

14 December 2022

Energy, Resource and Industry Assessments
Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Karl Okorn

karl.okorn@planning.nsw.gov.au

Dear Sir/Madam

State Significant Development – Glanmire Solar Farm (SSD-2128499)

I refer to the above project and the Environmental Impact Statement (EIS) currently on public exhibition.

Council has had an opportunity to review the EIS as submitted and provides the following comments as to the matters contained within.

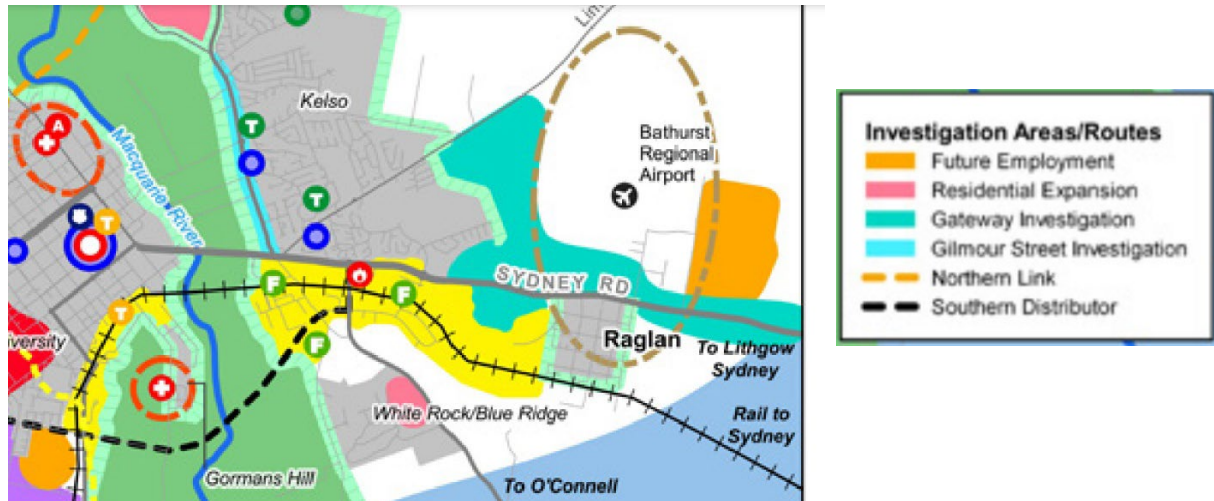
ALIGNMENT WITH REGIONAL AND LOCAL LAND USE PLANS

Some of the Objectives of the Central West and Orana Regional Plan (CWORP) may be taken out of context. For example, creating a value-add opportunity, where the Plan is actually talking about value-add opportunities specific to agriculture (e.g. on-farm processing, farm gate sales, small-scale manufacturing for agriculture, etc.) and not so much about potential alternate uses of rural land.

Overall the EIS has identified some important issues out of the Local Strategic Planning Statement (LSPS), including the following:

The LSPS has been adopted by Council and provides a framework for issues concerning the future development of the City and Region. These are outlined in the following Planning Priorities.

Vision Bathurst 2040: Bathurst Region Local Strategic Planning Statement



Planning Priority 2: Align development, growth and infrastructure

The following land located on the Eastern side of the city has been identified as potential future employment lands requiring investigation:

- Land on the Northern and Southern sides of Sydney Road – East of the Gateway Enterprise Park. Detailed investigations have not commenced.

Lands along the Sydney Road at the Gateway to the city, both north and south of Sydney Road, have been under consideration or under pressure for urban development. Whilst the Bathurst Region Urban Strategy 2007 identified the possibility of a business enterprise zoning along the southern side of Sydney Road (to the east of the Gateway Enterprise Park), no detailed investigations have been undertaken. Ongoing enquiries are being received for a residential use of the land on the northern side of Sydney Road. These lands have been identified on the City of Bathurst Structure Plan as the “Gateway Investigation Area” and require detailed investigations as to their suitability for urban purposes (over another site), whether infrastructure is available (or can cost-effectively be made available) to service the lands and how the scenic quality of the gateway to the city can be preserved and enhanced.

- Land on the Eastern side of the Bathurst Airport. Detailed investigations have not commenced.

Council will need to prepare an industrial lands strategy to determine the need and timing for the future supply of industrial lands and the suitability of the land east of the airport for industrial purposes. As the city grows, Council will need to revise its water and sewer management plans and associated contributions plans to provide additional water and sewer reticulation and treatment facilities, as well as its waste management and stormwater management strategies. Council will continue to collaborate with State and Federal government for higher level infrastructure and seek funding assistance to secure the delivery of major local infrastructure projects such as the southern distributor, river crossings and major new water reservoirs.

