



Office of the General Manager

BM:LD:AA | SSD-23700028

24 November 2022

Attention: Nestor Tsambos
NSW Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy St
PARRAMATTA NSW 2150

Dear Nestor,

SUBJECT: TALLAWANG SOLAR FARM (SSD-23700028)

Thank you for providing Mid-Western Regional Council (Council) with the opportunity to provide comment on the Environmental Impact Statement (EIS) for Tallawang Solar Farm (SSD-23700028). Council has reviewed the documents and wishes to lodge an objection to the application.

REASON FOR OBJECTION

Council objects to the proposal as the provided documentation is both inaccurate and inconsistent, further it fails to appropriately consider the cumulative impacts of surrounding renewable energy projects within the region.

A significant proportion of the data used continuously draws upon outdated sources. To list a few, the reports have drawn upon 2016 census data, tourism data from 2017/2018, household expenditure data from 2015/2016 and outdated accommodation data among many other inaccuracies. In particular, the current unemployment rate was identified as 6.3% within the SIA and 4% within the EIS where the actual unemployment rate is currently 2.3% (June 2022). Ultimately, the use of such data has led to the creation of many misleading assessments, skewing predicted accommodation requirements and local employment ratios along with many other predicted impacts.

To further speak to the inaccuracies throughout the documentation, the provided EIS has identified multiple sources of infrastructure that simply do not exist. Gulgong is said to have an IGA and Coles supermarket, hospital and 8 commercial accommodation providers. Gulgong has only a small IGA supermarket (no Coles Supermarket) and a Multi-purpose Service (not a Hospital). Likewise, Dunedoo's Medical Centre has been categorised as a hospital when it is actually a single doctor operated Multi-Purpose Service (MPS). Additionally, the report identifies there are 20 flights between Sydney and Mudgee each week when there are only between 6 and 10. Such discrepancies have exaggerated the capabilities of Mid-Western Region to cater for such a large scale project.

In conjunction to the multiple inaccuracies identified, the provided documentation has further inconsistencies. The identified inconsistencies are as follow;

- Varying study areas identified throughout the EIS, SIA and EIA. The same study area should be included in both the EIA and the SIA.
- An estimated 175 non-local employees according to the EIS (Pg.98) whereas according to the SIA there will be 290 non-local employees (Pg. 96)
- Pg. 38 of the EIS identifies a commencement date Mid-December 2024 whereas Pg. 48 of the same document identifies June 2023
- The SIA suggests occupancies rates are decreasing whilst the EIS acknowledges they will increase

Further, a majority of the Mid-Western Region has been identified as a Renewable Energy Zone (REZ), ultimately leading to an influx of renewable development. Consequently, Tallawang Solar Farm must consider the cumulative impacts of all surrounding development to make a fair assessment. The provided documentation has failed to do so, as cumulative consideration for; the impact on roads, workforce movements and accommodation has not been provided.

As such, the provided documentation is undoubtedly inaccurate, inconsistent, incomplete and ultimately misleading. It is in considering this that Council strongly objects to the proposal.

In addition, the following comments have been made in assessment of the documentation provided.

FURTHER INFORMATION REQUIRED

Council requests the following information prior to the determination of the proposed development;

- Council request the mentioned Accommodation, Workforce & Procurement strategy be provided prior to the determination of the proposed development so a proper assessment can be made. There are a number of issues raised in the EIS and SIA where the mitigating measure is the development of this strategy. This strategy is critical to the project and needs to be completed and reviewed prior to determination.
- Council request the proponent revise the SIA to include both Mudgee and Dubbo within the projects identified area of social influence. These areas are included in the Economic Impact Assessment and will be socially impacted due to the proposal of workforce and accommodation to be based in these towns.
- Council request the SIA provide an assessment on the projects impact to medical health services. This should be addressed under Pg. 100, 4.12 – Community Health and Wellbeing.
- Council request a revision of the project's risks identified under 2.7 Project Risks and Uncertainties of the EIS. There is currently only 1 risk identified and this is an inadequate assessment for the project.
- Council request the proponent further revise the SIA to accurately reflect the perceived population change.
- Council request waste volumes be included within the EIS.

The above requests further provide testament to the incomplete nature of the documentation provided and Council's reasoning for objecting.

WORKFORCE/ACCOMMODATION

The EIS notes there will be an estimated 580 workers during the peak construction period, which is expected to run for a period of approximately 34 months. The EIS has proposed that accommodation be sourced from surrounding towns within the Mid-Western Region

during this period. Council is strongly concerned with this aspect of the project as there is currently a severe shortage of appropriate accommodation in the region for tourism, made worse by the competing demands placed upon accommodation availability by State Significant Developments (SSD) and other major project construction workforces for developments approved by Council. As mentioned above, there are varying numbers quoted in the provided reports of between 175 and 290 beds required, however Council believes this number will be much higher due to the low unemployment rate in the region. Using the data provided in EIA report, the proponent states that the project will require up to 9% of total tourism beds in the study region. What the proponent fails to address is that there are 13 projects within and surrounding the Mid-Western Region looking to construct at the same or similar time, if all these projects utilised 9% of the local tourism beds, this is 121% of tourist beds in Dubbo and Mudgee.

This shortage/competition will be particularly evident during the construction phase which coincides with the peak construction periods of several other SSD projects in the region that are either approved or in the assessment/consultation phase, with more projects being planned every day aiming to meet the objectives of the Renewable Energy Zone, including:

- Wollar Solar (400 workers)
- Stubbo Solar Farm (400 workers)
- Burrendong Wind Farm (450 workers)
- Barney's Reef Wind Farm (340 workers)
- Bellambi Heights Solar (400 workers)
- Birriwa Solar Farm (800 workers)
- Valley of the Winds Farm (400 workers)
- Central-West Orana REZ Transmission Project (workers 650)
- Liverpool Range Wind (800 workers)
- Uungala Wind (250 Workers)
- Bowdens Silver (320 workers)
- Local Coal Mine expansions (250 workers)

In total, the projects above require up to 5,460 workers with the majority needing to be housed in the Mid-Western Region LGA and does not account for the workforces of additional significant projects such other mine expansions, the Inland Rail and other significant local construction projects approved by Council or surrounding LGAs. Considering this, Council strongly objects to the utilisation of tourism accommodation within the Mid-Western Region. Despite Council raising this issue with many State Significant proponents the issue remains unresolved, and yet more projects are being approved – with no solution.

AGRICULTURE

The EIS indicates that the subject site is classified Class 3 - 6 under the land and soil capability assessment scheme. It is important to note that as the Mid-Western Region has no Class 1 land and only a small amount of Class 2 land, classes 3-6 have greater agricultural value within the Region compared to other regions.

Council requests an economic analysis be provided to demonstrate the impact of removing 1,370ha of valuable agricultural land from the local economy, as this has not been included within the EIS.

WASTE

The EIS notes that the Gulgong, Mudgee and Kandos Waste Facilities have been identified as potentially available facilities for the disposal or management of wastes. In this regard,

Council wishes to advise that none of the referenced facilities are appropriate or capable to handle the disposal of wastes generated by the project. Gulgong and Kandos Waste Facilities are not landfill facilities, accepting mainly general residential type wastes such as household garbage, paper and cardboard. Further, all material deposited at these facilities are transported to Mudgee's Waste Facility. The Mudgee Waste Facility has no capacity to take large quantities of material likely to be generated by the project as the capacity of the existing Waste Cell is almost exhausted.

Despite the matter being raised with previous State Significant proponents, waste continues to be delivered to Mudgee Waste Facility. If this continues, the existing cells capacity at the Waste Facility will be quickly exhausted. This will require Council to prematurely expand/develop new cells, much earlier than budgeted/planned - which has significant cost implications to Council, and its ability to adequately service its residents.

Council requests that a condition be placed on the consent, stipulating that no waste derived from the development is to be disposed of at any of Council's Waste Facilities, including Mudgee Waste Facility.

VISUAL AMENITY

The proposal is said to affect the visual amenity of approximately 27 residential dwellings. Of particular concern, Flirtation Hill a core component of the Gulgong Heritage Conservation Area is to be impacted by several other renewable projects within the LGA. Council request that the proponent provide further assessment of the perceived impact to visual amenity considering the cumulative impacts of the proposed development combines with all other renewable energy projects within the locality.

