

17 June 2025

Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Sir/Madam

State Significant Development – Brewongle Solar Farm (SSD-64834490)

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 COMMUNITY STRATEGIC VISION

The Bathurst Region Local Strategic Planning Statement – Visions Bathurst 2040 includes a number of actions of relevance to the proposal and its impacts. Of note in the LSPS is that *“the natural environment and rural landscape are a major drawcard of the Bathurst Region. The community said they wanted it protected and enhanced”*. This is reflected in the Planning Priorities including:

Planning Priorities

1.4 *Protect and improve the regions landscapes, views, vistas and open space*

13.1 *Review the Bathurst Region Rural Strategy and in particular “identify and protect important agricultural land from urban sprawl, incompatible land uses and appropriate land use buffers*

The current Rural Strategy notes *“the community expressed a desire to protect hilltops and ridges, natural landscapes and rural views and vistas, again not only for the obvious environmental benefits but also for the potential economic benefits, for example, eco-tourism. The community highlighted the importance of tourism to the villages and rural areas”*.

REFERENCE TO MICRO-SITING

The EIS refers to a “project area” of 299ha with *“generally, a 100m micro-siting buffer applied”*. What is meant by “micro-siting is not quantified further. Micro siting of infrastructure has the potential to result in a significantly different development when applied to “sensitive” criteria such as adjoining boundaries, visual impacts, the Great Western Railway, APA pipelines and watercourses.

CUMULATIVE IMPACTS OF OTHER SSD PROJECTS

Part 2.6 of the EIS refers to a number of “nearby SSD projects”. This section of the EIS does not include reference to the multiple wind projects within the vicinity of the project eg, Sunny Corner Wind Farm (8km away and SEAR’s issued) or within the broader region (of which there are multiple).

A number of the specialist reports make reference to the cumulative impacts of developments but do not include other large scale energy projects currently under consideration. This will have implications for a number of areas in the EIS including traffic, visual impacts, flooding and cumulative impacts on matters such as housing and employment.

PERMANENT ON SITE INFRASTRUCTURE

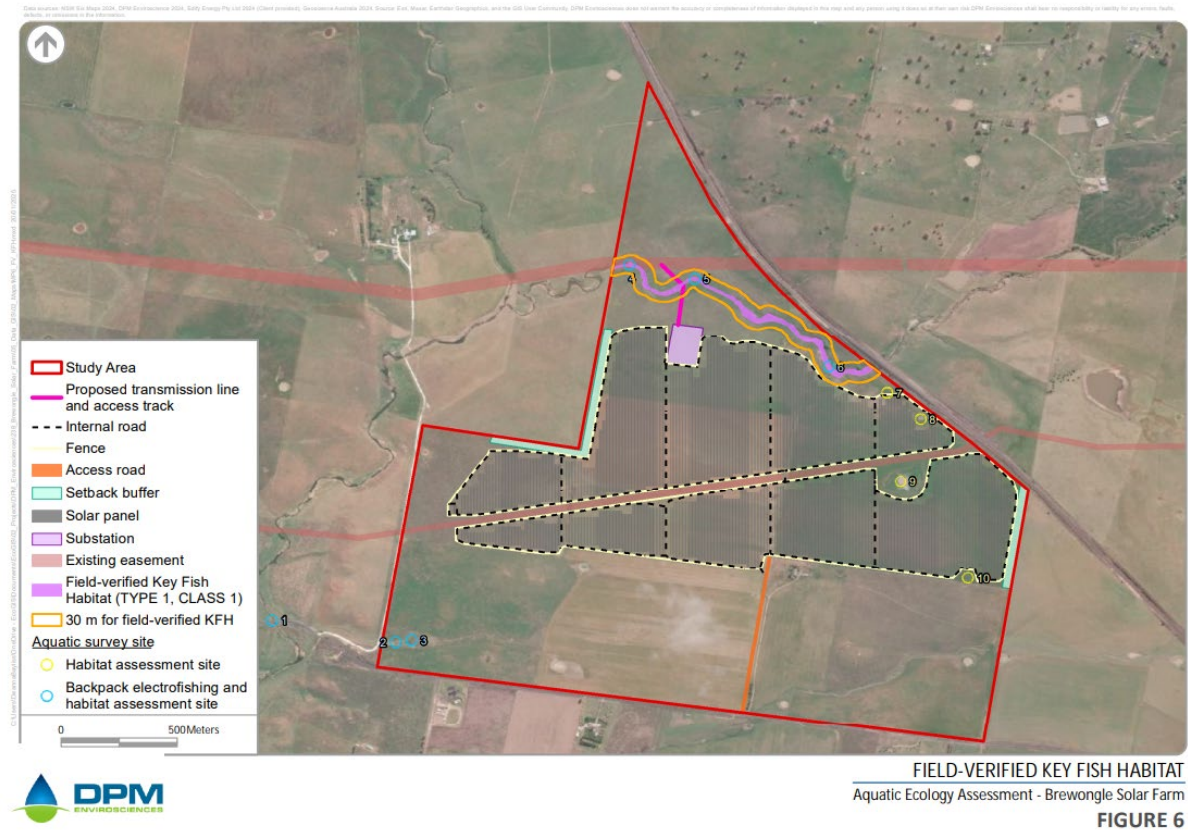
The proposal includes permanent infrastructure with potential for generating human waste (toilets/showers etc). These facilities should be supported by an On Site Sewage Management designed and installed in accordance with Geotechnical Investigations.

