



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEE NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

Office of the General Manager

LP | LAN900140

19 October 2023

Nestor Tsambos
Energy Assessment
Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Nestor,

**SUBJECT: Advice on Amendments to the Environmental Impact Statement;
Birriwa Solar Farm SSD-29508870.**

Thank you for providing Mid-Western Regional Council (Council) with the opportunity to comment on the Amendments to the Environmental Impact Statement (EIS) for Birriwa Solar Farm SSD-29508870. Council has reviewed the documents and would like to provide feedback for consideration.

Council would like to thank and acknowledge ACEN for considering and addressing a number of Council concerns regarding this project, in particular housing and accommodation.

Council is supportive of a temporary workers accommodation camp including a medical center and 24-hour nurse practitioner who can prescribe medications. Council strongly recommends the implementation of telehealth services for workers and residents to access GP's and medical services 24hours.

Council notes the accommodation camp includes a licenced premise. Council strongly encourages ACEN to work with NSW Police on appropriateness of this facility and follow best practice of this type of venue in a temporary workers camp.

Water & Waste

Council acknowledges there are significant volumes of water and waste to be disposed of from both construction and the accommodation camp.

Sewage:

Council advice is that Gulgong Sewage Treatment Plant (STP) does not have any facilities to receive septage or sewage collected/tankered from sites not serviced by the town sewage collection system. In the Mid-Western Region, Mudgee STP is the only site that can receive such tankered waste.

Mudgee STP has an existing septage disposal facility designed to receive up to 20KL/day of tankered sewage/septage. This facility has been designed to receive septage from Council's rural domestic customers and as such any capacity made available to this commercial project will need to be via consideration of STP upgrades at the developer's cost.

If STP upgrade is not funded by the Developer, Council requires the developer to have suitable sewage treatment and treated effluent application facilities onsite without sewage transfer to Council facilities, as Mudgee STP has no capacity to accommodate additional loading of 125,000L of sewage per day at this point in time.

Potable Water:

Council notes the requirement of 125,000 Litres of potable water is required per day for the accommodation camp.

Council advises it does not have the capacity to support this quantity of water from the local water treatment plant. Potable water will be required to be sourced from alternate sources and cannot be sourced from local water carters accessing Council's potable supply. ACEN may require purchasing a water license to access additional water for this project.

Construction Water:

At this point in time, ACEN should not be relying on Mid-Western Regional Council sources (directly or through third parties) for construction activities, as the capacity to supply this does not exist. Council is willing to discuss this issue further with ACEN to investigate alternative opportunities for construction water sources.

Camp Waste:

Council wishes to advise that none of its waste facilities are appropriate or capable of handling the disposal of landfill or accommodation camp waste generated by the project. Recyclable materials may be able to be accepted at Mudgee Waste Facility, with pre-approval from Council.

Roads and Transport

Council is unable to assess the application for reasons set out below. The Proponent is required to update the reports and appendices as per the below and correct all inconsistencies between the report and documents. Once this is completed Council will assess the application.

Sept 2023 Submissions Report & Amendment Report (TO BE AMENDED)

Submissions Report S4.10.2 cumulative impacts – points to the EIS Appendix H TIA taking into account within the traffic modelling cumulative impact of adjacent projects.

The EIS Appendix H TIA does not provide for cumulative AADT (Annual Average Daily Traffic) on Barneys Reef Rd, Birriwa Bus Route & Birriwa Bus Route South.

The cumulative AADT must consider

- Existing traffic counts on Barneys reef Rd, Birriwa Bus Route, and Birriwa Bus route South. The proponent is required to undertake a traffic counts program.
- Cumulative impact of out of work hour traffic movements from 500-person accommodation camp on Barneys reef Rd, Birriwa Bus Route, and Birriwa Bus route South.
- Cumulative impact of nearby renewable energy projects with overlapping construction periods.

Both Submissions Report and EIS Appendix H are to be updated and resubmitted to consider the above to determine extent of road carriage way upgrades required. Council requires road upgrades to be in accordance with Austroads Guide to Road Design Part 3 – 4.2.6 Rural Roads Table 4.5. and be bitumen sealed.

Any inconsistencies between documents and quoted worker and traffic counts are to be corrected.

EIS Appendix C design (REJECTED)

The proponent is required to amend this design and resubmit for correct road upgrade cross section in accordance with cumulative AADT as required above and Austroads Guide to Road Design Part 3 – 4.2.6 Rural Roads Table 4.5.

Intersection geometry to be amended, if required, in accordance with amendments required to EIS Appendix H and Appendix O noted below.

EIS Appendix H TIA (TO BE AMENDED)

No intersection analysis has been done to determine upgrades (if required) to the intersections of Barneys Reef Rd/Birriwa Bus Route and Birriwa Bus Route/site entry. Intersection analysis to include for peak period traffic movements for construction and worker traffic generated by

Existing traffic conditions for this project, including construction/worker traffic during work hours as well as the 500 people on site accommodation outside of work hours
other nearby renewable energy projects with overlapping construction periods

Widening of carriageways may be required. Private land acquisitions (if necessary) for road widening and/or re alignment is at the cost of the Applicant.

Appendix D OSOM (Over Size Over Mass) assessment (REJECTED).

S1.1 Limitations of Report specifies the report provided is based on traffic count data provided by ACEN. It is unclear as to what traffic count data is relied upon. The proponent must ensure this report is updated and in accordance with the amendments required above.

Table 3.1 Key locations of OSOM route does not consider turning movement from Barney's Reef Rd into Birriwa Bus Route. The proponent is to undertake swept path analysis for the longest vehicle entering and existing this intersection. Given 40 x OSOM movements per day it is not acceptable for OSOM to cross the road centre line in turning movements.

Table 3.1 key locations of OSOM does not consider road geometry of Birriwa Bus Route South. The proponent is to undertake swept path analysis to ensure safe navigation of the corners, notably the 90-degree corner. it is not acceptable for OSOM to cross the road centre line in turning movements.

Table 3.1 key locations of OSOM route does not consider site access location. The proponent is to provide swept path analysis for the longest vehicle entering and exiting the site. it is not acceptable for OSOM to cross the road centre line in turning movements.

Widening of carriageways on curves to suit heavy vehicles may be required. Private land acquisitions (if necessary) for road widening and/or re alignment is at the cost of the Applicant.

Further to the above it is noted:

All road upgrade works must be completed prior to issuing construction approval for the energy infrastructure and will require approval under s138 of the Roads Act.

Prior to issuing s138 approval for road upgrade works Council will require from the Applicant the following:

- A detailed assessment of any transport impacts to the site access routes, site access points particularly in relation to the condition and capacity of the roads, road safety and performance.
- A geotechnical report confirming existing pavement conditions and upgrade road design to support max OSOM.
- 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.
- Evidence the Applicant has completed any land acquisition necessary for the road infrastructure upgrade works.
- A detailed REF assessment, including environmental assessment and cultural heritage assessment, of any roadside environment to be impacted by the road upgrades to the site access routes.

Prior to issuing s138 approval for electrical transmission infrastructure within the road reserve Council will require from the Applicant the following:

- Design plans to the satisfaction of the relevant road's authority
- Evidence the Applicant has completed any land acquisition necessary for the infrastructure upgrade works
- A detailed REF assessment, including environmental assessment and cultural heritage assessment, of any roadside environment to be impacted by the works

Other conditions:

Prior to the commencement of any construction, the Applicant must:

- Concurrence from TfNSW (Transport for NSW) for any works to the intersection at Castlereagh Hwy
- 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;
- Prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, drainage); and
- Submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.

Protection of public infrastructure - Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- 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
- Relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated because of the development.

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.

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

Yours sincerely,

A handwritten signature in black ink, appearing to be 'BRAD CAM', with a long horizontal flourish extending to the right.

BRAD CAM
GENERAL MANAGER