Planning Priority 7: Leverage New Opportunities

Action 7.8 Manage the growth of the City and minimise the encroachment of incompatible land uses in the vicinity of the Bathurst Regional Airport and the Main Western Railway Line.

Airport Protection Area – The EIS states that all power poles within the offsite transmission route will be kept below a height of 18 metres to avoid the OLS. The proposed height of the onsite infrastructure (e.g. substation and battery compound, fencing, etc.) is unclear. The EIS also states that a Glare Gauge analysis of the north south and east west runways at the airport was undertaken and demonstrated there is no glare risk to the Bathurst Airport.

Main Western Railway – The land is located approximately 980 metres North-East of the Main Western Railway but the development is likely to result in minimal conflict.

Planning Priority 12: Enhance environmentally sensitive land and biodiversity

Action 12.10 Improve the scenic quality of the Region by limiting urban and rural lifestyle development in areas of high biodiversity, on hilltops and ridges and provide a green edge between the urban and rural environment.

Action 12.11 Improve and enhance the city's gateways by: • controlling built form; • providing screening between fences and arterial roads; and • providing appropriate buffers to screen urban growth.

Action 12.12 Ensure the protection of the Sydney Road gateway is a key priority in planning for the 'gateway investigation area'.

Action 12.19 To protect rural lands at the City's edges from inappropriate development and urban landuse encroachment such as seniors housing that is enabled by State Environmental Planning Policies.

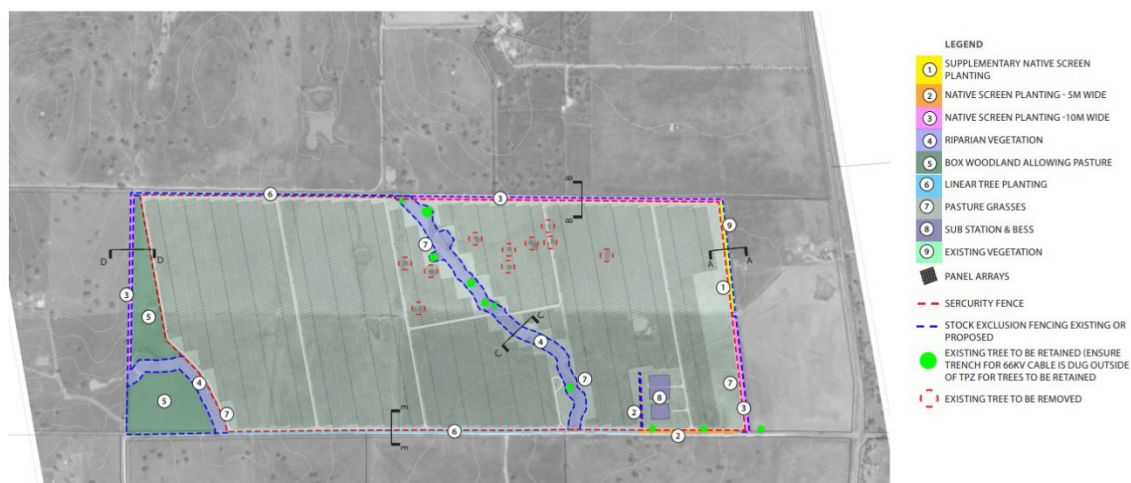
The EIS states that “There would be a low magnitude of change to a landscape character area of moderate sensitivity resulting in a low landscape character impact. The assessment identified a low impact on the landscape character of the Bathurst Plains, and no visual impact on views from the Great Western Highway westbound on the approach to Bathurst. The assessment considered the values identified by the community and Council, increasing the viewer sensitivity of the Great Western Highway, and increasing the scenic quality value of the area from low to moderate, from what is described in the DPE Guideline (2022). As such, there is no significant impact on the scenic quality and landscape character of this regional city.”

6-2 Summary of visual impacts from the public domain

		Without mitigation			With mitigation (medium term)	
	Viewpoint number and location	Sensitivity	Magnitude	Visual impact	Magnitude	Visual impact
1	View south from Brewongle Lane	Very low	Very high	Moderate	High	Low
2	View southeast from the Great Western Highway	Low	Nil	No impact	Nil	No impact
3	View east from the Great Western Highway	Very Low	Very low	Very low	Nil	No impact
4	View south from Mersing Road	Very low	Very low	Very low	Nil	No impact

It is noted that planting is proposed around the perimeter of the site and throughout the riparian corridor.