ON SITE BORROW PITS

There is reference to “materials including gravel, aggregate and sand” potentially being sourced on site (3.4.4.2). The extent of extraction is not quantified or assessed. Should materials be sourced on site it should form part of the environmental impacts considered under the EIS.

REHABILITATION OF THE RIPARIAN CORRIDOR

The Aquatic Ecology Assessment includes measures aimed at “*rehabilitating the riparian zones of KFH within and adjoining the Impact Area with plantings of suitable trees and shrubs*”. The final form of that rehabilitation is not further quantified. Given the proximity of the proposal (30m at its closest point) those rehabilitation proposals should be quantified.



Those rehabilitation areas may also assist in mitigating the visual impacts of the development from the north and the Main Western Railway line discussed below.

VISUAL IMPACTS

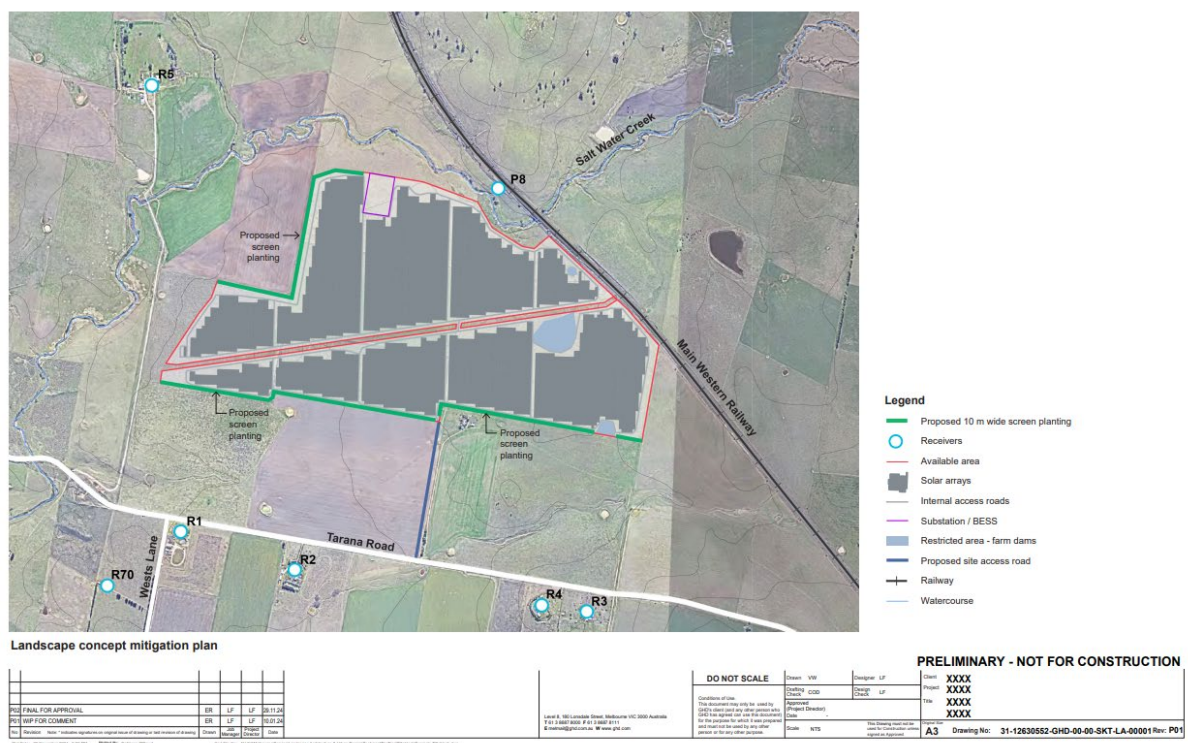
The rural landscapes of the area are highly valued. Whilst they may not contain the geographical features, significant vegetation or water considered in the Technical Supplement to be “high” scenic quality they are nonetheless considered significant in the local community. The views of the undulating agricultural landscape are just as highly valued in the region as other views considered to be of “high scenic quality”.

