of construction, or at any later time, having regard to:
  - (i) The nature and extent of any noise, vibration or amenity impacts arising from the Construction Activities and Hours;
  - (ii) Any substantiated complaints received;
  - (iii) The effectiveness of mitigation measures implemented by the applicant, and
  - (iv) Any relevant guidelines, standards or policies in force at the time of review.
- (c) Following a review, the consent authority may:
  - (i) Amend the permitted Construction Activities and Hours;
  - (ii) Impose additional mitigation or management measures; or
  - (iii) Confirm the conditions without change,by written notice to the applicant.
- (d) The applicant must comply with any amended Construction Activities and Hours requirements notified by the consent authority following a review.

#### **2. Voluntary Planning Agreement**

To achieve wider community benefits, a Voluntary Planning Agreement is to be entered with Lithgow City Council prior to commencement of construction, in accordance with Council's Renewable Energy Planning Agreements Policy to be developed and adopted by Council or otherwise as agreed with Council.

#### **3. Biodiversity Offsets and Land Clearing**

- (a) Prior to the commencement of any works that will impact biodiversity values, the applicant must retire the biodiversity credits specified in the Biodiversity Development Assessment Report. Where practicable, the applicant must first seek to secure and retire credits generated from land within Lithgow local government area, including through local stewardship sites or existing credit supply. Evidence of reasonable attempts to source credits within the Lithgow LGA, such as written confirmation from the NSW Biodiversity Credits Supply Fund, local credit holders, or accredited brokers must be submitted to the Planning Secretary and Council. If suitable credits cannot be secured with the Lithgow LGA, the applicant may retire equivalent like for like credits from elsewhere in accordance with the Biodiversity Conservation Act 2016 and the

Biodiversity Offsets Scheme. Documentation demonstrating compliance must be provided to Council prior to the commencement of works.

- (b) Prior to vegetation clearing, the applicant must engage a suitably qualified consultant to undertake a study that considers habitat salvage and salvage logging of trees identified in the Biodiversity Development Assessment Report as being of timber value, including *Eucalyptus Melliodora* (yellow box), *Eucalyptus Viminalis* (manna gum), and *Acacia Melanoxydon* (blackwood).

The applicant must give serious consideration to the outcomes of the study and implement the practice(s) that provide the greatest environmental and or re-use benefit.

#### **4. Dilapidation, Asset Condition and Rectification**

Prior to commencing any works on site, including early works, and throughout construction until final demobilisation, the applicant must undertake dilapidation surveys and prepare reports in accordance with the following requirements:

- (a) General Requirements: All dilapidation surveys shall be recorded in high-definition video format at a minimum resolution of 1080p. Videos shall be clearly and consistently named to identify the asset type, location, and survey stage. All reports shall be submitted with associated video surveys to Council in accordance with the timeframes specified below, and Council's acceptance of each report is required before the applicant may proceed to the next stage of works. Where Council identifies defects or discrepancies in asset condition, the applicant shall rectify these at the applicant's cost prior to demobilisation.
- (b) 'As Found' Dilapidation Report — To be submitted to Council no less than 12 weeks prior to the commencement of early works. This report shall document the pre-construction condition of all public and private assets likely to be affected by the project, including but not limited to:
  - (i) Public roads, intersections, and road shoulders on haulage and construction access routes;
  - (ii) Residential and rural property driveways and access points adjoining affected roads;
  - (iii) Accommodation sites proposed for use by the project workforce;
  - (iv) Farmers Creek and associated riparian infrastructure;
  - (v) Water and wastewater assets including swales, drainage pits, pump stations, pipes, and associated structures; and
  - (vi) Any other infrastructure identified by the applicant as required to be included based on the intent of this condition.
- (c) 'Pre-Handover' Dilapidation Report — To be submitted to Council prior to the handover of upgraded Council infrastructure assets following early works and prior to those assets being used for main construction activities. This report shall document the condition of all upgraded Council assets at the point of handover and shall form the baseline condition standard against which the Completion Dilapidation Report is assessed.
- (d) 'Completion' Dilapidation Report — To be submitted to Council at the conclusion of construction activities and prior to the project transitioning to its operational phase. This report shall document the condition of all assets surveyed in the Pre-Handover

Dilapidation Report and demonstrate that those assets are in the same condition as recorded at handover. The report shall also document the condition of all private assets including driveways and intersections relative to their As Found condition.

- (e) Defect Identification and Rectification — Council shall review the Completion Dilapidation Report and notify the applicant of any defects or discrepancies in asset condition requiring rectification. The applicant shall rectify all identified defects at its own cost prior to demobilisation. Rectification shall return assets to their pre-construction or post-early-works condition as applicable, and may include but is not limited to:
- Repair of cracking, deformation, or surface damage to road pavements;
  - Repair or replacement of damaged culverts, drainage structures, and pits;
  - Removal of all temporary construction infrastructure including silt fences, barriers, and signage; and
  - Reinstatement of all areas used for accommodation, laydown, stockpiling, or other construction purposes to a condition consistent with their pre-construction use and agreed rehabilitation standards.

*Council shall not require the applicant to resurface roads to a new condition where no damage attributable to the project is demonstrated. Equally, the applicant shall not consider reasonable wear and tear as grounds to avoid rectification of damage clearly attributable to construction activities causing early maintenance liabilities for Council.*

- (f) 'Dilapidation and Rectification Completion' Report — To be prepared by the applicant and submitted to Council for approval prior to demobilisation of the construction site. This report shall consolidate and document all defects identified by Council, the rectification works undertaken, and confirmation that all assets have been returned to the required standard. Demobilisation of the construction site shall not commence until Council has approved this report.

## **5. Roads, Transport and Traffic Management**

- (a) Obtain all necessary approvals from Council and/or the relevant authority, including Section 138 applications under the Roads Act 1993, prior to undertaking any works on or affecting public roads, and comply with all conditions of those approvals throughout construction.
- (b) Prepare and implement a Transport and Traffic Management Plan (TTMP) to the satisfaction of Council and Transport for NSW, prior to the commencement of construction, that addresses all matters in this condition. The TTMP shall be submitted for approval no less than 12 weeks prior to construction commencing. Council's approval is strictly a condition of consent.
- (c) Ensure Traffic Control Plans are developed for the works and are prepared by appropriately qualified persons, implemented in full, and maintained for the duration of all road and traffic-impacted activities. All signage, traffic lights, and traffic controls shall be installed and maintained in accordance with these plans at all times.
- (d) Keep the public informed of all traffic disruptions, road closures, infrastructure upgrades, OSOM vehicle movements, and emergencies in a timely and accessible manner, with

particular attention to residents and businesses directly affected by or adjacent to roads being upgraded or used for haulage.

- (e) Minimise disruption to the local road network as far as practicable, by scheduling heavy vehicle and OSOM movements outside of peak commuter, school, and tourist periods, minimising convoy lengths, managing vehicle speeds, and prioritising the safe passage of local traffic at all times.
- (f) Maintain free and uninterrupted access to all residential properties, businesses, and tourist attractions along project haulage routes and upgraded road corridors at all times. Where temporary disruption is unavoidable, the applicant shall provide reasonable advance notice and alternative access arrangements to the satisfaction of affected parties and Council.
- (g) Ensure any vehicles accessing or egressing the site via Marrangaroo National Park, including during emergencies, are approved to do so by the National Parks and Wildlife Service (NPWS) prior to use.
- (h) Ensure access to all local fire trails and associated roads remains open and trafficable by NPWS and Rural Fire Service firefighting assets at all times, and that construction activities do not obstruct or compromise emergency vehicle access.
- (i) Maintain and, where required, subject to the prior written approval of Council and other relevant authorities relocate all public utilities and assets including water, wastewater, stormwater, and communications infrastructure affected by road or traffic works to ensure continuity of service. Where temporary disruption is unavoidable, impacts shall be minimised, communicated clearly to affected stakeholders, and managed to the satisfaction of the stakeholders, Council and other relevant authorities.
- (j) Ensure all drainage infrastructure associated with the public road network, including table drains, mitre drains, and culverts, remains functional throughout construction and is protected from sediment ingress and damage caused by project activities.
- (k) Minimise dust and sediment impacts on the public road network through the implementation of appropriate controls, including road sweeping, vehicle wash-down facilities, and stabilised site access points.
- (l) Minimise heavy vehicle noise impacts on residential areas by prohibiting engine braking where appropriate, managing vehicle speeds, and scheduling peak haulage activity outside sensitive hours in accordance with the TTMP.
- (m) Provide sufficient on-site parking at all work sites and accommodation facilities to ensure construction vehicles do not park on the public road network during day-to-day activities. Where road upgrade works necessitate off-site parking, the applicant shall establish designated, low-impact parking areas that do not impede traffic flow.
- (n) Identify all school zones and designated school bus routes within or adjacent to construction haulage corridors prior to construction commencing and implement specific traffic management measures to protect the safety of children and school bus operations.

- (o) Have emergency response plans and procedures in place for all traffic-related incidents, including heavy vehicle recovery, road accidents, bushfire, and landslides, and ensure these are coordinated with Council, Transport for NSW, NSW Police, and emergency services prior to construction commencing.
- (p) Ensure all public roads used or upgraded for construction purposes are maintained to a standard consistent with their post-early-works condition throughout the construction period, and are reinstated to at least that or an agreed, reasonable standard prior to project completion, to the satisfaction of Council.
- (q) Submit all Council-owned public asset upgrade design plans and asset management reports to Council for approval no less than 12 weeks prior to works being undertaken on those assets. Council's approval of these items is strictly a condition of consent.

## 6. Waste Management

- (a) Obtain all approvals for management of Waste (as defined in the Local Government Act 1993) under Section 68 of the Local Government Act 1993.
- (b) No less than 12 weeks prior to commencement of works, a Construction Waste Management Plan (CWMP) must be prepared in consultation with Council and approved by Council prior to commencement of works. The CWMP is to include:
  - (i) all the waste mitigation and management measures as described in the EIS and specifically *Appendix Y Waste Management Assessment*, section 6; and
  - (ii) Management of waste generated from accommodation having regard to the NSW EPA *Better Practice Guide for Resource Recovering in Residential Developments* (EPA, 2019).
- (c) The CWMP is to:
  - (i) ensure all waste disposal locations and facilities nominated in the CWMP are operating and appropriately licensed to accept the categories and volumes of waste the applicant intends to deliver including for large volume waste streams such as green waste arising from vegetation clearing and shall identify and secure alternative disposal arrangements if Council facilities do not have capacity. The applicant shall pay the advertised rates for disposal of all waste types at Council facilities.
  - (ii) address all industrial wastewater and sediment management, including strategies for the collection, treatment, and disposal of sludge from water treatment processes and runoff from industrial activities, ensuring no untreated discharge enters the public drainage network, waterways, or Lake Lyell.
  - (iii) make provision for general waste infrastructure at the workers accommodation, with a clearly documented system for the centralised storage and periodic collection of waste in place prior to occupation of the facility.

## **7. Electrical equipment – avoidance of contamination**

- (a) All underground electrical equipment and oil storage facilities must be designed with appropriately sized bunding capable of fully containing any oil spill from electrical equipment including transformers.
- (b) Fire suppression systems installed within underground facilities shall be selected on the basis that, in the event of activation, contaminated water or suppressant cannot bypass bunding or escape into Lake Lyell or downstream catchments.
- (c) Across all above and below ground facilities associated with the development, the applicant shall ensure that firefighting, suppression, and any other chemical systems do not present a risk of contamination to Lake Lyell and shall explicitly avoid the use of PFAS-containing products or any other chemicals of serious environmental concern in any such systems.

## **8. Potable Water Supply**

Prior to and during construction activities, including early works, the applicant must:

- (a) Ensure a reliable and compliant potable water supply is available at all times to all construction sites that require it and to the workers accommodation prior to occupation or use, through one or a combination of the following methods, to the satisfaction of Council and relevant health authorities:
  - (i) Cartage of potable water to sites requiring supply; and/or
  - (ii) Extraction and treatment of bore water, subject to the prior approval of all relevant authorities including the NSW Natural Resources Access Regulator (NRAR) or such other authority as has jurisdiction, with treated water meeting the Australian Drinking Water Guidelines prior to use.
- (b) Where bore water extraction and treatment is proposed, the applicant shall obtain all necessary approvals prior to commencing extraction, demonstrate that the proposed extraction will not adversely affect surrounding groundwater users or dependent ecosystems, and ensure that all waste products generated by the treatment process are incorporated into and managed in accordance with the Construction Waste Management Plan required under the Waste Management Conditions of Consent.
- (c) Ensure that potable water supply arrangements do not place demand on Council's reticulated water supply network without the prior written agreement of Council, and that any such agreed connection is designed, installed, and metered to Council's requirements at the applicant's cost.
- (d) All potable water supply arrangements shall comply with the Australian Drinking Water Guidelines and any applicable requirements of NSW Health.

## **9. Noise, Vibration and Dust**

Prior to and during construction activities, including early works, and throughout the operational life of the project, the applicant must:

- (a) Prepare and implement a Noise, Vibration and Dust Management Plan to the satisfaction of Council, prior to the commencement of construction, that addresses all noise, vibration and dust generating activities including surface blasting, tunnelling, roadworks, heavy vehicle movements, and site operations. The plan shall be submitted to Council for approval no less than 12 weeks prior to construction commencing, and Council's approval is strictly a condition of consent.
- (b) Continuously monitor noise, vibration and dust levels at sensitive receptors including residential properties, businesses, schools, and waterways throughout construction and operation, and maintain and report monitoring results to Council in a transparent and accessible manner. Where monitoring demonstrates exceedances of applicable standards or agreed thresholds, the applicant shall implement immediate mitigation measures and notify Council and affected parties without delay.
- (c) Reduce noise and vibration from all construction and operational activities to levels as low as reasonably practicable through best practice management, including the use of appropriate equipment, operational controls, physical barriers, and scheduling measures.
- (d) Suppress dust generated from all construction activities including blasting, earthworks, roadworks, spoil handling, and vehicle movements so as to minimise dust impacts on surrounding residents, businesses, schools, waterways, and agricultural land. Dust suppression measures shall be maintained and adjusted in response to weather conditions, seasonal variation, and monitoring results.
- (e) Where weather conditions including wind direction, temperature inversions, or valley amplification effects cause or are likely to cause blasting or roadwork noise and vibration to be clearly audible beyond normal thresholds at sensitive receptors, the applicant shall, where practicable, reschedule such activities to Monday to Friday and adjust timing and intensity to minimise community impact.
- (f) Maintain an awareness of significant local community events and ceremonies, including but not limited to the Lithgow Show and ANZAC Day, and manage blasting and other high-noise activities to avoid, where reasonably practicable, audible interference with such events. The applicant shall liaise with Council and the community to maintain an up-to-date calendar of community events for this purpose.
- (g) Prior to and during all surface blasting activities, keep the community and Council informed of blasting schedules, locations, and anticipated intensity through the community engagement channels established under the Community Engagement Plan. Advance notice of scheduled blasts shall be provided to affected residents, businesses, and schools in sufficient time to allow them to make reasonable arrangements.
- (h) Monitor noise, vibration and dust impacts from blasting and roadworks in adjacent residential streets, businesses, and schools, and actively adjust works programs and mitigation measures in response to monitoring results, complaints, and community feedback. Where impacts on sensitive receptors are found to be excessive or

unreasonable, the applicant shall implement additional mitigation measures or reschedule activities to the satisfaction of Council.

- (i) Manage noise, vibration and dust impacts from transport operations including heavy vehicle movements on the public road network in accordance with the Transport and Traffic Management Plan, and ensure haulage scheduling, vehicle speeds, and route selection are actively managed to minimise impacts on residents and sensitive receptors.
- (j) Work actively and respectfully with affected residents, businesses, and schools to manage the effects of noise, vibration and dust from roadworks and construction activities, maintain open and responsive communication with affected parties, and provide timely respite options, on-property mitigation measures, or compensation in accordance with Social Impact Conditions of Consent where impacts are found to be excessive or unreasonable.

### **10. Worker's accommodation**

The applicant is to submit to Council details of the proposed 500 person accommodation plan, including but not limited to, site layout and design, numbers and types of facilities and amenities, waste water management, potable water sources, general waste management, off street car parking, certificate of buildings, fire protection services and evidence of approval under the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*.

### **11. Worker's accommodation - Lakeside camp option (Lake Lyell)**

Prior to and during construction activities, including early works, with regards to the workers accommodation facility, the applicant must:

- (a) Prepare and implement a Lakeside Accommodation Management Plan to the satisfaction of Council, prior to the establishment of the facility, that addresses all matters in this condition. The plan shall be submitted to Council for approval no less than 12 weeks prior to construction of the facility commencing, and Council's approval is strictly a condition of consent.
- (b) Ensure the facility is secured by appropriate fencing and perimeter management, with designated entry and exit points that are clearly signed, staffed, and managed at all times. Entry and exit point design shall be subject to emergency services review and shall explicitly address evacuation flow capacity to avoid bottlenecks during emergency events including bushfire, flood, and other emergencies requiring rapid evacuation of up to 500 residents.
- (c) Prepare and maintain an Emergency Evacuation Plan for the facility, in consultation with the NSW Rural Fire Service, NSW Police, and other relevant emergency services, that provides for the rapid and safe evacuation of all residents to designated safe areas. The plan shall be tested regularly through evacuation drills and updated in response to any changes to site conditions, occupancy, or emergency service advice.
- (d) Design the facility with its future post-construction use in mind, having regard to Council's interest in the potential reuse of the site and infrastructure as a camping

ground, caravan park, or other recreational facility serving Lake Lyell and the broader Lithgow community.

- (e) Design the facility to comply with BCA and Australian Standards and obtain relevant prior approvals from Council under section 68 of the Local Government Act 1993, if applicable.
- (f) Establish regular, reliable, and well-designed transport connections between the lakeside facility and Lithgow to enable residents to access retail, recreation, health, and community services.
- (g) Design and manage the facility to minimise noise and light emissions onto surrounding areas, businesses, the lake, and the natural environment, consistent with the lighting and noise management obligations under the Condition of Consent. Residential noise and light management measures shall be maintained for the duration of facility occupation.
- (h) Manage all construction activities associated with the establishment and ongoing operation of the lakeside facility to minimise noise, dust, light, and other construction-related impacts on Lake Lyell, surrounding residents, and nearby businesses, in accordance with the Conditions of Consent for Noise, Vibration and Dust and the broader commitments of the Social Impact Management Plan.
- (i) Upon completion of project construction, the site and any public land, infrastructure or assets affected by the works must be reinstated to their present condition, unless otherwise agreed in writing by Council prior to completion of the construction project.
- (j) All plans, programs, and agreements required under this condition shall be submitted to Council for approval in accordance with the timeframes specified. Council's approval of these items is strictly a condition of consent.

## **12. Worker's Accommodation — Town camp option**

Prior to and during construction activities, including early works, with regards to the workers accommodation facility, the applicant must:

- (a) Prepare and implement a Town Camp Accommodation Management Plan to the satisfaction of Council, prior to the establishment of the facility, that addresses all matters in this condition. The plan shall be submitted to Council for approval no less than 12 weeks prior to construction of the facility commencing, and Council's approval is strictly a condition of consent.
- (b) Ensure the facility is secured by appropriate fencing and perimeter management, with designated entry and exit points that are clearly signed, staffed, and managed at all times. Entry and exit point design shall be subject to emergency services review and shall explicitly address evacuation flow capacity to avoid bottlenecks during emergency events including fire and other emergencies requiring rapid evacuation of up to 500 residents.
- (c) Prepare and maintain an Emergency Evacuation Plan for the facility, in consultation with Fire and Rescue NSW, NSW Police, and other relevant emergency services, that provides

for the rapid and safe evacuation of all residents to designated safe areas. The plan shall be tested regularly through evacuation drills and updated in response to any changes to site conditions, occupancy, or emergency service advice.

- (d) Design the facility with its future post-construction use in mind.
- (e) Design the facility to comply with BCA and Australian Standards and obtain relevant prior approvals from Council under section 68 of the Local Government Act 1993, if applicable.
- (f) Design and manage the facility to minimise noise and light emissions onto surrounding residential properties, businesses, and the broader town environment, consistent with the Lighting Management Plan and noise management obligations under the Conditions of Consent. Given the urban setting of the in-town option, the applicant shall apply a higher standard of noise and light attenuation than would otherwise apply in a non-residential context, and residential noise and light management measures shall be maintained for the duration of facility occupation.
- (g) Manage all construction activities associated with the establishment and ongoing operation of the town facility to minimise noise, dust, light, and other construction-related impacts on surrounding residents, businesses, and the broader Lithgow community, in accordance with the Conditions of Consent for Noise, Vibration and Dust and the broader commitments of the Social Impact Management Plan.
  - (i) Implement appropriate security measures to protect the safety of facility residents and the general public at all times, including after-hours security personnel, CCTV coverage of common areas and entry and exit points, and a clear protocol for managing and escalating security incidents in coordination with NSW Police.
  - (ii) All plans, programs, and agreements required under this condition shall be submitted to Council for approval in accordance with the timeframes specified. Council's approval of these items is strictly a condition of consent.
- (h) Upon completion of project construction, the site and any public land, infrastructure or assets affected by the works must be reinstated to their present condition, unless otherwise agreed in writing by Council prior to completion of the construction project

### **13. Operational Lake Levels and Turbidity Mitigation Through Design**

Prior to commencement of construction:

- (a) Prepare and implement a Lake Level and Water Quality Management Plan to the satisfaction of Council and relevant water management authorities that addresses all matters in this condition. A copy of the plan shall be provided to Council.
- (b) Design and operate the plant so that the daily operational lake level variation of between 1.4 metres and 2.7 metres in Lake Lyell does not cause turbidity, erosion of lake banks, disturbance of lakebed sediments, or any other water quality impact that detracts from the clear and pristine character of the lake.

- (c) Continuously monitor water quality and turbidity in Lake Lyell throughout operation and maintain monitoring results in a publicly accessible format. Where monitoring identifies turbidity or water quality exceedances attributable to plant operations, the applicant shall implement corrective measures immediately and notify relevant water management authorities without delay.
- (d) Ensure the detailed design of all water intake and discharge infrastructure minimises velocity, turbulence, and disturbance at the point of entry and exit so as to protect water clarity, aquatic habitat, and the recreational and aesthetic values of the lake.
- (e) Assess and manage the cumulative effects of daily lake level variation on bank stability, riparian vegetation, aquatic habitat, platypus populations, recreational infrastructure such as jetties and boat ramps, and the visual character of the lake foreshore, and implement mitigation measures to the satisfaction of relevant agencies.

#### **14. Community Engagement and Consultation**

Prior to and during construction activities, including early works, and throughout the operational life of the project:

- (a) Prepare and implement a Community Engagement Plan (CEP) to the satisfaction of Council that establishes a clear and consistent framework for communication with affected residents, businesses, community groups, and other stakeholders throughout all phases of the project.
- (b) Maintain a dedicated community liaison function with a single, consistent point of contact for issue resolution, and ensure all stakeholders are kept informed of construction activities, disruptions, and any changes to works programs in a timely and accessible manner.
- (c) Establish and maintain a complaints and issues hotline and online reporting mechanism. All complaints shall be logged, investigated, and responded to within timeframes set out in the CEP and a complaints register shall be provided to Council on a quarterly basis.
- (d) Ensure the CEP identifies and responds to emergent stakeholders, being those residents, businesses, community groups, or other parties not previously identified, who are subsequently affected by construction or operational activities. The applicant shall not unreasonably exclude emergent stakeholders from engagement and consultation processes.
- (e) Council's approval of the CEP is strictly a condition of consent and shall be submitted for approval no less than 12 weeks prior to construction commencing.

#### **15. Social Impact**

Prior to and during construction activities, including early works, and throughout the operational life of the project:

- (a) Prepare and implement a Social Impact Management Plan (SIMP) that addresses the conditions of consent with regards to Social Impact. These include workforce management, local employment and procurement, community amenity, accommodation,

health and community services, mental health and resilience, tourism, neighbourhood impacts, visual impacts, lighting, noise, and landscape and character changes arising from construction and operation. The SIMP shall be submitted to Council no less than 12 weeks prior to construction commencing.

- (b) Administer the Neighbour Agreement Program in accordance with the applicant's published Neighbour Agreement Guide to ensure all eligible residents, businesses, and other stakeholders are fairly compensated for impacts arising from the project, including visual, noise, lighting, and landscape visual impacts. The program shall remain open throughout construction and into operation, shall be extended to include emergent stakeholders and unanticipated impacts as they arise, and the applicant shall not unreasonably exclude any party from the program where evidence of material impact is demonstrated.
- (c) Provide timely respite and/or relocation options and/or reasonable on-property mitigation measures to residents and businesses that experience unforeseen excessive or unreasonable noise, light, dust, visual, or other amenity impacts attributable to construction or operational activities.
- (d) Maximise local employment and procurement opportunities by establishing measurable targets, prioritising regional suppliers and contractors where practicable, and providing accessible information to local businesses on participation in the project.
- (e) Coordinate with relevant health and emergency service providers to manage increased demand on local services during construction, including provision of dedicated on-site health facilities for the workforce.
- (f) Implement a mental health and community resilience program, in consultation with relevant support agencies, to address impacts arising from project uncertainty, disruption, long-term construction activity, and permanent or long-term changes to the landscape, visual character, and acoustic environment of the area.
- (g) Protect and support the local tourism and visitor economy by maintaining access to tourist attractions, accommodation and recreational facilities at all times, and by working collaboratively with tourism operators and Council on visitor information and messaging throughout construction, with particular attention to managing the perception and reality of noise, dust, visual, and landscape impacts on the visitor experience.
- (h) Ensure workforce accommodation facilities are designed, screened, and managed sensitively with respect to surrounding landscape, community character, and residential amenity, to the satisfaction of Council and in consultation with affected neighbours prior to establishment.
- (i) Work actively with local businesses, tourism operators, and community organisations to maximise employment, procurement, and business opportunities available to Lithgow residents and businesses throughout the construction and operation of the facility, consistent with the local employment and procurement obligations under the Conditions of Consent for Social Impact.
- (j) Manage visual impacts arising from construction and operation identifying sensitive viewsheds and receptors and implements mitigation measures including vegetation

screening, sympathetic design, and appropriate colour and finish treatment of all permanent above-ground structures and infrastructure. Disturbed areas shall be progressively rehabilitated with locally appropriate vegetation throughout construction to restore landscape character as early as practicable.

- (k) Manage artificial light emissions from construction and operational activities that identifies all sources of artificial light and sensitive receptors, ensures all lighting complies with dark-sky principles and applicable standards, minimises light spill onto residential properties, rural land, the lake, and the natural environment, and provides reasonable on-property mitigation where residual light spill cannot be avoided.
- (l) Manage construction and operational noise by scheduling noise-intensive activities to minimise impacts on residential amenity, providing advance notice of particularly disruptive works, implementing responsive on-site mitigation where monitoring demonstrates exceedances or complaints are received, and offering respite and/or relocation and/or on-property measures to severely affected neighbours in accordance with condition c) above.
- (m) Manage landscape and character changes by addressing progressive and final rehabilitation of all disturbed areas, sympathetic integration of landforms and structures into the surrounding landscape, and opportunities to enhance landscape outcomes through spoil reuse, revegetation with locally endemic species, and community amenity improvements.
- (n) All plans, programs, and agreements required under this condition shall be submitted to Council for approval in accordance with the timeframes specified. Council's approval of these items is strictly a condition of consent.