3.0 Concept Plan



However, photomontages of the site suggest that the solar farm could be a prominent feature within the landscape and the gateway to the city during the short to medium term, as the vegetation is established and matures onsite.



Landscape Planning | Visual Assessment | Landscape Architecture

Glanmire Solar Farm

Figure B7: View east along the Great Western Highway, photomontage (day 1, no planting shown)



Landscape Planning | Visual Assessment | Landscape Architecture

Glanmire Solar Farm

Figure B8: View east along the Great Western Highway, photomontage (short term)



Landscape Planning | Visual Assessment | Landscape Architecture

Glanmire Solar Farm

Figure B9: View east along the Great Western Highway, photomontage (long term)

ENERGY TRANSITION CONTEXT

The proposal is consistent with and will contribute to the Federal Government legislated emissions reduction targets, NSW Net Zero Plan and Draft Central West and Orana Regional Strategy by 130,000 t CO₂e per annum. Geographic location and proximity to HV transmission will lower transmission and distribution loss factors for generation from the proposed plant. BESS will increase both generation and demand side capacity. Utility scale BESS is recognised as an important part of NSW's transition away from coal-fired energy generation towards renewable energy.

ON SITE BUILDINGS

The proposal includes construction of a storage shed 14m x 12m x 7m and a site office and amenities building 18m x 4m x 4m. The location of the site office and amenity design are likely dictated by site operation. No details are provided on the proposed shed. Dependent on final locations of infrastructure, consideration will need to be given to views to and from the "Woodside Inn" and designs should be appropriate to reflect that consideration.

FENCING

The potential impacts of a 2m high security fence on the perimeter needs consideration as it has the potential to impact upon views to and from the site. Final designs, colours and materials are to be considered. Visual impact from 2m high fence around the site perimeter has not been discussed, noting fencing is to be installed behind landscaping which may soften visual impact although delays in establishment of vegetation will lead to short to medium term impacts.

Reference: RD:AP:22.17113

Enquiries: Mr R Denyer 02 6333 6211

Ird Department of Planning and Environment - Glanmire Solar Farm Submission.docx

COMMUNITY BENEFIT SCHEME

The EIS nominates “eight local initiatives” for “exploration and clarification should the project be approved”.

Whilst Council supports the concept of the Community Benefit Scheme it has not adopted these “local initiatives” for funding under any Scheme. Council notes that the initiatives involve 3rd parties. Further discussion will be required with the proponent as to Council’s priorities.

VISUAL IMPACT

The LSPS acknowledges the need to “*protect and enhance the scenic quality of the City gateway entrances along O’Connell Road, Sydney Road, Sofala Road, Mitchell Highway and Mid Western Highway*” (5.4).

The objectives of the RU1 Primary Production zone require the maintenance of “*the rural and scenic character of the land*” along with similar provisions in Bathurst DCP.

In this context the view from the Great Western Highway from the point of descent from Browns Hill and enter the Bathurst Plains represent a significant and highly valued view. It provides a “sense of arrival” to Bathurst and the Central West beyond.

The current views of the land are consistent with the “treeless landscapes” that typifies the Bathurst Plains and the entrance to the City from the east. Those views across the landscapes generally extend along both sides of the Great Western Highway from Browns Hill to Raglan and contribute to the sense of arrival.

The potential visual impacts include not only the solar panels themselves but also the ancillary aspects of the project including the enclosing security fencing (2m high plus barbed wire topping), and infrastructure such as the BESS and substations.

Council would suggest that identifying the area as “low scenic quality” (albeit that may be consistent with the Technical Supplement – Landscape and Visual Assessment criteria) would be disputed by many. Council acknowledges that for the purposes of assessment that a “moderate landscape sensitivity” has been used.

Council would question the conclusion that “*Overall, the size and scale of the change is low and the relative geographic area of the development site is small. The duration of the project is medium term, and the change is reversable*” (Visual Assessment p24).

Council would suggest that the magnitude of change would most appropriately be within the moderate range given the area impacted (158 ha), the infrastructure is not “typical” of the rural locality and impacts are not short term (40 years).

Having regard to the adopted scenic quality of “moderate” and the magnitude of change (arguably moderate) the overall landscape character impact may be considered as “moderate” as opposed to “low landscape character impact”.

Mitigation measures for surrounding dwellings are proposed to be achieved predominantly by means of vegetation screening to the external boundaries.