Characterisation of the scenic quality of the rolling agricultural areas as “moderate” understates their value within the community. Certainly, the conclusion that the scenic quality is generally “low” for the residential receivers in the vicinity (refer Table 7.7 Summary of visual impacts) understates the scenic quality of the area and would be disputed by the broader community. The Guidelines and Technical Supplement are unlikely to be reflective of community values when it comes to the value of its rural landscapes.

The proposal includes elements that are the antipathy of the “key characteristics” of the undulating agricultural landscape identified in LCZ2 ie limited building form, limited infrastructure, an expansive and open landscape with limited vegetation.

The LVIA assessment acknowledges that the magnitude of the impact is moderate and that it is *“at odds with the existing characteristic features and may have an adverse impact on landscape character. However, the change has potential to be partly mitigated”* (Table 5.2).

To mitigate views screening is proposed to the southern project boundary from Tarana Road and to the north western boundary. Landscaping to be generally undertaken in accordance with the Landscape Mitigation Plan.



There is no reference to landscaping or rehabilitation of the KFH corridor shown on the landscape concept mitigation plan as recommended in the Aquatic Ecology Assessment. Council notes the Technical Supplement recommends that mitigation is required for receivers with a “moderate visual impact rating” including public viewpoints. The Assessment indicates that the visual impact of the proposal from the Main Western Railway Line is considered “moderate” – ie whilst it may be considered “low” scenic quality the magnitude of the impact is considered very high (refer Table 7.7).

The Technical Supplement requirements have not being applied to the views from the Main Western Railway. The rationale for not undertaking mitigation is not particularly robust given:

- Proximity is 117m and the magnitude of impact is assessed as large (p54)
- The elevated nature of the Rail line meaning that the *“magnitude of views from the actual rail line is likely to be greater than assessed, proving difficult to mitigate in the short to medium term with on site perimeter planting”*.

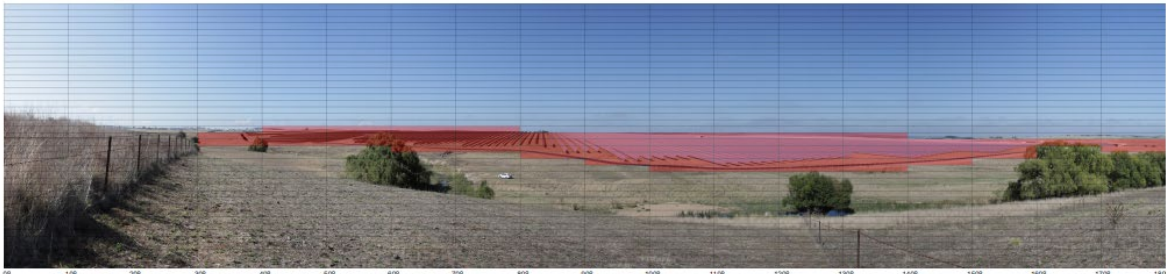
- The fact that trains may be travelling at high speed is no different to a vehicle travelling along Tarana Road. The latter warranting a 500m setback and screen planting.

The conclusion that magnitude of the impact is in fact be greater than assessed does little to support the recommendation that no mitigation is warranted.

The Technical Supplement recommends that *“if the available mitigation options would not be effective in reducing impacts or are unsuitable due to the nature of the impact (e.g. screening would result in the obstruction of views), then project redesign and/or impact agreements should be considered”*. If the available mitigation measures would not be effective the approach should be project redesign rather than excluding that impact.



