

18 April 2013

**The Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001**

Dear Sir/Madam

**Submission in Response to the EIS on the proposed Nyngan Solar Plant  
(Application Reference Number SSD-5355)**

Thank you for the opportunity to table this Submission on the proposed Nyngan Solar Plant.

The \$300 Mil Nyngan Solar Plant has a capacity of 106 MW and will produce about 231,000 MWh of electricity per year. It covers an area of 300 ha.

The project will be located within the Bogan LGA and has socio-economic consequences for Bogan Shire Council ('Council') to manage.

Council believes the proposal has merit however our ultimate support is contingent upon prior agreement being reached with the Proponent, AGL Energy Limited (AGL), on several key issues, namely:

- a) That the facility access road turnoff from the Barrier Highway is upgraded to accommodate the type and frequency of construction traffic generated by the Proposal;
- b) That more workforce modelling studies are undertaken to ascertain the source of labour and the subsequent impacts on short term accommodation supply and the provision of Council services; and
- c) That the Proponent makes a fair and equitable financial contribution to Council via a Voluntary Planning Agreement, reflective of the impacts of the development on local infrastructure and services and to provide a net community benefit.

The Submission elaborates on these and other matters.

## 1. LAND TENURE

The EIS on page 14 states that 'AGL proposes to purchase the land' on which the solar plant is to be located. Council would appreciate knowing more details regarding the current agreement with the landholder. For instance, is there an existing legal agreement to allow the land purchase and to access the property?

## 2. ROADS AND TRAFFIC

Council understands from the EIS (pages 86-87) that the vehicle movements associated with the Proposal are as summarised in Table 1 below.

**Table 1: Traffic Movements Associated with the Nyngan Solar Plant**

Function	Heavy Vehicles	Light Vehicles
<b>CONSTRUCTION (18 months)</b>		
Employees - first 7 mths = 186		Pro rata on the numbers listed below
Employees: the following 8 mths =311 (1 mth = 233)		40-80 cars/day = 80-160 vehicle trips/day. Plus 24 shuttle buses/day (48 vehicle trips/day) assuming 80% workforce uptake & 20 person capacity (p 86-67)
Visitors		Unknown
Equipment Delivery	30 articulated & oversize vehicles/day = 60 vehicle trips/day (first 12 months) (p 86)	
<b>OPERATIONS (30 years)</b>		
2-3 Employees		Say 2 cars/day = 4 vehicle trips/day
Visitors		Minimal
Deliveries		Minimal

Council seeks greater clarity regarding:

- a) The number of private vehicles transporting construction workers;
- b) The number of shuttle bus trips likely to transport construction workers; and
- c) Evidence that assuming an 80% uptake rate of using the shuttle bus is fair and reasonable.

Council is of the view that most workers are likely to drive their own vehicles unless there is a specific Proponent Policy to discourage such a practice.

It is proposed to provide parking at the facility for approximately 110 vehicles (page 85). This is a large number of vehicles entering and departing the site during the peak 8 month construction period.

The construction traffic generated as a consequence of the Proposal is significant and means that Council seeks the road infrastructure to be of a standard that complies with *Austroads -Guide for Road Design* and *Austroads Guide to Bridge Technology*, with plans subject to prior approval from the RMS and Council.

## **2.1 Interface with the Barrier Highway**

### *a) Access Road Intersection*

In Council's view the intersection of the facility access road and the Barrier Highway, managed by the RMS, should be upgraded to appropriate Austroad design standards that will accommodate the peak construction traffic, including 30 heavy vehicles per day and at least 80 cars and say 20 buses. Such upgrading should include wide bitumen sealed shoulders for 50 m and acceleration and deceleration lanes.

### *b) Access Road Surface*

The Proponent proposes a 6 m wide unsealed, gravel access road. Being unsealed, there is a significant risk that during wet weather and after rain mud from the construction site will be trafficked onto the Barrier Highway, posing a hazard to fast moving traffic. In dry weather, particularly during construction, there is a risk of significant quantities of dust being blown across the Barrier Highway. It is recommended that the access road be constructed with a minimum 150mm thick crushed rock pavement and bitumen sealed for a sufficient distance from the Barrier Highway to prevent mud, gravel, and dirt being dropped onto the highway.



## **2.2 Heavy Vehicles and Other Project Vehicles Mixing with a School Bus and Other Buses**

It is noted that the facility site is on a school bus route (Miandetta - Nyngan). The EIS acknowledges increased risk to students boarding and exiting the bus and crossing the road due to the increased project related traffic (page 89).

Council is concerned to ensure that project –related traffic does not compromise the safety of the bus and its young passengers. It is unlikely to be appropriate to relocate the bus stops. Rather, the onus is on AGL to ensure its operations are conducted safely, hence Council requires robust safeguards to protect the school bus and its passengers. It is recommended that the Proponent provide to Council:

- a) Documented vehicle safety procedures regarding the school bus;
- b) Documentary evidence every three months of driver training regarding the school bus; and
- c) The results of three monthly independent compliance reports to verify that the vehicle transport procedures regarding the school bus are adequate and are being complied with.

Council reserves the right to impose more stringent safety standards if the audit results show unsatisfactory levels of compliance.

It is also noted that daily Countrylink bus services from Dubbo to Broken Hill and return also pass the access point to the solar plant. Evidence of bus traffic should reinforce the need for a comprehensive upgrade of the intersection including deceleration and acceleration lanes.

## **3. WASTE MANAGEMENT**

It is unclear from the EIS as to the predicted volumes of waste that will be generated by the development during the 18 month construction phase and what waste disposal facilities or resource recovery centres owned and operated by Council will be used. In order for Council to analyse the potential implications on its waste management facilities detailed waste generation data is required.

## **4. SOCIO-ECONOMIC IMPACTS**

### **4.1 Short Term Accommodation Supply and Demand**

The EIS (page 84) is deficient in examining the socio-economic impacts of the construction phase of the project, when up to 300 workers will be required over an 18 month period. Some four lines are devoted to this matter.

The socio-economic impact assessment requires more substance and should provide information on the following:

- a) What percentage of the construction workforce will be sourced from the local area? Full details should be provided on the information used to determine the percentage.
- b) Is there enough short term accommodation in Nyngan to accommodate the construction workers, given the current demands from the Tritton Copper Mine? Full details should be provided on the information used to determine the matter. If there are insufficient beds, how does the Proponent propose to address the accommodation demands?
- c) What will be the impact generated by the additional workers on Council-related services and facilities?
- d) What is the cumulative impact on workforce supply and demand given the existing Tritton Copper Mine and the proposed Scandium Project, with anecdotal evidence suggesting that the existing workforce is at or near full employment?
- e) What actions will the Proponent take to employ local tradespeople and other workers in preference to drive-in, drive out or fly-in, fly-out workers?
- f) What is the Proponent's intention regarding building a temporary camp to house construction workers?

#### **4.2 Workforce Training Program**

It is highly desirable that there is an employment benefit to the local community from the project and in particular the provision of apprenticeships or traineeships for local persons in order that the local skills and experience are enhanced and developed. Council believes that the Proponent should commit to providing a minimum of five apprenticeships or traineeships to local personnel during the construction phase with consideration given to some form of ongoing employment with the Proponent.

### **5. WATER RESOURCES**

The project is likely to use up to 150,000 litres of water per day during busiest 15 months of the construction phase, primarily for dust suppression on unsealed roads (page 100). This amounts to a total of approximately 68 ML. If water is required from Bogan Shire Council sources then it could be provided at appropriate commercial rates.

### **6. ENVIRONMENTAL IMPACTS ON FAMILY FARMS AND HOMES ADJACENT TO THE MINE**

Within proximity to the proposed facility are a number of private rural residences. Council is concerned to ensure that the environmental regulators are diligent to protect these families from unacceptable impacts.



Council seeks appropriate safeguards to be included in any development approval to protect these residents from noise, dust and visual impacts. Council supports the implementation of a Tree Screening Program as part of the construction phase of the project to ensure adequate visual barriers are established to mitigate visual amenity impacts.

## **7. PROVIDE ACCESS/VIEWING POINT FOR TOURISTS**

Once the facility is operational, Council would encourage AGL to consider allowing public access to the site, because a solar farm would be a tourist attraction. Council would like to suggest that a viewing area be established to the north side of the panels and outside the panel security fence. Such a service would be a beneficial public relations exercise for AGL. An information board would also help generate a positive tourist experience.

## **8. FINANCIAL CONTRIBUTIONS TO BOGAN SHIRE COUNCIL**

As the sphere of Government directly responsible for the day to day Governance of Bogan LGA, the management issues confronting the local Council are significant and diverse.

Whether it be roads, water and sewerage systems, waste, community buildings or recreation facilities, the availability and quality of this infrastructure impacts on the standard of living and economic prosperity of our citizens and ratepayers.

Infrastructure provision, housing affordability, workforce skills and recruitment, social and cultural cohesion, supply of essential services, town planning and amenity are just some of the key challenges confronting Council as it seeks to facilitate economic development that enhances community wellbeing and long term sustainability.

Council is keen to ensure it derives appropriate financial compensation from the Proponent, consistent with its need to provide the social and hard infrastructure required to support development.

Thus Council seeks to enter into a Voluntary Planning Agreement (VPA) with AGL whereby financial contributions are agreed for:

- a) General community enhancement to address social amenity and community infrastructure requirements; and
- b) Securing off-site planning benefits for the wider community so that the development delivers a net community benefit.

It is Council's desire to negotiate a VPA well before any project approval is granted, with the VPA outcome to be included as a specific condition within the project determination.

## **9. TRANSPARENCY IN DEPARTMENT OF PLANNING & INFRASTRUCTURE DELIBERATIONS**

Council seeks close co-operation and dialogue with the Department as it deliberates on the solar plant proposal. To this end we request:

- a) A meeting with the Department to discuss this Submission during its evaluation of the EIS and other submissions;
- b) An opportunity to comment on the Proponent's response to all submissions; and
- c) Receiving a copy of any draft consent conditions at the same time that they might be forwarded to the Proponent for comment.

These steps are important to Council as we wish to be kept fully informed and engaged in the planning decision process.

We thank you for your willingness to understand and appreciate the matters raised and we look forward to the incorporation of appropriate consent conditions being included in any development approval such that interests of Bogan Shire Council and its citizens and ratepayers are adequately protected and enhanced.

If you have any queries regarding the abovementioned matters please don't hesitate to contact the undersigned.

Yours sincerely



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