As noted in the EIS, planting is to occur after other construction has been completed (p69). The EIS indicates that medium term (2-5 years) shrubs are estimated at 3m and trees at 5m. Long term mitigation (shrubs to 6m and trees to 10-20m) is estimated at 10-15 years. (EIS p103). The effectiveness of the landscape plan is limited in the short to medium term. As the impact is to occur in the short term it follows that the impact should be mitigated in the short term. Having regard to these factors that following should be further considered:

- Vegetation should be established at a minimum during the construction process rather than be deferred until after construction has been completed.
- Opportunity to increase extent of planting along the southern section of property (currently limited to 10m native screen over part only) to mitigate the properties to the south. This could be achieved by increasing plantings in the area identified as “box woodland allowing pasture”.
- Indicative landscape details provide “height at maturity” with limited info on heights at time of planting. Plans indicate generally 50 x 50mm tubestock or similar. Tubestock plantings alone are likely to take an extended period to establish.
- Establishment of landscape as the primary means of mitigation may be subject to climatic influences. These may impact or delay planting or establishment.

CULTURAL HERITAGE

The AHIMS search identified 8 sites recorded within 5km radius of site and none within the development footprint, which also considered road intersection upgrades.

The Assessment includes extensive consultation to identify potential Registered Aboriginal Parties (RAPs) throughout the report process. Council notes that an archaeological foot survey was undertaken with Bathurst LALC 12 & 13 July 2022. Representatives from Wiradyuri Traditional Owners Central West Aboriginal Corporation were also invited but did not attend.

Two new Aboriginal sites were observed within the study area being:

- (Glanmire-CMT-01) Culturally modified Yellow Box tree located 10m from drainage line. This site is within the riparian buffer of the development footprint and will be avoided.
- (Glanmire-ISO-01) Isolated Quartz flake in disturbed ploughed location is within the development footprint.

The report recommends management of the culturally modified tree within the riparian buffer, and relocation of the single quartz flake to the base of the culturally modified tree in accordance with the Code of Practice of archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010b). The report indicates Bathurst LALC has no objections to the recommended mitigation measures.

An AHIP isn't required as the proposal is State Significant Development. The EIS should recommend the need for a Cultural Heritage Management Plan to manage the 2 new sites found, which would include the relocation of the quartz flake.

IMPACT ON AGRICULTURE

Council has noted that the impact of the development on current and future operations on the property and the locality has been consistently raised by members of the community.

Council notes that the assessment concludes that the land is assessed as Land and Soil Capability Classes 4 & 5 ie moderate to moderate – low capability land. Further, the assessment concludes that the property has no verified Biophysical Strategic Land (BSAL) land on site due to poor drainage and moderately low fertility. The BSAL & LSC have been peer reviewed by Minesoils. It is likely that the land capability of the land will continue to be disputed by residents within the locality.

Whilst the EIS notes that the land may continue to be used for agricultural pursuit (principally grazing) that use (as it currently does now) is dependent upon landowner decisions which are beyond the scope of the EIS. Council does note that income generated from grazing would be *"significantly less than pre-development levels"* (p28).

The issue of the insurability of surrounding properties should the development be approved has consistently been raised by residents in the locality. The advice from Australian Insurance Council is included in the documentation as follows– *"We would like to confirm that there is no position known at this time indicated or highlighting any widespread increased risk relevant to a property neighbouring or being near a solar farm or facility"*.

It is likely that the concerns raised by surrounding residents in terms of the suitability of the site, the agricultural capability of the land, the impacts associated with the "loss" of agricultural productivity and insurance will remain unresolved notwithstanding the findings of the assessment.

SOCIAL IMPACTS

Key issues identified in the assessment are noted as including:

- Visual impacts
- Impact on properties including property values, insurability and personal wellbeing
- Impacts associated with loss of agricultural outputs
- Impacts on future growth of City
- Growth in renewables

There is a degree of broader community support for the project although this does not appear to translate to the local level. At a local level the Glanmire Action Group continues to have significant concerns regarding the project. Reasons cited for this lack of support include:

- Preference for development to occur within the REZ
- Loss of productive agricultural land and rural amenity
- Impact upon highly valued rural landscapes
- Property values
- Impact on insurability

In the broader community there appears to be support for renewable energy projects more generally from residents and groups such as the Bathurst Climate Change Action Network (BCCAN).

The negative impact of the proposal is “evaluated as being of high significance” (SIA p21) requiring mitigation with those mitigation measures including:

- Community and Stakeholder Engagement Plan including short term and long term engagement.
- Accommodation and Employment Strategy including local participation and accommodation for construction workforce.
- Community Benefit Scheme.