Existing view



Proposed view with magnitude grid tool

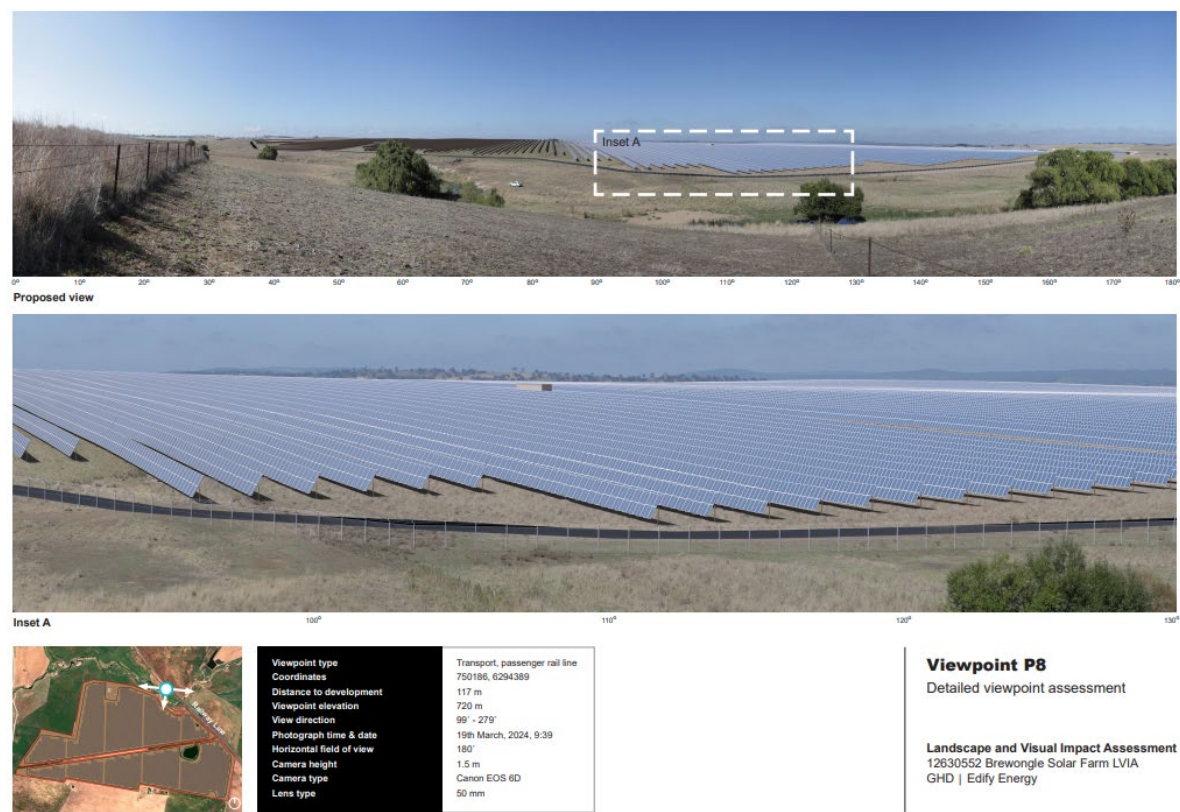


Viewpoint type	Transport, passenger rail line
Coordinates	750186, 6294389
Distance to development	117 m
Viewpoint elevation	720 m
View direction	99° - 279°
Photograph time & date	19th March, 2024, 9:39
Horizontal field of view	180°
Camera height	1.5 m
Camera type	Canon EOS 6D
Lens type	50 mm

Viewpoint sensitivity	Very low
Scenic quality	Low
Visual sensitivity	Very low
Occupied cells	59
Magnitude rating	Very high
Impact rating	Moderate

Viewpoint P8
Detailed viewpoint assessment

Landscape and Visual Impact Assessment
12630552 Brewongle Solar Farm LVIA
GHD | Edify Energy



It is also worth noting that the representative location shown for viewpoint 8 (from the Main Western Railway) is at point where the solar panels are located 117m from the line itself. At points to the east of this location the solar panels are located immediately adjacent to railway line for a distance of approximately 750m. It is unclear whether the panels would be visible from this section of the railway line. No mitigation or setback is proposed along this section.

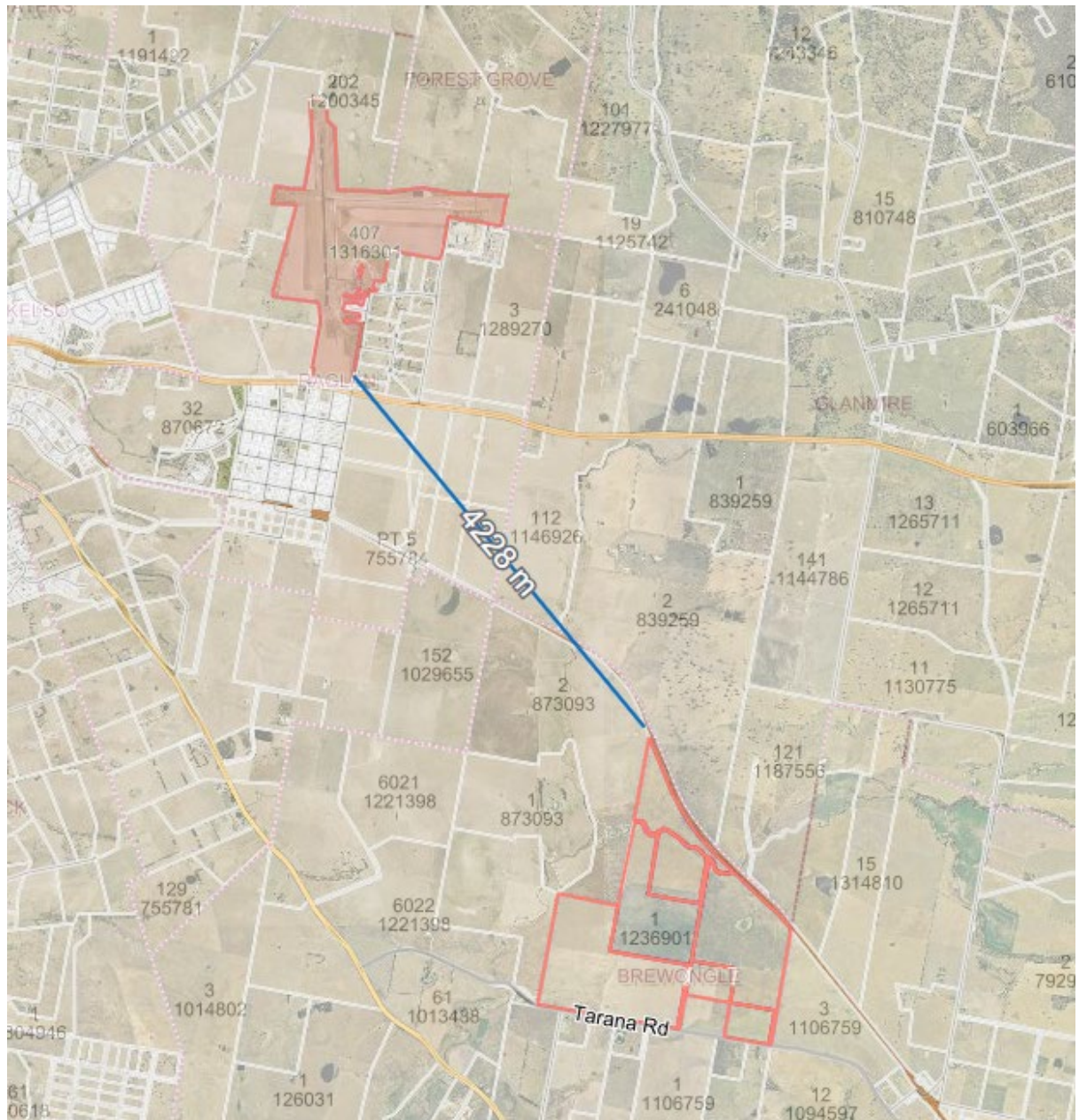
The LVIA references 3 nearby renewable projects being the Glanmire Solar Farm (approved), Central West Pumped Hydro and Panorama Battery Storage System. The “cumulative impact” of the proposed Sunny Corner Wind Farm has not considered.

The reference to utilisation of “agri-solar” for the purposes of mitigating the visual impact is largely meaningless. The visual impact is associated with the solar panels and infrastructure. The fact that livestock may or may not graze beneath the panels does nothing to mitigate its impacts. Solar panels are incongruous in the context of the rural landscape. That will remain the case notwithstanding the mitigation measures.

Of the 10 private residences identified as requiring detailed assessments only 2 have provided access to enable visual assessment. The adequacy of the assessment and the impact at these properties is therefore likely to be disputed by residents.

GLINT AND GLARE

No glint and glare assessment has been undertaken for Bathurst Airport. Bathurst Airport is not even mentioned in the Assessment. Whilst the Large Scale Solar Guidelines suggest an assessment of impacts for airports within 5km Council would urge a precautionary approach is warranted in this case. Bathurst Airport is located to the north west of the proposal.



Council considers that an assessment of glint and glare Bathurst Airport is warranted.

FLOODING

Council notes a number of anomalies with Tables 5.1 Peak Flood Depth and 5.2 Peak Flow Velocity including

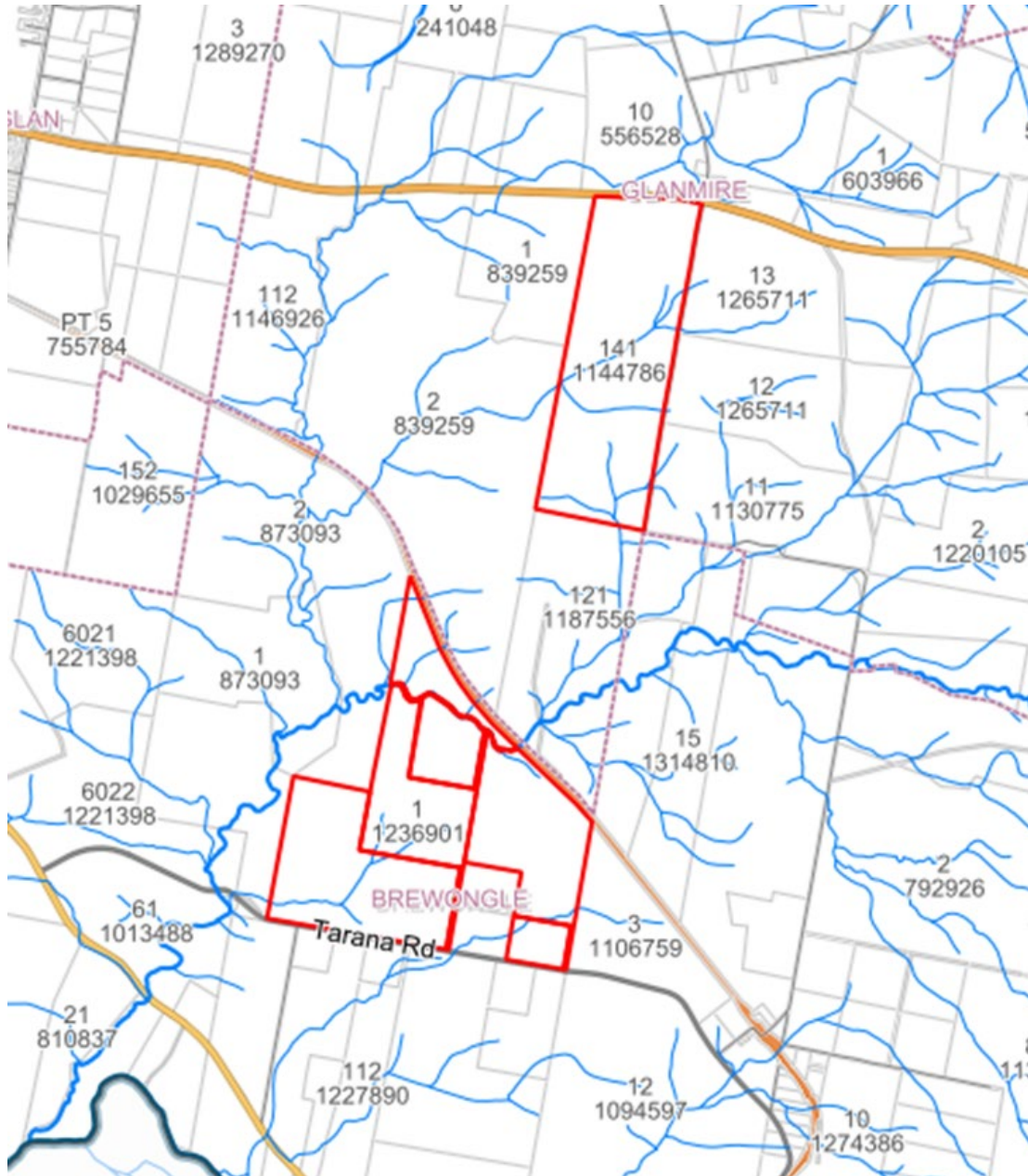
- the peak flood depth at the site access for a 5% AEP as 0.09m and the change in peak flood of -0.24m . This would mean the water is 0.15m underground which isn't plausible.
- at BESS 1 the change in peak velocity would suggest the water starts running backwards with a negative velocity of -0.11m/s for the 5% AEP and stands still for the 1% AEP
- Table 5.1 generally records higher changes in peak flood depth for the 5% AEP compared to the 1% AEP where across the majority of the sites no change in peak flood depth is recorded for the 1% event
- Concern is raised that the design event does not represent the worst-case scenario for the site

Whilst the assessment includes consideration of impacts in the immediate vicinity of the project changes to peak flood levels and velocities have not been provided at the extent of the development to assess impact on outflows. For example, no flood level or impact is recorded at the outflow of Salt Water Creek from the site, nor the two southern tributaries. Generally speaking, pre and post development flows should be unchanged to ensure excess runoff is not entering the catchment and changing the flow behaviour of Salt Water Creek.

Section 4.4 Development Flood Behaviour notes the only change to the baseline hydraulic model to represent the development was changes to Mannings 'n' value for infrastructure areas. No assessment has been made of the additional hardstand area and concentration of runoff likely to be caused by the solar panels. These represent a significant increase to impervious area across the site.

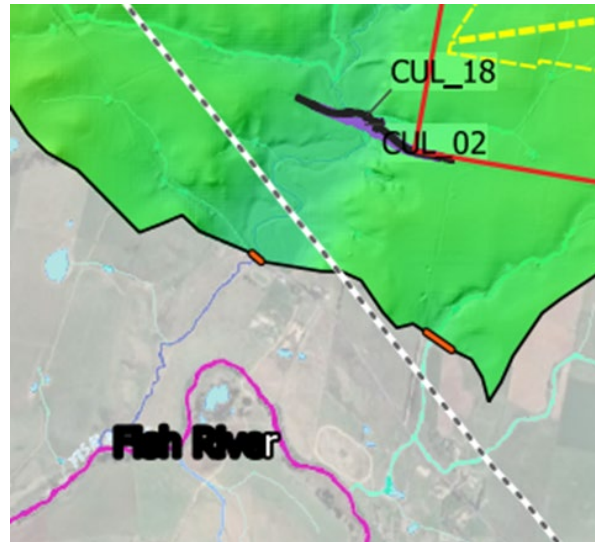
Whilst there is reference to consideration of the cumulative impacts of other developments the modelling does not appear to include the impacts from the Glanmire Solar project (approved).

Both the Glanmire Solar and Brewongle Solar proposals drain to Salt Water Creek, to the bridge on Tarana Road (to be replaced) and beyond to O'Connell Road and the Macquarie River. The respective project locations and tributaries are below.



Whilst assumptions have been made on the impact of additional flooding on the upgraded Salt Water Creek bridge that does not appear to include any cumulative impacts with Glanmire Solar.

Concerns have been expressed to Council by residents located on southern side of O'Connell Road whose properties are currently impacted by flooding from Salt Water Creek. Those residents have expressed concerns that the project (together with the Glanmire Solar project) will exacerbate those issues. Those properties are beyond the current modelled extent which currently ends at the bridge over O'Connell Road.



The potential cumulative impacts on the properties to south of O'Connell Road should be modelled and assessed.

CONSTRUCTION WATER

The project requires 21.7 ML of water during construction predominantly sourced from BRC.

Council confirms that water required for this project can be accessed through Council's bulk drinking water supply, with filling locations on Hereford Street between the Macquarie River and Gilmour Street. A bulk water permit must be obtained from Council prior to accessing this supply. Consumption charges apply in accordance with current fees and charges (currently \$5.75 per kilolitre, subject to change). Relevant information regarding the permit application process and bulk water supply is available at <https://www.bathurst.nsw.gov.au/Services/Water/Accessing-Bathurst-Water>

TRANSPORT IMPACT ASSESSMENT

Cumulative Impacts

The developments considered in Section 4.2.4 Cumulative Traffic Impacts should be reviewed. It includes a number of distant developments eg, Tallawang and Stubbo Solar Farms and has not consider other SSD Wind Projects eg, Sunny Corner Wind Farm and those to the south in Oberon LGA. Many of these rely upon the same access routes as this proposal.

Proposed Roundabout at the intersection of Littlebourne and Hampden Park

Council has been in discussions with TfNSW in relation to the upgrading the intersection of Littlebourne Street and Hampden Park Road to accommodate a new roundabout. A preliminary design has been completed and is awaiting the outcome of property acquisition and TfNSW approval. The current OSOM assessments has not considered this proposed roundabout.

Tarana Road and Salt Water Creek

As noted in the EIS the existing bridge over Salt Water Creek does not meet the structural requirements for B-Doubles or OSOM vehicles required during the construction phase.

Whilst Council is currently progressing the design of the bridge upgrade, construction is contingent upon acquisition of land to accommodate the bridge approaches and identification of a funding source. Whilst Council has commenced the acquisition process it has been impacted by issues surrounding the Crown land. Similarly, a funding source has yet to be identified. The most likely source will be grant funding. There is no clear timetable for resolution of those issues.

Accordingly, for present purposes the use of Tarana Road for B-Double and OSOM traffic cannot be supported until such time as the bridge over Salt Water Creek is upgraded.

Need to identify alternate routes to Tarana Road/Salt Water Creek

On the basis that the bridge over Salt Water Creek is not upgraded prior to commencement of construction alternative routes need to be identified. Council does not consider access to the site from the east to be acceptable. To the extent that alternate routes such as Wests Lane have been canvassed with Council in preliminary discussions that does not form part of the proposal under consideration.

Council would consider that Brewongle Lane is not suitable for use for construction traffic. Management controls should be implemented to discourage its use particularly for light vehicles to and from the east.

Applicability of Section 7.11 Contribution Plans

BRC has 2 adopted Section 7.11 Contributions Plans that are of relevance to the project.

Bathurst Regional Traffic Generating Development Section 7.11 Contributions Plan applies to the RU1 Primary Production Zone. For the purposes of the Plan traffic generating developments are those that generate additional traffic movements above levels of traditional agricultural or residential activities. Council considers that the Section 7.11 Plan should be applied to the proposal given the amount and type of traffic generation during the construction phase with a contribution based on the expected weights and volume of heavy vehicles.

Bathurst Regional Rural Roadworks Section 7.11 Contributions Plan applies to the RU1 Primary Production Zone. Whilst the Plan would not apply to this particular development type it is worth noting that the Plan identifies both Brewongle Lane and Wests Lane as requiring upgrading works.

TMP

Council would support the foreshadowed pre-condition survey of its roads prior to commencement. The obligation to repair any damage should be explicit.

Property entry

Entry into site limited to “*temporary hardstand on the southern side of Tarana Road to accommodate OSOM vehicles*”. Council would suggest that treatment should include sealed shoulders.

BUSHFIRE ASSESSMENT

Council acknowledges that the property is not currently identified as being bushfire prone.

Council is currently in discussions with the RFS in relation to the re-certification of it Bushfire map. As part of the re-certification grasslands will be mapped as being bushfire prone.

ECOMONIC/SOCIAL IMPACTS

The Economic Assessment and Social Impact Assessments do not consider the cumulative assessment of other SSD wind turbine proposals within the vicinity of the project (of which there are several).

Nearby SSD projects (Glanmire Solar and McPhillamys Gold for example) have included conditions requiring the preparation of an Accommodation and Employment Strategy. A similar condition is warranted for this project.

PROXIMITY TO RAIL CORRIDOR

There is no reference in the EIS as to the applicability or otherwise of *Division 15 Railways and Subdivision 2 Development in or adjacent to rail corridors*. Given the proximity of the development to the Main Railway Line the applicability of the Division and the NSW Planning *Development Near Rail Corridors and Busy Roads – Interim Guideline* should be explicit.

Yours faithfully



David Flude
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES