

Submission: “Model Meeting Code Amendments”

Attention: Office of Local Government’s Council Governance Team

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Submission Sent by Email: olg@olg.nsw.gov.au

Details About Us

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We are making a submission in regard to stopping private briefings with councils.

The Hon Ron Hoenig MP, Minister for Local Government, said the “most important of the reforms” is putting an end to private councillor briefing sessions.

It is precisely these types of private briefings that have caused us great distress about local council decision-making; we are being severely impacted as a consequence of our local council’s frequent meetings with a power station developer, all held in private with no accurate conveyance of meeting outcomes supplied to the community. Key here is the term “accurate”.

Our submission is for your information and in direct response to our experience during 2022, 2023, 2024 and ongoing so far in 2025.

The city council in question is the Broken Hill City Council (BHCC).

The BHCC held fortnightly or very frequent private briefings, according to comments made in local ABC radio interviews, with a project proponent (Hydrostor) about construction of its proposed compressed air energy storage power station. The briefings were over the last five years, it appears, based upon information found online. The project is now in the assessment phase with NSW Planning.

- Not once in the last five years since this proposed power station emerged has anyone from BHCC spoken to us about our business or lifestyle in respect of impacts of this development.
- BHCC has said on local media it meets frequently with Hydrostor and Hydrostor has told them how we will be impacted and that there will be no concerns. When we spoke up in disagreement about this, June 2024, BHCC still made no effort to contact us. Instead, BHCC and Hydrostor continue to meet privately and we have been ridiculed by some media posts by council about being concerned, demonised by supporters of council in some online posts.
- We believe our business and lifestyle in our C4 land zoning (environmental living) will be ruined by this project. The project proponent does not like talking to us because we cannot get past one fundamental requirement of them to restore trust. We asked them to correct misinformation in the community – information spread by council following their briefings, however, that information has been proved to be incorrect, following publication of Hydrostor’s information in NSW Planning’s major projects portal. Hydrostor, the proponent, refused our simple request saying it is not their fault what others say.

Serious problems have emerged because of private briefings between Hydrostor and BHCC.

Necessary Background Information (Brief)

On 17, 18 and 19 November 2021 three letters of support for the power station were provided to Transgrid during a RIT-T process. They were from Hydrostor, its partner Energy Estate, and BHCC respectively.

- Each of these letters should be read and understood within the context of the problem – **replacement of electricity backup supply to Broken Hill.**
 - However, both Hydrostor and Energy Estate focus on **addressing broader NEM issues**, including AER requirements in the Transgrid RIT-T process that will help them gain entry into the NEM.

- BHCC focuses on wanting a renewable reliability solution, saying that “prolonging the use of fossil fuel technologies is inconsistent with Broken Hill’s City Council’s Sustainability Strategy”.

The BHCC did not make an effort to understand the project properly. The Hydrostor power station proposal is not renewable and **will in fact prolong the use of fossil fuel technologies** so long as it draws power from the NEM to charge up its plant.

The Hydrostor solution was selected by Transgrid. There is much merriment expressed by BHCC in ABC local radio news about jobs, repurposing Potosi Mine, ability to attract new mining and renewable energy investment and new employment and skills.

We have identified many inaccuracies in the messaging to our community via BHCC.

We seem to be the only locals who have read the power station EIS information.

Real Detail Emerged Only Following Publication of Hydrostor’s EIS Documentation

There was no real detail about the proposal up until September 2023. There was extremely limited information in the community as there is no local daily newspaper and radio coverage tends to lack depth, beyond repeating the proponents curated media releases.

On 19 September 2023, the EIS documentation was published in the NSW Planning’s major projects portal. This was when we saw for the first time information about the Hydrostor project, unfiltered by BHCC or Hydrostor’s media spin (as they have engaged a registered lobbyist in Sydney).

For several years the BHCC held frequent private meetings with Hydrostor and then reported back to the community through either the mayor or the general manager in local radio news interviews.

Misinformation could only be identified post release of the EIS. Now, it is almost impossible to correct.

We contend that the BHCC still do not fully understand the project, the energy sector or the project’s impacts.

We also learned from BHCC media interviews that the EIS was not fully read, just the executive summary.

To add more fuel to this fire, on the basis of private briefings and a glossy project summary, none of which have been understood, BHCC supplied letters of support to NSW Planning in respect of this project.

BHCC did no regulatory oversight for its citizens in respect of this State Significant Development. Instead, the community was provided with misinformation about the project by BHCC. Council, happily tells all they are not the consent authority, but meets regularly with the project proponent.