It is likely that the concerns raised by surrounding residents in terms of social impacts will remain unresolved notwithstanding the mitigation measures.

TRAFFIC

The significant issues to be resolved relate to the adequacy of the intersection between the GWH and Brewongle Lane and the impact of construction traffic upon Brewongle Lane.

GWH is TfNSW controlled road.

Brewongle Lane is a Council controlled road.

Traffic movements during construction are estimated to be up to 60 HV and 107 light VPD and includes B-Double traffic.

The EIS notes that the “*Brewongle Lane intersection to the site access will be sealed*” (p6 of the EIS). This is in conflict with the conclusion on p13 of the TIA which concludes that “*given the expected traffic volume on the local roads is in the order of 200 vehicles per day and the increase in traffic is only temporary it is considered acceptable for Brewongle Lane to remain unsealed*”.

Based on the estimated peak 167 VPD, the types of traffic generated and the condition of Brewongle Lane (gravel) Council would require that:

- Brewongle Lane is upgraded to a Rural Roadway in accordance with the requirements of Section 2 Of Council's Guidelines for Engineering Works between the proposed site entrance and the Great Western Highway Intersection (a distance of approximately 320m).
- This upgrading would include sealing between the GWH and the proposed entry as noted in the EIS.
- The property entrance is upgraded to accommodate B-double vehicles movements including sealing between the entrance gateway and the edge of bitumen in the upgraded public roadway.
- Construction traffic access should be limited to entrance from the GWH. No access to the site should be from the south (ie Tarana Road and Brewongle Lane). Appropriate management controls will need to be put in place to reflect this requirement.

The assessment of the adequacy of the intersection of GWH and Brewongle Lane is unclear whether this includes an assessment of the types of vehicles (ie HV and B-Doubles) using the intersection. If the adequacy of the intersection is purely based on volume as opposed to the type of vehicles (HV) this may impact upon this conclusion. Ultimately the adequacy of the intersection and any upgrades will need to be determined in consultation with TfNSW.

EUROPEAN HERITAGE

The Report provides an adequate site history and notes that a modern (c. 1980s) cement water tank is to be removed and this is supported. A site inspection revealed an isolated brick fragment and metal tool tip located on the site. Overall, there was no significant European archaeology present or likely to be present in the portion of the site affected by the works. A Construction Heritage Management Plan is a recommendation of this report and is considered a satisfactory approach to the proposal given the limited European archaeological potential within the area of works.

The report does not adequately discuss the potential visual impact of the solar array from Woodside when viewed from the GWH. The current curtilage around Woodside is cleared pasture and Woodside remains the dominant visual structure of this view. Whilst the report indicates that no physical works are occurring within Woodside, the report is silent on potential visual impacts, mentioning only that the item is outside the works area.

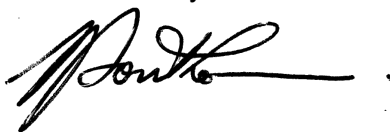
The Landscape and Visual Impact Assessment (prepared by Iris, September 2022), indicates (pg 39) that the view from the GWH has low visual sensitivity given the intervening landform and vegetation. However, given community concern, a moderate scenic quality is to be adopted. This viewpoint, however, is taken from the corner of the GWH and Brewongle Lane and has not provided an assessment in a location in close proximity to Woodside to determine if there is any visual impact to the heritage item. Further information regarding visual impact in relation to Woodside is required.

The Historical Background indicates that Thomas Kite was a previous owner of Woodside. Thomas Kite worked under William Cox on the construction of the road to Bathurst in 1815 and was awarded one of the first 10 land grants to free settlers in Bathurst (first 10 land grants located on eastern side of Macquarie River at Kelso). Table 4-1 of the report indicates there is no associative significance of Woodside. Whilst the proposed physical works will not impact on the significance of the heritage item, it is worth noting the significance of Thomas Kite as a previous owner of the site.

CONCLUSION

As is to be expected of a project of this scale, it has generated a wide range of views as to the merit of the project generally with specific concerns emanating from within the locality. Those concerns have been well documented through the Community Consultation Committee and through the EIS preparation. Those concerns within the locality are likely to remain unresolved notwithstanding the findings of the EIS. It is right that these concerns are raised and that they be given the appropriate attention relative to the adopted planning standards for the proposal. The EIS, whether it is universally accepted or not, provides a proper basis for those concerns to be considered. Council has provided comments as to various matters raised in the EIS and can expand upon those or provide further details if necessary.

Yours faithfully



Neil Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES