

Parcel 46481  
SPR:kl

Your ref: SSD 8895

19 September 2018



Ms T Bandaruk  
Environmental Assessment Officer  
Resource and Energy Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms Bandaruk

**STATE SIGNIFICANT DEVELOPMENT 8895 – WELLINGTON NORTH SOLAR PLANT**

**PROPERTY:** Lots 75-84, 88, 119-121, DP 2987, Lots 1 & 2 DP 1104720, Lot 3 DP 976701, Lots 1-3 DP 808748, Lot 100 DP 750760, Lot 1 DP 664645 and Lot 1 DP 1206579, No. 6444 Goolma Road, Bodangora

I refer to the abovementioned State Significant Development 8895, which was placed on public exhibition relating to a proposed solar plant at the abovementioned property.

The following comments are provided following a review of the submitted Environmental Impact Statement (EIS) and an inspection of the site:

**Developer Contributions**

The land is located within the former Wellington Local Government Area, therefore the Wellington Council Section 94A Developer Contribution Plan 2012 is to be considered. Levies are payable at the rate of 1% of the proposed development cost. Given the proposal has a capital investment cost of \$550 million (page 10 EIS) the applicable levy would be \$5.5 million.

The Section 94A Contribution Plan does make exemptions for development “... where there is no increase in future demand on public amenities and services.” Council acknowledges that following the initial construction of the solar farm there will be negligible impact upon public amenities and services.

However, there is the initial impact of the construction period upon Council’s road network and other public amenities and services. Furthermore, the removal of agricultural land may result in a loss of productive rural land and a decreased local population which can impact detrimentally upon local services (schools, police, health) due to the potentially reduced population numbers.



All communications to: **CHIEF EXECUTIVE OFFICER**

**ABN 53 539 070 928**

PO Box 81 Dubbo NSW 2830

**T** (02) 6801 4000 **F** (02) 6801 4259 **E** council@dubbo.nsw.gov.au

Civic Administration Building Church St Dubbo NSW 2830

**W** dubbo.nsw.gov.au



As an alternative to the payment of such contributions, Dubbo Regional Council would be prepared to consider a Voluntary Planning Agreement to offset potential impacts. It is requested appropriate conditions relating to the above be considered.

### **Housing Availability for Construction Workers**

As the Department would be aware, there are currently six (6) solar farms at various stages of the State Significant approvals process that are within a close proximity to the Wellington urban area. It is understood that one of the subject projects has received development consent and the development consent did not require the proponent to enter into a Planning Agreement with Dubbo Regional Council.

Whilst the construction period associated with the development of a solar farm is relatively short, Council is concerned that the cumulative impact of the construction of six (6) solar farms on the Wellington community is not being adequately considered by the Department of Planning and Environment and development proponents. To assist Council in understanding the impacts of large infrastructure and other development projects, Council in conjunction with consultants REMPLAN developed the Dubbo Infrastructure Services Impacts Model. The Model is a helpful tool, which assists Council in Planning Agreement negotiations and generally understanding the impacts of large projects. Of particular concern for Council is the fact that the six (6) projects, if developed over a 2 year period are likely to result in the engagement of upwards of approximately 1,000 construction workers. Council's model shows that during this period, some 345 additional dwellings (or serviced accommodation) would be required to house this workforce over time.

It is understood that as part of a Planning Agreement a solar farm proponent will not construct 345 new dwellings, however, Council as part of a Planning Agreement process needs to ensure appropriate strategies are in place to guide such infrastructure projects in the future whilst minimising impacts on permanent and holiday accommodation and the integrity of rural lands and farming enterprises.

It is acknowledged that the proponent has been in consultation with Council over a significant period of time in respect of the consideration of impacts from the proposed solar farm and in particular what benefits the Wellington community view as important in both ameliorating the impacts of the development and ensuring the Wellington community can continue to experience positive economic growth and development. To this end, the proponent has provided Council with a written offer, which includes a number of separate measures. This offer is currently under the consideration of Council. However, to assist the development and negotiation of community benefits with the proponent, It is requested that as part of any development consent issued for the project that the proponent be required to negotiate and enter into a Planning Agreement with Dubbo Regional Council.

It should also be noted that Council on 3 September 2018 provided separate correspondence to the Deputy Secretary Planning Services, Mr Marcus Ray in respect of Council's concerns regarding the need for Planning Agreements to be negotiated with solar farm proponents. A copy of this correspondence is provided attached for your information.

### **Loss of Agricultural Land**

As identified above, Council is aware of six (6) solar farms at various stages of the State Significant approvals process that are within a close proximity to the Wellington urban area. All are significant developments in terms of their development footprints located within productive agricultural land:

Council notes an assessment undertaken against State Environmental Planning Policy (Rural Lands) 2008. The Assessment on page 43 of the EIS states:

*"The loss of agricultural productivity in the region that would be attributed to the Wellington North Solar Plant would be insignificant in relation to the extent of Productive Land in the South Western Slopes of New South Wales. It would result in the loss of 0.86% of Biophysical Strategic Agricultural Land within the Dubbo Regional Council LGA."*

While the above statement may be true in isolation, Dubbo Regional Council raises concerns with the cumulative impact these developments may have on the agricultural productivity and economy of the region. There is the potential for significant tracts of productive agricultural land to be sterilised by a number of large scale solar farm developments. Council is concerned that the cumulative impact of the construction of six (6) solar farms on the Wellington community is not being adequately considered by the Department of Planning and Environment and development proponents. Removing a number of significant agricultural holdings has the potential to impact on the local Wellington economy which is largely supported by primary production.

### **Site Layout**

Reference is made to the proposal plans shown in Appendix 2 of the EIS. In some areas it appears the photovoltaic arrays will extend to the property boundaries, however without a detailed plan this is difficult to determine. It is therefore suggested the arrays be suitably setback from property boundaries to ensure suitable vehicular access can occur to the perimeter fencing, landscaping and arrays for the maintenance and servicing of such.

### **Water Management Act 2000**

It is noted the subject site comprises various water courses (mostly ephemeral). Review of the submitted plans demonstrates the Photovoltaic Arrays are located across some of these water courses. Further, internal roadways and transmission lines also appear to cross the waterways. Based on the plans submitted, it is difficult to determine the proximity of the development to any waterways and whether recommended clearances are achieved.

Works within 40 metres of a water course generally requires a Controlled Activity Approval from the NSW Office of Water pursuant to Section 90 of the Water Management Act 2000. Such works would constitute Integrated Development and require concurrence from the Office of Water. The EIS makes no reference to any integrated approval processes or exemptions.

### **Heritage**

Council notes a locally listed heritage item is located on the property, namely the Noonee Nyrang Homestead, located on Lot 84 DP 2987 (Schedule 5 Wellington Local Environmental Plan 2012 – Item 11). Based on the submitted plans, Council considers there are suitable setbacks provided to ensure no adverse impact from the development, particularly the photovoltaic arrays, to the heritage item. Council requests these setbacks be maintained and not be breached by any aspect of the development.

Council notes the development will require the destruction of several older built features on the property including a number of stone water troughs and a stone culvert, as well as a survey tree. It is noted none of these are listed heritage items. As per correspondence from Dubbo Regional Council to NGH Environmental on 22 June 2018, Council does not consider these features of any heritage significance and thus objection is not raised to their destruction.

### **Vehicular Access**

Based on the information submitted, it appears the primary access to the development will be via Campbells Lane, with two (2) secondary access points located on Goolma Road. In addition to those works identified in the EIS, and any comments raised by NSW Roads and Maritime Services, Dubbo Regional Council requests the following road upgrades be undertaken:

- Campbells Road from Cobbora Road to Site Access 1 shall be bitumen sealed to Dubbo Regional Council's rural road standard being a minimum of 7.5 metre wide bitumen sealed two-way carriageway;
- Intersection of Cobbora Road and Campbells Lane – Upgrade of the intersection to allow B-double vehicles to safely turn;
- Site Access 1 –Upgrades to this entry point shall be carried out in line with Council standards (STD1264) for B-double vehicles. The BAR and BAL upgrades as proposed in the Environmental Impact Statement would be required to allow sufficient space for the turning of B-Double vehicles;
- Site Access 2 and 3 – Upgrades to accommodate B-double vehicles in accordance with Council standards (STD1264);
- Goolma Road currently has high traffic volumes generated from the two (2) Wellington Correctional Centres. The impact of additional traffic volumes generated from the construction works shall be considered in the design of Site Accesses 2 and 3;
- Advisory signs shall be located adjacent to the Cobbora Road/Campbells Lane intersection, and Site Accesses 1, 2 and 3, indicating high volumes of turning heavy vehicles; and

- All gates be setback a minimum of 26 metres from the property boundary to permit a B-Double vehicle to fully stand within the property boundary and not overhang onto the road reserve while any access gates are being opened or closed.

The intersection and site access upgrades stipulated shall be undertaken to allow B-Double vehicles to safely negotiate each intersection/access without being required to cross on to the incorrect side of the road at any time to negotiate the turning movement. Detailed plans submitted for such construction works should demonstrate this detail.

Council requests all road works identified in the EIS, by Roads and Maritime Services and stipulated above be completed prior to any aspect of the solar farm construction commencing.

### **Landscaping**

Council notes plans which indicate the inclusion of landscaping at certain points around the perimeter of the development. In order to offset any visual concerns, the implementation of a landscape buffer around the entire perimeter of the development is requested where there is no existing visual buffer through existing landscaping or topographical features. In this regard, Dubbo Regional Council requests a condition be included on the consent that prior to issue of a Construction Certificate a detailed Landscape Plan be submitted for approval which includes details of:

- Setback of landscaping from the solar panels and property boundaries;
- Evidence of how the landscaping conforms to the requirements of any bushfire Asset Protection Zone (APZ);
- The height of plantings at the time of planting (being of advanced stock);
- Species planted; and
- Nature of irrigation to be used.

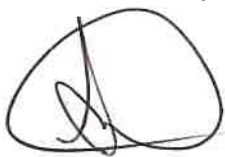
It is further requested the landscaping have a minimum mature height of 3 metres utilising deep rooted, water tolerant, native plant species endemic to the Wellington local area. Dubbo Regional Council staff can be consulted on the type of species chosen. Such landscaping as a minimum should be undertaken in stages to correlate with the construction of the adjacent solar panel(s).

### **Emergency Management**

Given the possibility of fire or other emergency caused by built features of the solar farm, it is requested the Applicant prepare for implementation an Emergency Management Plan (EMP). The EMP shall address emergency management procedures associated with fire risk as a consequence of the built features of the development (i.e. solar panels, electrical wiring, substations etc), including containment of any contaminants on-site. It is requested the EMP be submitted for approval prior to issue of a Construction Certificate.

If you have any enquiries in this matter, please do not hesitate to contact Council's Statutory Planning Services Team Leader, Shaun Reynolds, during normal office hours, on 6801 4000.

Yours faithfully

A handwritten signature in black ink, appearing to be 'S. Wallace', enclosed within a hand-drawn oval border.

*Stephen Wallace*  
Director Planning and Environment

Enclosed: Dubbo Regional Council correspondence to Department of Planning and Environment 3 September 2018

ED18/119416  
SFJ/MLM  
FILE11/63



**DUBBO REGIONAL  
COUNCIL**

3 September 2018

Mr M Ray  
Deputy Secretary Planning Services  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Ray

### **SOLAR FARM PROPOSALS IN THE DUBBO REGIONAL LOCAL GOVERNMENT AREA**

It has come to Council's attention that there are currently five (5) proposals for the development of solar farms, which are proposed to be situated within a close proximity to the town of Wellington, which is within the east of the Dubbo Regional Local Government Area. In addition, it is understood that each of the five (5) solar farms are at various stages of consideration within the planning process.

The subject solar farms are as follows:

- Wellington North Solar Farm (EIS Exhibition)
- Suntop Solar Farm (More information required to finalise assessment)
- Mumbil Solar Farm (SEAR's issued)
- Maryvale Solar Farm (SEAR's issued)
- Wellington Solar Farm (Determination issued)

Council is concerned that the cumulative impacts associated with the construction of five (5) solar farms on the Wellington community has not been adequately addressed by solar farm Proponents and it is unclear as to the consideration of overall cumulative effects by the Department and the Planning Assessment Commission.

To aid in the consideration of the impacts of large infrastructure and other development projects, Council, in conjunction with consultants REMPLAN developed the Dubbo Infrastructure Services Impacts Model. The Model is a helpful tool to assist Council in Planning Agreement negotiations and generally understanding the impacts associated with larger projects.

All communications to: **CHIEF EXECUTIVE OFFICER**

**ABN 53 539 070 928**

PO Box 81 Dubbo NSW 2830

**T** (02) 6801 4000 **F** (02) 6801 4259 **E** council@dubbo.nsw.gov.au

Civic Administration Building Church St Dubbo NSW 2830

**W** dubbo.nsw.gov.au

---

In respect of the five (5) solar farms as above, it is of particular concern that if all of the five (5) projects are to be delivered within a two (2) to three (3) year construction period, this is likely to result in the engagement of approximately 1,000 construction workers. Council's model shows that during this period, some 345 additional dwellings (or serviced accommodation) would be required to accommodate this workforce.

It is understood that as part of a Planning Agreement, a solar farm Proponent will not construct 345 new dwellings, however, Council as part of a Planning Agreement process should be provided with the ability to ensure appropriate strategies are in place to guide such infrastructure projects in the future whilst minimising impacts on permanent and holiday accommodation and the future integrity of rural lands.

Council requests that as part of any development consent issued for any of the remaining four (4) projects that the Proponents be required to enter into a Planning Agreement with Dubbo Regional Council. It should be noted that Council as part of any Planning Agreement would consider a Community Benefit Fund structure as being potentially suitable, in addition to other initiatives and measures that could offset the impacts of development on the Wellington community.

Should you have any enquiries in this matter, please do not hesitate to contact Council's Manager Strategic Planning Services, Steven Jennings, on (02) 6801 4000 during normal office hours.

Yours faithfully

*Michael McMahon*  
Chief Executive Officer