Here are some examples (transcripts, recordings, dates etc are available):

BHCC said 70 jobs in Broken Hill

Hydrostor say in their EIS jobs number 26 direct and 10 indirect for the Broken Hill project. When this was put to BHCC on air, the response was “**I don’t know where those figures come**

from...they're not the figures that I've been given...they said 70 and they said the vast majority of that 70 would be locally based....upwards of well over 40. So I don't know where the 26 come from”.

BHCC said location was on Potosi Mine

The EIS documentation also liberally used this description, calling it “brownfield”. When describing “impacts”, the EIS used language like “repurposing of existing mine infrastructure resulting in reduced construction impacts”. However, the detail is confirmed in the EIS Schedule of Land, Appendix 1, which highlights Lots 2 and 3 on DP757268 as the location of the surface plant. The EIS Figure 1.4 shows the proposed **surface plant is located on greenfield Flying Doctor deposit and is not within the Potosi Mine boundary**. BHCC on air failed to clarify the detail, instead, reconfirmed the location on Potosi, “above the pit”. In a mining town, the community is quite capable of understanding the difference between Potosi Mine, a brownfield site, and Flying Doctor deposit, a greenfield site.

BHCC say the project is renewable

BHCC said, in a media release at the time of the signing of the Crown Lands lease (NSW Government and Hydrostor), the project “aligns with the Council’s strategic goals to turn Broken Hill into a regional hub for storage technology and renewable energy”. BHCC’s Sustainability Strategy explains the goal is “100% renewable status - City of Broken Hill by 2030”. However, Hydrostor’s project is not renewable. It draws heavily from the national grid, dominated by coal and other fossil fuels. The NSW EPA confirms Hydrostor’s project is NEM grid dependent, “the proposal is likely to result in large scope 2 emissions” and “the proposed operations will be energy intensive and will represent an additional load on the existing electricity grid during operational years”. Hydrostor also repeatedly say in numerous media statements they have produced, usually at the end in a section headed “about Silver City Energy Storage” that they intend “to trade large quantities of energy on a daily basis”. BHCC clearly do not understand that they will never reach their sustainability goals with the Hydrostor project.

These are just a few examples but they set the scene for our concern. Our country needs more businesses like ours, regionally-based tourism attractions that help prop up local economies in retail, accommodation, cafes and clubs. For 10 years we were lead to believe that BHCC supported our tourism investment and indeed would be addressing future tourism initiatives here by supporting a lighting policy – not one that kills investment but one that protects the natural dark sky.

In private briefings with BHCC, Hydrostor appear to have told BHCC that noise, lighting, dust, accommodation etc are not a problem for us. We are located at 1.13km from a large power station surface facility with jet engine noise scale componentry. We will be affected, day and night for 50 years if this project is approved.

Further, in respect of the noise impact, no one, including NSW Planning, the NSW EPA and Hydrostor, is willing to admit that even if Hydrostor does comply with the NSW Noise Policy for Industry, **it results in a permanently damaged acoustic amenity for us**. As the EIS currently sites, noise compliance is hair-thin and capable of becoming breached with any error in calculation, componentry manufacture, construction or personnel matters.

In respect of decision-making about the power back up solution, there was no discussion in the community – ie Broken Hill or the Far West NSW area – about a back up power solution going forwards, which was the original purpose of the RIT-T. Existing diesel generators, the right capacity for the district at 50MW, fit for purpose if refurbished, and extremely reliable over historical years until Hydrostor came on the scene, would result in far less greenhouse gas emissions due to rarely being used as a true back up solution.

On the other hand, the 200 MW Hydrostor proposal will operate 24x7 for 50 years and create the environmental problems like greenhouse gas emissions, noise, etc, without the local community being fully aware of these crucial facts. **The community has a right to know because it was detailed community consultation by BHCC that resulted in the development of its Sustainability Strategy.**

And no one is discussing reliability at all – the purpose of the RIT-T process.

BHCC is not the consent authority for the power station proposal but has held many private briefings with the proponent, Hydrostor, and has not understood the project (as per media statements) and had not appeared to try to understand the project even when their misinformation has been communicated to them via correspondence.

Further, the community has been treated with contempt because of these private briefings.

Broken Hill citizens are not aware of the facts of the proposal and the entire far west NSW has no idea about the issues, including the issues of sustainability and future reliability if Hydrostor is to be approved.

Please do put an end to private briefings. Proponents should only interact through the development application and assessment processes. There should be no reason that a proponent needs to interact with elected officials.