DECOMMISSIONING AND REHABILITATION

Council requests a decommissioning and site restoration plan be provided. Such a plan should be prepared and conditioned to include the following, at a minimum:

- The anticipated present value cost of decommissioning works, along with an explanation of the calculation of that cost (including a buffer for changes in market values/ inflation).
- The physical plan for decommissioning, prepared or certified by an engineer, confirming that full remediation/ restoration of the site to its former primary production use/ class land capability is possible.
- Commitment to a financial security to cover the cost of decommissioning.
- Management and waste reduction initiatives as to where generated waste will be disposed and/or recycled, without impacting on local waste facilities and in accordance with:
 - Protection of the Environment Operations Act 1997
 - Protection of the Environment Operations (Waste) Regulation 2014
 - Waste Avoidance and Resource Recovery Act 2001
 - NSW Environment Protection Authority (EPA) Waste Classification Guidelines

Ideally, the above information should be updated every 5 - 7 years to keep up with changes.

Further, it is noted in the final EIS that the project complies with Ecologically Sustainable Development in that "The Project would benefit future generations by reducing the reliance on energy sources derived from non-renewable resources, which produce GHG emissions." (Umwelt, 2022, p.206). And that "Once decommissioned, the land within the development footprint can be rehabilitated to its current use if required thereby allowing for either continuation of renewable energy generation or a return to agricultural production, both of which would provide benefits for future generations." The EP&A Act requires the consent

authority to consider matters of relevance to the public interest. Matters of public interest have been held to include intergenerational equity.

Inclusion of a designated “Rehabilitation Fund” held in trust to ensure that future generations can financially provide for the rehabilitation of the Tallawang Site following decommission should be included in the RMP to satisfy the EP&A Act requirement to include intergenerational equity and “that current and future generations should live in an environment that is of the same or improved quality than the one that is inherited.”(Umwelt, 2022, p.204).

COMMUNITY CONSULTATION

Council requests that community consultation is ongoing to ensure that the community has current and accurate information about the project and to provide feedback on the proposed project including traffic, construction or social impacts. As such, consultation should include the provided impact area including Mudgee where the proponent proposes to source and house workers.

BIODIVERSITY MANAGEMENT PLAN

It is noted that the proponent (RES) is required to enter into the BOS and they have a number of ways in which they may do this. RES have not made a decision as yet as to where they would direct biodiversity offsets but would prefer land based offsets through Stewardship agreements rather than retiring biodiversity credits. Council are planning on taking part in the National Recovery Plan for the listed Koala (subject to grant funding) and it would be highly regarded if RES were to consider direct biodiversity offsets within the MWRC LGA, to be negotiated at a later date, to enhance this long term and broad scale project. Other options could include restoring, enhancing and reconnecting CEEC White box-Yellow box-Blakelys red gum Woodland and EEC Grey box Grassy Woodland within the Mid-Western Region LGA through joint planting, weed control and seed collection initiatives with MWRC. Further consultation would be welcome.

Vegetation screening of perimeter fences has been noted of importance in the Social and Visual Impact Assessments. Vegetation screening could provide connectivity between fragmented patches of Endangered Ecological Communities, corridors for native wildlife and the establishment of an ongoing seed bank. Inclusion of a vegetation screening plan in the BMP would be highly regarded by council. Council should be consulted for guidance on a suitable species palette and assistance with sourcing endemic tube stock.

Inclusion of nest boxes particular to the impacted threatened arboreal fauna species, spotted tailed Quoll, within the remnant woodland of the proposed footprint could help to mitigate feral animal predation for any wildlife which manages to scale the security fencing into the solar farm.

Inclusion of nest boxes particular to threatened avian and bat species Regent Honeyeater, Large eared Pied Bat and Corben’s Long-eared Bat within the remnant woodland of the proposed footprint could also help to provide connectivity and refuge for wildlife and mitigate the impact of fragmentation of habitat.

SOCIAL IMPACT MANAGEMENT PLAN – MEDICAL SERVICES

The Social Impact Study and Cumulative Impact Study for Tallawang Solar Farm notes access to health care as being of likely high impact to communities within the Mid-Western LGA. Brief consultation with three medical centres in the area identified that access to Telehealth for the transient workforce during the construction phase of the Tallawang project would help to ease an already burdened primary health care system in the area. It is well known that medical staff

are difficult to recruit and retain within the LGA. New patients are currently not being accepted at Southside Medical Centre Mudgee for at least 3-6 months which is causing an increase in presentations to Mudgee Medical Centre and Gulgong Medical Practice where capacity cannot keep up with demand.

We request RES to consider providing accessible GP and allied health care to its construction workforce, so that no further demand is placed on the current medical practices. A private Telehealth contract may be considered predominantly for minor acute matters such as securing medical certificates, filling scripts, common ailments requiring non-hospital based care and other matters such as psychology, counselling and access to mental health care.

SHEEP GRAZING VEGETATION MANAGEMENT PLAN

Can RES please include how they will ensure sheep safety while grazing within the solar farm as per the "Australian Guide to Agrisolar for large scale Solar 2021". Reference is made particularly to previous known incidents where sheep's wool has become entangled within motor units and moving parts of the solar arrays causing serious injury/death or horns have become entangled in cables which has led to incidences of strangulation. Measures such as motor guards and ensuring conduit over cables as well as standard sheep welfare measures should be included as part of the Sheep Grazing VMP provided to Council.

ENGINEERING CONDITIONS

1. Figure 4.1 & 4.2; Jacksons Lane intersection concept - proposed upgrade of Jacksons Ln to site access point is currently shown as unsealed. Council will require this section to be two coat sealed. Conditions will require;
 - a) Prior to the issue of construction certificate, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of the longest vehicle entering and exiting the site.
 - b) The Applicant must complete the road infrastructure upgrade works approved under SSD conditions to the satisfaction of Council.
Note: The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.
2. Prior to the commencement of any construction, the Applicant must:
 - (a) Consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) Prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, drainage); and
 - (c) Submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.
3. Protection of public infrastructure - Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
 - (a) Repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development, including excessive wear and tear to roads; and
 - (b) Relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

4. Protection of property - unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.

As workforce accommodation has not been established the workforce transport plan is not in place. Depending on where workforce is to be located future engineering conditions may be necessary depending on routes agreed.

SEWERAGE DISPOSAL

It is recognised that sewage will be pumped out and disposed of at a Mid-Western Regional Council facility. Council would need to confirm staging and estimated construction staff to calculate whether Gulgong Sewage Treatment Plant have capacity to accept this additional inflow. Council request the proponent consult with Council in regard to this matter prior to determination. However, it is possible the treatment facilities will not have adequate capacity to take in waste.

WATER SUPPLY

Council request a quality assurance program (QAP) for the treatment and provision of water to workers is provided. If the proponent wishes to draw from Council's water supply consultation with Council in regards to this matter is required prior to determination.

The proponent further notes water will be sourced via a local provider. Council seeks clarification as to who the provider will be and notes the use of Council supplied local portable water is not supported.

VOLUNTARY PLANNING AGREEMENTS

Council notes under 2.4.6 of the EIS that RES have not proposed to enter into a voluntary planning agreement (VPA) with Mid-Western Regional Council. Council strongly opposes this and suggests a VPA is appropriate. The identified Community Shared Benefit Strategy identifies initiatives such as; the upgrading of roads, installment of playgrounds, improvement of sports fields and investment in aquatic centers, these are typically types of infrastructure funded and delivered by Council. Such amenities are not typically funded by private bodies as they have ongoing maintenance cost and risk mitigation responsibilities. A more appropriate means to deliver the identified initiatives would be through a VPA with Council. Further, the project will increase burden on residents across the entire LGA and on Council resources including roads and other infrastructure. It is therefore fair that Council seeks a direct Planning Agreement that will acknowledge these impacts and rising costs of hosting such developments. Funds raised through Planning Agreements are allocated and utilised for public benefit.

Should you have any further enquiries in relation to this matter, please contact Council on (02) 6378 2850.

Yours sincerely,



BRAD CAM
GENERAL MANAGER