



EnergyAustralia

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EnergyAustralia Development
ABN 52 120 513 322

Level 33
385 Bourke Street
Melbourne Victoria 3000

Phone +61 3 8628 1000
Facsimile +61 3 8628 1050

enq@energyaustralia.com.au
energyaustralia.com.au

The General Manager
Lithgow City Council
PO Box 19 LITHGOW
NSW 2790

Dear Sir/Madam

Reference: Lithgow City Council Draft Local Environmental Plan 2013

EnergyAustralia is taking this opportunity to provide a written submission to the proposed Lithgow City Council (LCC) Draft LEP, 2013, currently on Public Exhibition, from June 20 – August 9.

Background

EnergyAustralia constitutes one of Australia's largest energy companies, which owns and operates a multibillion dollar portfolio of energy generation and storage facilities including coal, gas and wind assets to serve the energy needs of more than 2.7 million customers.

EnergyAustralia has key interests in the operations and development activities of both the coal mining and power generation sectors within the Lithgow Local Government Area (LGA). We consider these industries and their associated ancillary services to be of significant economic importance to the Lithgow region, and as such believe it is important for the draft LEP to be supportive of these sectors.

The draft LEP presents a number of concerns to EnergyAustralia, in particular the potential constraints being proposed onto both the open cut mining and power generation sectors. These concerns are tabled specifically below for council's consideration, and EnergyAustralia wishes to discuss them in greater detail with council, prior to finalisation of the LEP.

Proposed Draft LEP – Impacts to the mining sector

The draft LEP presents an impingement to future open cut mining activities in the LGA by proposing to rezone 1(F) (Forestry) land to RU3 (Forestry) zone land, which prohibits open cut mining activities. This proposal acts to adversely impact the development capacity of the Pine Dale Open Cut Coal Mine and other mining operations/developments in the same zone. The proposed zone policy is not conducive to

supporting fuel supply considerations for the surrounding power generation industry, which plays a major role in the LGA.

- EnergyAustralia request that the proposal to rezone land from 1(F) (Forestry) to RU3 (Forestry), is revoked; and that
- All land parcels that are subject to existing and proposed mining related activity be encumbered by a Special Purpose zone that provides for all mining activities as permissible.

The Draft LEP does not resolve the existing and potential future land use conflicts between established mining operations and rural lifestyle development. The inevitable creep of incompatible land uses adversely impacts on the operational efficiency and productivity of established mining operations and their viability for future development. EnergyAustralia considers that the LEP should include assessment policy that require new residential type development to consider potential adverse interface interactions with established mining operations. Onerous development standards should also apply to all new development within a buffer area of existing mining operations. It is noted that the *Lithgow Draft Land Use Strategy 2010-2030* recognised the opportunity for industrial lands at Blackmans Flat, however the motion was not carried by Council. In recognition of the existing and proposed mining developments around that locality, including at the Pine Dale Mine, the opportunity to rezone the land should be reinvestigated.

Proposed Draft LEP – Impacts to the power generation sector

EnergyAustralia has a key interest in the generation of electricity and associated operations supporting the Mt. Piper and Wallerawang power stations. From our review of the draft LEP the following concerns are raised, impacting lands currently held for power generation activities and their associated supporting infrastructure:

Public Recreation zoning: the proposal to rezone lands of the Wallerawang power station from 1(a) Rural (General) to Public Recreation is considered highly inappropriate and would impose a significant constraint to the power station. EnergyAustralia objects to this rezoning proposal. The Wallerawang power station is a fully operational industrial facility and all elements of supporting infrastructure play an integral part of ensuring safe and reliable station operations. Public Recreation zoning is inconsistent with the current land zoning and presents a range of prohibited activities which would impinge the operations and management of power station lands and critical supporting infrastructure. In relation to Lake Wallace, the water storage facility and surrounding lands are considered to be integral to the generation of electricity, and inference with this infrastructure will impose significant limitations to station operations.

- EnergyAustralia requests that that proposal to rezone land from 1(a) Rural (General) to RE1 Public Recreation is revoked, for the lands impacting Wallerawang power station and associated water infrastructure.

Rural zoning: It is unclear why RU2 Rural Landscape and IN3 Heavy Industrial zones have been introduced into 1(a) Rural (General) zones in the draft LEP. These zonings contain prohibited activities which may compromise power station operational and land management requirements.

- EnergyAustralia requests the proposed rezoning of rural land associated with the power station and surrounds are rezoned to RU1 Primary Production, to allow the ongoing power station operations and land management requirements.

Forestry zoning: The introduction of RU3 Forestry zoning, on lands currently held by power station operations is not considered consistent zoning with adjacent land use.

- EnergyAustralia requests the proposed RU3 Forestry is rezoned to RU1 Primary Production, to align consistently with the adjacent land to enable ongoing power station operations and land management requirements.

Heritage Conservation zoning: The Heritage Conservation area impacting power station lands is not specifically listed within the NSW State Heritage Register, nor does the previous Lithgow City LEP 1994 list any items of heritage significance on power station lands.

- EnergyAustralia request that the Heritage Conservation zoning is removed from power station lands.

Special Purpose zoning: Electricity generation is considered a special purpose infrastructure sector.

- EnergyAustralia requests that special purpose zoning is considered for lands subject to existing power generation operational activities.

Conclusion

As tabled above, the draft LEP presents a number of concerns to EnergyAustralia, in particular, the constraints being proposed onto the operations and development of both the mining and power generation sector.

Energy Australia would welcome detailed discussions with Lithgow City Council regarding the draft LEP and request to be involved with any future process associated with the consideration of finalising the LEP.

Sincerely



Mark Frewin

Commercial Manager, EnergyAustralia

