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23 November 2022

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Dear Ms Brewer

Submission in Response to the EIS on the Proposed Tallawang Solar Farm (Application No SSD-23700028)

1. Introduction

Thank you for the opportunity for Warrumbungle Shire Council ('Council') to table this Submission in response to the EIS for the proposed Tallawang Solar Farm Project ('Proposal'), planned to be located 45kms south-east of Dunedoo. Whilst the project infrastructure is planned to be physically positioned within Mid-Western Regional Local Government Area (LGA), the site is just 12 kms outside the boundary of Warrumbungle LGA and thus Council will be impacted.

It is understood the Proposal involves:

- The construction, operation and decommissioning of a solar farm with capacity of up to 500 MW, a 200 MW/400 MWh battery energy storage system (BESS) and associated infrastructure. Also, the construction and operation of the 330-kV transmission line located on the Barneys Reef Wind Farm site;
- A Capital Investment Value of \$743 Mil;
- A life span of 39 years (4 years construction/decommissioning and 35 years operations);
- Covering a land area of approximately 1,370 ha (with a disturbance area of 866 ha);
- A nearly three-year (34-months) construction period;

- An average of 270 construction jobs (with a peak of 580 over a six-month period) followed by up to 7 full time operational jobs; and
- Increases in road traffic volumes and types along the Golden Highway, Castlereagh Highway and associated local roads.

2. Overview Comments

There are some ten renewable energy projects (proposed/actual) located wholly or in part in Warrumbungle LGA. Across the Central West Orana REZ ('REZ') overall there are more than 25 proposed/actual renewable energy projects, although Council notes the EIS states the REZ-wide project number currently stands at 32 (page 9).

Whilst Council is generally supportive of renewable energy initiatives, it is unable to make an informed, considered, merit-based decision on the benefits and costs of the Proposal at this time because:

- a) Cumulative impacts arising from this proposal and a number of other proposed or actual State Significant Developments in our LGA and adjacent ones that constitute the REZ have not been adequately considered; and
- b) There have been no substantive discussions to date about the terms and conditions of a VPA.

It is because of these unresolved and significant matters that Council hereby lodges an **objection** to the Proposal. The prospect of Council subsequently reviewing its objection is dependent on whether the Proponent and DPE actively and substantively engages with Council to address, to Council's written satisfaction, and the concerns listed herein.

Lodging an objection is not a decision Council takes lightly, however experience suggests that this is the most realistic option available which provides Council with hope that its voice will be heard and acted upon by both the NSW Government and the Developer.

Subjects of material interest to Council include:

- a) Increased traffic on Shire roads and who pays for the repair costs for the additional wear and tear;
- b) How and where the DIDO/FIFO construction workforce will be accommodated;
- c) Waste volumes and types and their destination – associated with Project construction, replacement of PV modules after 15 - 20 years, the replacement of the battery components after 20 years and the decommissioning of the Project after 35 years of operation;
- d) The environmental, social and economic costs (who bears them?) and benefits (for whom?) as they relate to Warrumbungle Shire, including the adequacy of social infrastructure including health care, policing and emergency services; and
- e) Securing a Planning Agreement.

Council acknowledges the EIS does attempt to address the likely cumulative impacts however the exercise is hampered by a lack of quantitative data.

Council urges the DPE, as the State's key planning agency, to expedite the preparation of a comprehensive cumulative impact assessment data-base so all REZ proponents, the State Government and councils can meaningfully progress with planning for the REZ without the local communities bearing the environmental, social and economic costs.

3. Road and Traffic Impacts

It is noted that the EIS states:

- Construction material and equipment would be transported from the Port of Newcastle via the Golden Highway and then via the Castlereagh Highway to the Project Area;
- The predicted average daily traffic generated during the Project's construction phase is estimated at up to 85 heavy vehicles (170 movements per day). Typically, the heavy vehicles would be split into approximately 25% articulated vehicles / low-loaders and 37.5% each rigid trucks and truck and dog vehicles;
- During the peak of construction this may extend to 135 heavy vehicles per day (270 movements per day).
- General heavy vehicle transport could travel from any direction along the surrounding road network depending on origin of the deliveries, e.g. from the south (Gulgong-Mudgee area), west (Dubbo area), north (Dunedoo area) and east (Merriwa area).
- The delivery trucks will predominantly be Truck and Dog vehicles, with several concrete mixing trucks and Articulated Vehicles. The AVs will occasionally be used to transport larger plant such as the PV panels;
- One Oversize Over Mass (OSOM) vehicle per day (two OSOM vehicle trips per day) on a designated day, with a maximum of four OSOM vehicles (eight OSOM vehicle trips) over the 34-month construction period;
- An OSOM vehicle will be required to transport a substation transformer on a 16-axle trailer and is approximately 30 x 4.3 m in length and width. There are expected to be up to two transformers delivered to the Project Area;
- For the worst-case, traffic generating scenario for light vehicles it has been assumed that construction staff trip distribution would be split equally between the south (Gulgong-Mudgee area), west (Dubbo area), north (Dunedoo area) and east (Merriwa area) resulting in approximately 300 construction staff vehicle trip movements per day from each direction. This assumes 1.8 persons in each vehicle; and
- Traffic generation during decommissioning is estimated to be approximately 30% less than the traffic generation during construction.

Council appreciates Table 4.7 in the Transport Impact Appendix which strives to address the cumulative impacts. Council is of the view that worst case traffic scenarios are most likely to become reality, given the multitude of projects and the anticipated constrained timeframes. It is noted that Table 4.7 suggests an almost four-fold increase in traffic on the Golden Highway. Level of Service is just one aspect; another of concern to Council is pavement damage and who pays for repair and maintenance. Such a traffic loading could also have road safety implications.

Road and Intersection Upgrades and Maintenance

It is noted that intersection widening works to accommodate the increased heavy vehicle volumes and OSOM transport vehicles would be required at the Project access at the Jacksons Lane/Castlereagh Highway intersection.

Council wishes to have further discussions with the Proponent to define the scope and extent of LGA roading matters as:

- Road inspection regimes;

- Road dilapidation reports covering pavement, drainage and bridge structures for the proposed transport routes before and after construction; and
- A road maintenance program for all affected local roads. Any road pavement damage which occurs during the project construction period will require restoration to its pre-construction condition at the Proponent's cost.

Infrastructure Refurbishment Phase Traffic

There will be infrastructure and equipment refurbishment (e.g. PV panels and batteries) undertaken during the 30-year life of operations. Council seeks quantification of the scope and extent of that activity, particularly in relation to both traffic and road impacts and workforce variations.

4. Construction Workforce Accommodation

The EIS indicates there will be a construction period of 34 months, with an average of 270 construction jobs but up to a peak of 580 over approximately a six-month period.

Different renewable energy proponents are expressing different opinions regarding how and where construction workforces will be accommodated. and the scheduling of multiple projects. Council urges the DPE, as the State's planning agency, to 'step up to the plate' as a matter of urgency and undertake a REZ-wide assessment of likely cumulative impacts. In the absence of such critical information Local Government across the REZ is not able to make prudent judgements on such matters.

In the interim, Council seeks discussions with the Proponent in relation to not only its commentary on the topic but also its views of the accommodation commentary in the EIS for the nearby proposed Birriwa Solar Farm, as follows:

- a) Page 98 of the Tallawang EIS suggests 175 non-local employees will need accommodation during the six-month peak. The EIS goes on to state that *'there is adequate capacity within the Study Area to accommodate the number of non-local employees expected at the peak of the construction period, even allowing for increased demand from other regional infrastructure projects and seasonal demands (holiday periods, agricultural activities etc)'*.

Could the Proponent please explain:

- how the 175 number (appears to be 30% of the peak workforce?) was determined and the basis for the judgement that there is an 'adequate supply' of commercial accommodation.
- reconciling the 175 number with the statement on page 96 of the SIA Report stating that a 'a maximum of 290 construction workers (50% of the peak construction workforce) would require local accommodation to be able to access their place of work on the Project, or 412 people when considered in combination with the adjacent Barneys Reef Wind Farm Project'.

By way of comment, anecdotally it appears to Council at this time that more than 80% of the REZ-wide construction workforce will need to be non-locals. Based on that assumption it would mean the Tallawang

workforce numbers seeking commercial accommodation would range from approximately 216 (average numbers) to 464 (peak numbers).

- b) The Tallawang SIA Report page 84 states *‘When considered in combination with the estimated peak construction workforce for the neighbouring Barneys Reef Wind Farm Project (of 245 workers), the predicted temporary population influx into the area of social influence would be a **2.4% population change** (based on the 80% migration scenario), indicating that the cumulative effect of overlapping construction programs between nearby projects is **likely to cause considerable social change to communities hosting the Projects during these years and is therefore ranked a high social impact (likely to occur with moderate magnitude)**’.*

Council agrees with the Tallawang EIS assertion that *‘incoming construction workforce may decrease levels of community cohesion in townships and alter local relations, with multiple concurrent and nearby major projects potentially causing greater levels of community division’* (page 82 of the SIA Appendix).

Also, could the Proponent please comment on its prediction of a 2.4% population increase due to the influx of construction workers compared with the Birriwa EIS predicting a 15.7% increase – see below.

The Birriwa Solar Farm EIS states:

- 70% of its construction workforce will need to be sourced from outside the local area and may have to be accommodated in towns as far away as Dubbo (pages 11 & 73 SIA Report);
- The REZ-related cumulative population of non-local workers could be in the order of 4,000 people, equivalent to a 15.7% increase in the total population of Mid-Western LGA page 107, SIA Report); and
- *“assuming the majority of workforces associated with other projects that overlap with the project will be sourced from outside the regional area, then the projected cumulative demand for short-term accommodation and rental accommodation in the regional area will be **extreme** and supplementary accommodation eg temporary workforce accommodation village would need to be provided”* (page 107 SIA Report).

Use of the term “extreme” is considered to be most appropriate in describing the future situation.

Until the Proponent and the NSW Government provide clarity on this key topic, Council is not in a position to make an informed judgement on the merits of the Project, therefore has no option but to object to the proposal on this matter alone.

5. Waste Management

The EIS is silent on the quantum of the various waste streams likely to be generated such as:

- paper/cardboard (packaging used for the PV modules and tracker components). Based on experience Council suggests there will be several thousand kilograms per week during peak delivery periods;
- wooden pallets. Again, our experience suggests 1,000–2,000 units per week during peak delivery periods;
- plus plastics, green waste, soil, electrical, metals, liquid, sewage, MSW and batteries.

There is no clear enunciation as to how and where waste will be managed. Again, this is a cumulative impact issue across the REZ that requires a definitive plan before Council can make a judgement on the adequacy of waste management arrangements.

To be clear, Council does not have any waste facilities that would be capable of accepting any of the wastes that will be generated from the development.

6. Securing Development Contributions via a Planning Agreement

It is noted on page 31 of the EIS that the Proponent does not propose to enter into a Planning Agreement with either Mid-Western Regional Council or Warrumbungle Shire Council. Rather, the Proponent states that *'alternate mechanisms for infrastructure management and/or community benefit may be established within the REZ'*.

It goes on to say that the Proponent *'will be developing a community shared benefit strategy with Mid-Western Regional Council and the local community which will likely be administered outside of a VPA'*.

As the Warrumbungle LGA will be impacted by the Proposal (including inter alia increased traffic and road damage and housing construction workers), it requires a Planning Agreement to be negotiated with it prior to any contemplation by the NSW Government of the granting of development approval. In addition, Council requires the Agreement's key terms to be included as a specific condition within any project consent.

Local Government is guided by a range of best practice laws, regulations and policies to support them to make prudent decisions that will create positive outcomes for their local communities.

Council seeks development contributions from the Proponent via a Planning Agreement that acknowledges the tangible and intangible environmental, social and economic costs arising from the Proposal. Such funds will be applied to a public purpose that will ensure the provision of a public benefits.

Council considers that development contributions should be provided to it and it will manage the finances and determine how decisions are made, in accordance with standard practice widely adopted by Councils across rural NSW on many other energy and mining projects. Council is however amenable to having an advisory committee comprising local representatives, Council and the Proponent be involved in the funding allocation decision-making process.

Council remains to be convinced that separate allocations to various community groups via the proposed Community Shared Benefit Program is justified for the following reasons:


- a) As per the provisions of the EP&A Act, a Planning Agreement is secured with

the LGA Management. With that comes certain statutory responsibilities and obligations for which Council is liable. Outsourcing Council management responsibilities to the general public, for instance a community group, carries considerable governance and legal risks. Similarly, under the Local Government Act, the Council has statutory obligations that are at odds with outsourcing funds to a community group;

- b) Under the EP&A Act, Council is legally responsible for managing and reporting on the performance of the Planning Agreement in all its facets. These aspects include decision-making for the allocation of funds, the appropriate management of said funds, the performance of projects allocated funding and annual reporting; and
- c) Funds administered by a community group may result in additional assets within the community that the Council is expected to maintain and replace throughout the assets lifecycle. Such assets might not be in accord with Council's four-year Delivery Program and Operational Plan, thus creating an unwanted and unsustainable financial burden on Council.

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

Yours sincerely

A handwritten signature in black ink, appearing to be 'R. Bailey', written over a large, light-colored oval shape.

**ROGER BAILEY
GENERAL MANAGER
WARRUMBUNGLA SHIRE COUNCIL**