

**ADDENDUM REPORT TO THE ORDINARY MEETING OF
GREATER HUME COUNCIL TO BE HELD AT
COMMUNITY MEETING ROOM, LIBRARY COMPLEX, LIBRARY LANE, HOLBROOK
ON WEDNESDAY, 215 APRIL 2020**

OFFICER'S REPORTS – PART A – FOR DETERMINATION ENVIRONMENT AND PLANNING

1. GREATER HUME COUNCIL – COUNCIL COMMENTS TO SUBMISSIONS REPORT AND AMENDMENT REPORT – JINDERA SOLAR FARM

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

On 26 March 2020 Council received a notice from NSW Planning, Industry and Environment that a Response to Submissions Report and Amendment Report has been received for the Jindera Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020, which has been extended until 16 April 2020.

This report will provide Council with details as to how the applicant has addressed the issues raised by Council in its submission dated 8 November 2019 concerning the Jindera Solar Farm.

REFERENCE TO DELIVERY PLAN

None relevant.

DISCUSSION

As mentioned, Council received notification on 26 March 2020 from NSW Planning, Industry and Environment that a Response to Submissions Report and Amendment Report had been received by them for the Jindera Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020, which has been extended until 16 April 2020.

The author has reviewed the Amendment Report and Response to Submission Report to determine how the issues raised within the Greater Hume Council Submission to the Environmental Impact Statement (EIS) (**ANNEXURE 1**) has been addressed. These issues are specifically mentioned within the Response to Submission Report and are listed below:

- The development will result in adverse environmental, social and economic impacts for the local community;
- Loss of amenity within 2km and concerns that landscaping proposed will not be timely in mitigating impact;
- Heat Island Impact within 1km, specific to Australia and Jindera site conditions, any mitigation besides setback;
- Concern over ground cover maintenance to address dust;
- Low economic benefits to immediate community;

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AMENDMENT REPORT – JINDERA SOLAR FARM

- No engagement regarding payment of development contribution to Council;
- The proposed development will restrict the ability for Jindera to grow in the direction of the subject land;
- Concerns in relation to the bushfire risk posed by the development. Council believes that the importance of addressing the bushfire risk warrants ascertaining the NSW Rural Fire Service comments prior to the application being determined;
- Loss of high-quality agricultural land, concern about maintaining vegetation beneath panels and cabling left in situ, derogates from LEP RU1 objectives;
- Impacts on Native Vegetation and Aboriginal Heritage; and
- Traffic improvements may be considered as part of payment of Council development contribution.

The applicant has undertaken intensive investigations. In order to address Council, agency and community concerns, they have modified a number of safeguard and mitigation measures detailed in the EIS. For example, the applicant has utilised the Rural Fire Service comments to the EIS of the Walla Walla Solar Farm to make changes to the safeguard and mitigation measures relating to bushfire. To mitigate concerns about the heat island effect, the applicant has changed the vegetation screen for visual impact and set back the edge of the closest panel to the neighbouring property boundary to be a minimum distance of 30 metres.

The following changes to the development will help to address Council's concerns:

- Reinforce commitment to sheep grazing in conjunction with solar infrastructure;
- A commitment for a Voluntary Planning Agreement with Greater Hume Council and establishment of a Community Fund;
- For more immediate mitigation of visual impacts there will be additional screening using effective dispersing and quick growing plants in the landscaping. A commitment to an effective screen within 3 years of commencement of operation;
- Additional buffer distance for residences along Glenellen Road;
- A commitment to developing methods to improve local spending and employment opportunities both during construction and operational activity. In consultation with Council the company is prepared to develop a local sourcing plan;
- Introduction of an apprenticeship scheme that will run during the operational phase;
- Changes made to ensure zero operational noise exceedance during normal operations;
- Commencing groundcover management one season prior to construction;
- Additional biodiversity commitment;
- All above and below ground infrastructure to be removed post-operations;

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AMENDMENT REPORT – JINDERERA SOLAR FARM

- Klinberg, Nation and Ortlipp Roads will not be used for construction traffic, although Ortlipp Road will have works in the road corridor associated with the construction of the transmission line; and
- Commitment to recycling PV panels.

The Response to Submission and Amendment report does outline ways in which the applicant can address some of Council's concerns. In another instance though, the Response to Submission report does attempt to diminish some of Council's concerns such as the potential for the solar farm development to impact upon the future growth of Jindera. On balance, it is considered that Council could respond to the Department of Planning, Infrastructure and Environment and suggest that the modified development has, to a considerable extent, addressed some of Council's concerns.

Council remains concerned that it will be the appropriate regulatory authority under the Protection of the Environment Operations Act 1997. Further, Council considers that a submission to the EIS should have been obtained from the NSW Rural Fire Service.

A potential response is contained within **ANNEXURE 1**.

BUDGET IMPLICATIONS

None in relation to the provision of comments to the Department of Planning, Infrastructure and Environment on the Jindera Solar Farm.

CONCLUSION

On balance, Council can respond to the Department of Planning, Infrastructure and Environment and suggest that the modified development has, to some extent, addressed most of Council's concerns. Although, Council has concerns relating to no submission to the EIS being received by the NSW Rural Fire Service and Council's role as the appropriate regulatory authority under the Protection of the Environment Operations Act.

RECOMMENDATION

That Council resolve to provide the comments contained within **ANNEXURE 1** and acknowledge that the modified development, to some extent, addresses the concerns of Greater Hume Council contained within the Submission to the Environmental Impact Statement. Council will raise concerns about the NSW Rural Fire Service and Protection of the Environment Operations Act 1997.

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2. GREATER HUME COUNCIL – COUNCIL COMMENTS RESPONSE TO SUBMISSIONS REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR FARM

Report prepared by Director Environment and Planning – Colin Kane

REASON FOR REPORT

On 2 April 2020 Council received a notice from NSW Planning, Industry and Environment that a Response to Submissions Report and Amendment Report has been received for the Walla Walla Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020, which has been extended until 16 April 2020.

This report will provide Council with details as to how the applicant has addressed the issues raised by Council in its submission dated 22 November 2019 concerning the Walla Walla Solar Farm.

REFERENCE TO DELIVERY PLAN

None Relevant.

DISCUSSION

As mentioned, Council received notification on 2 April 2020 from NSW Planning and Industry and Environment that a Response to Submissions Report and Amendment Report has been received by them for the Walla Walla Solar Farm and inviting Council to provide comments by Thursday, 9 April 2020, which has been extended until 16 April 2020.

The author has reviewed the Amendment Report and Response to Submission Report to determine how the issues raised by the Greater Hume Council Submission to the Environmental Impact Statement (**ANNEXURE 2**) have been addressed. These issues are specifically mentioned within the Response to Submission Report and are listed below:

- Reduced Level of Amenity – loss of agricultural outlook, adverse effect particularly on adjacent function centre;
- Social, environmental and economic impacts – adverse effects on adjacent function centre, impacts of the heat island effects, dust impacts, lack of local benefits and lack of engagement concerning development contribution;
- Loss of high quality agricultural land;
- Impacts on Native Vegetation and Aboriginal Heritage;
- Traffic management and access.

The applicant has undertaken investigations in order to address Council, agency and community concerns and they have modified a number of safeguard and mitigation measures detailed in the EIS.

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GREATER HUME COUNCIL – COUNCIL COMMENTS RESPONSE TO
SUBMISSIONS REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR
FARM [CONT'D]

The author has reviewed the Amendment Report and Response to Submission Report to determine how the issues raised by Greater Hume Council's Submission to the Environmental Impact Statement (EIS) (**ANNEXURE 2**) have been addressed. These issues are specifically mentioned within the Response to Submission Report and are listed below:

- Reduced Level of Amenity – loss of agricultural outlook, adverse effect particularly on adjacent function centre;
- Social, environmental and economic impacts – adverse effects on adjacent function centre, impacts of the heat island effects, dust impacts, lack of local benefits and lack of engagement concerning development contribution;
- Loss of high quality agricultural land;
- Impacts on Native Vegetation and Aboriginal Heritage; and
- Traffic management and access.

The applicant has undertaken investigations in order to address Council, agency and community concerns and they have modified a number of safeguard and mitigation measures detailed in the EIS. For example to mitigate concerns about the heat island effect, the applicant has changed vegetation screening for visual impact and set back the edge of the closest panel to the neighboring property boundary to be a minimum distance of 30 metres.

The following changes to the development will help to address Council's concerns:

- Amended the layout design to create a further setback for the Orange Grove Gardens from 800 metres to 1200 metres and a 50 metre wide revegetation strip will then be provided along the southern boundary. The applicant is proposing to crop the additional land to improve the attractiveness of the area when viewed from Orange Grove;
- Additional old growth trees to be retained;
- Possible scar trees to be protected with a minimum 10 metre buffer;
- Substation to be relocated 50 metres further away from R2 allows for retention of existing boundary vegetation and room for additional vegetation screening;
- A commitment for a Voluntary Planning Agreement with Greater Hume Council and establishment of a Community Fund; and
- FRV response to the comments of the NSW Rural Fire Service.

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GREATER HUME COUNCIL – COUNCIL COMMENTS RESPONSE TO
SUBMISSIONS REPORT AND AMENDMENT REPORT – WALLA WALLA SOLAR
FARM [CONT'D]

The Response to Submission and Amendment report does outline ways in which the applicant can address some of Council's concerns. On balance, it is considered that Council could respond to the Department of Planning, Infrastructure and Environment and suggest that the modified development has addressed some of Council's concerns.

Council remains concerned that it will be the appropriate regulatory authority under the Protection of the Environment Operations Act 1997.

A potential response is contained within **ANNEXURE 2**.

BUDGET IMPLICATIONS

No impact associated with the provision of comments to the Department of Planning, Infrastructure and Environment.

CONCLUSION

On balance, Council can respond to the Department of Planning, Infrastructure and Environment and suggest that the modified development has addressed most of Council's concerns. Council has concerns relating to Council's role as the appropriate regulatory authority under the Protection of the Environment Operations Act.

RECOMMENDATION

That Council resolve to provide the comments contained within **ANNEXURE 2** and acknowledge that the modified development addresses the concerns of Greater Hume Council contained within its Submission to the Environmental Impact Statement. Council will raise concerns about being the Appropriate Regulatory Authority under the Protection of the Environment Operations Act 1997.

Elisha Dunn
Environmental Assessment Officer
Energy and Resources
Department of Planning, Industry and Environment
Level 30
320 Pitt Street
SYDNEY NSW 2000

Dear Ms Dunn

Greater Hume Council Endorsed Submission to the Environmental Impact Statement (EIS) – Jindera Solar Farm

I refer to the notice of exhibition of the EIS for the Jindera Solar Farm (proposed development) which was received by Council on 11 October 2019. It is advised that Council has reviewed the Environmental Impact Statement and at an extraordinary meeting held on 6 November 2019, Council resolved to **formally object** to the proposed development for the following reasons:

1. The development will result in adverse environmental, social and economic impacts for the local community

It is acknowledged by Council that it is essential to address climate change which can be achieved through a transition in energy production to utilise low carbon renewable sources of energy that can be provided by the proposed development. However, the macro scale need of the wider community to deal with climate change should not negate the need for the proposed development to be compatible with the environmental, social and economic concerns of the local community which are discussed further below.

There are many nearby receptors to the proposed development and the EIS identifies 64 sensitive receivers within a 2 kilometre radius.

Council is of the opinion that the proposed development will lead to poor social and environmental outcomes through a loss of amenity for nearby residents in that the immediate landscape will dramatically change from prime agricultural land, to be a landscape with an industrial appearance with a development footprint of 327 hectares, that incorporates solar panels on tracker units, battery energy storage units, site and amenity buildings, access roads, inverter stations, high voltage substations and two metre high perimeter fencing. Council believes that the proposed landscaping will not provide a timely response to address the amenity loss of nearby receivers.

There are 33 receivers located within 1 kilometre of the proposed development and therefore Council is concerned about the potential for the heat island effect to adversely impact upon localised climatic conditions and result in heat transmission out of the solar farm and into neighbouring properties.

The EIS relies upon several studies that have been undertaken internationally to discuss the heat island effect caused by PV arrays however, there is no cited Australian studies on the heat island effect. This is of concern to Council as it may not be appropriate to extrapolate the results of international studies on the heat island effect to localised conditions where the development area is large, there is a high number of receivers, some receivers are as close as 50 metres from subject land and the mean summer maximum temperature is 32.3 °c.

The EIS should have discussed what mitigation measures, other than a setback, the proponent could take to minimise adverse outcomes caused by the heat island effect.

Council is concerned about the proposed development producing a dust nuisance during construction, but particularly during its operational phase. The local area enjoys a reasonably high average rainfall and therefore it is not common for land in the vicinity of the proposed development to be devoid of vegetation. Consequently, nearby receptors currently do not experience any significant issues in relation to dust. Council believes that the use of tracking systems and efficient PV cells will dramatically reduce the amount of solar energy reaching the soil beneath the solar arrays and over the thirty year life of the development it could be increasingly difficult to maintain vegetation cover. Given the scale of the development site (327 hectares), there may be the potential for barren earth beneath solar arrays to be a significant source of dust for nearby receptors.

With the exception of the landowners of the project site, Council believes that there will be minimal economic benefits arising to the immediate local community through the establishment of the proposed development. During the construction phase, the EIS indicates there will be 200 staff employed with many of these drawn from the local community. The EIS reveals that peak employment is for a short period of time being 3 months with the numbers employed dramatically reducing outside of this period. It is felt that most of the benefits from the construction employment will not be able to be capitalised upon by the Jindera community as there is very limited temporary accommodation available. Workers will most likely be accommodated in the nearby regional centre of Albury/Wodonga. The EIS provides the impression that much of the equipment such as the PV cells, tracking arrays, inverter stations and Battery Energy Storage Systems are all to be purchased from the global market.

During the operational period the EIS indicates employment will be 2-3 full time staff members with additional service contractors and projected annual expenditure of \$1 million dollars. Council believes that this level of economic activity is not a dramatic improvement over the status quo scenario where the current landowners would be engaged in working their land and would be outsourcing different elements of their farming operation and making local purchases.

It is advised that neither the proponent of this application nor the Department of Planning Infrastructure and Environment has engaged with Council in relation to a payment to Council of a development contribution associated with the proposed development.

Since 2012 Greater Hume Council has had a shire wide fixed development consent levy either complying with Section 94A or its replacement Section 7.12 of the Environmental Planning and Assessment Act 1979.

Council has applied the provisions of its fixed development contribution plan on 283 occasions irrespective whether there is an impact of the development on local

infrastructure with the funds being used for provision, extension, augmentation of public amenities and public services.

Given Greater Hume Council's long standing application of a fixed development contributions levy and the impact of the development on the local community, a failure by the proponent to pay a development contribution to Council that is commensurate with the current Greater Hume Councils Section 7.12 Development Contribution Plan 2019 would also be an adverse social outcome.

2. The proposed development will restrict the ability for Jindera to grow in the direction of the subject land

The proposed development is located approximately 2.5 kilometres from the nearest residential development in Jindera. It is advised that Jindera is enjoying a reasonable rate of growth and Council continues to undertake strategic planning activities to ensure there is sufficient land available to accommodate demand.

In terms of being suitable for development for residential purposes, some areas around Jindera are constrained due to the effects of flooding and other limitations such as the presence of native vegetation. The land in the direction of the proposed development does not appear to be as constrained as other land.

Over the next of thirty years, which is the life of the proposed development, it is possible that growth opportunities for Jindera would have been pursued in the direction of the proposed development. Given the impacts of the proposed development, it is unlikely that future residential development should be pursued in the vicinity of the proposed development which is an opportunity cost of the proposed development for both the local community and, particularly for nearby landowners who are uninvolved in the proposed development.

3. Concerns in relation to the bushfire risk posed by the development

Local residents have raised concerns to Council about the bushfire risk posed by large scale solar farms such as the proposed development. Whilst the EIS does review the risks posed by bushfire and other sources of fire, it does not do so in the context of responding to comments provided by the NSW Rural Fire Service as part of the Secretary's Environmental Assessment Requirements (SEARS). Council believes that the importance of addressing the bushfire fire risk warrants ascertaining the NSW Rural Fire Service's comments prior to the application being determined.

4. Loss of high quality agricultural land

Council has reviewed the Department of Planning, Industry and Environments Large Solar Energy Guidelines in which there is a discussion about the importance of site selection. Agriculture is identified as a key site constraint and the guideline refers to land meeting the following:

important agricultural lands, including Biophysical Strategic Agricultural Land (BSAL), irrigated cropping land, and land and soil capability classes 1, 2 and 3. Consideration should also be given to any significant fragmentation or displacement of existing agricultural industries and any cumulative impacts of multiple developments.

The EIS indicates that the land on which the subject development is classified as class 3 land and class 6 under the Land and Soil Capability Assessment Scheme. Perusal of Figure 6.13 in the EIS and Figures 3.9 and Figures 3.10 reveals that a large majority of the development footprint is situated on the Class 3 High Capability Land rather than the Class 6 Low Capability Land. It is noted that DPI Agriculture commented through the

SEARS that *“the class 3 land should be protected as much as possible. The proponent should consider moving as much of the development from the Class 3 land (as assessed under the Land and Soil Capability Scheme to the class 6 lands that surround the site. This land (class 3) is considered as High Capability Land as outlined in the Preliminary Environmental Assessment, and aerial imagery shows that this land has been deep ripped in the past and has been actively used for cropping.”*

Council has been advised that this land will be mapped as important agricultural land under the Riverina Murray Draft Important Agricultural Land Mapping project which also indicates it is high quality agricultural land.

Consequently, as this site is important agricultural land and contains soils classed as capability class 3, the site should be considered constrained under the Department of Planning, Industry and Environments Large Solar Energy Guidelines.

The EIS indicates that there will be benefits for the soils as the proposed development will provide the opportunity for the land to be rested and there will be an encouragement in allowing the growth of diversity in groundcover and perennial species. There is a concern raised by Council that the land may not benefit from thirty years of being beneath highly efficient photovoltaic cells mounted upon tracking units and indeed, may deteriorate if the vegetation is not able to be supported in this environment.

The EIS indicates that underground cabling is proposed to be left insitu when the proposed development is to be decommissioned which does not align with the comments from DPI agriculture which states: *“The proponent should consider the removal of all underground infrastructure as part of the decommissioning of the proposed solar farm at the end of life to ensure all previously cropped lands are returned to the predevelopment state.”* Council is of the opinion that it should be a requirement that the cabling would be removed.

Due to the loss of the high quality agricultural land, Council believes that the proposed development does derogate from the RU1 zone objectives contained in the Greater Hume Local Environment Plan 2012 which are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural landscape character of the land.

5. Impacts on Native Vegetation and Aboriginal Heritage

The EIS has undertaken very detailed studies concerning the biodiversity impacts and impacts on Aboriginal cultural heritage that will occur if the proposed development does proceed. Whilst Council is satisfied with the rigour of the assessment of these impacts, it does believe that the removal of 17.41 hectares of native vegetation and a total loss of value of 24 items of Aboriginal cultural heritage demonstrates that the site of the proposed development should be considered constrained and therefore unsuitable.

Council's engineers have reviewed the traffic impact statement contained within the EIS. They note that it is recommended that improvements should be undertaken to turning facilities at the intersection of Urana Road/Walla Walla Jindera Road. Should this development be approved then Council believes these works could be undertaken as partial payment of an associated development contribution.

The following traffic related recommended conditions are provided in the event of the approval of this application:

- Road works are to be undertaken in accordance with the submitted traffic assessment.
- For assessment by Council additional design plans are required for the access points 1, 2 and 3.
- Under Section 138 of the Roads Act 1993 any works occurring within the road reserve require the consent of Council as the road authority.

Should you require further information please contact Colin Kane, Director Environment & Planning, on 6044 8928 or email ckane@greaterhume.nsw.gov.au.

Yours faithfully

Colin Kane
Director Environment & Planning
GREATER HUME COUNCIL

14 April 2020

Our Ref: CK:SG

Natasha Homsey
A/Senior Environmental Assessment Officer
Energy, Resources and Compliance
Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

By email: natasha.homsey@planning.nsw.gov.au

Dear Ms Homsey

Greater Hume Council's Endorsed Comments - Response to Submission and Amendment Reports – Jindera Solar Farm

I refer to your emailed request for Council to provide comments on the Response to Submission and Amendment Reports for the Jindera Solar Farm which was received by Council on 26 March 2020.

Council at its Ordinary Meeting on 15 April 2020 resolved to respond and indicate that Council is satisfied that the amendments that have been made to the development proposal have addressed most of Council's concerns.

Council wishes to raise concerns that it will be the appropriate regulatory authority under the Protection of the Environment Operations Act 1997. Further, Council considers that a submission to the EIS should have been obtained from the NSW Rural Fire Service.

Should you wish to discuss this matter further please contact me on 0428 667 071 or via email ckane@greaterhume.nsw.gov.au .

Yours faithfully

Colin Kane
Director Environment & Planning
GREATER HUME COUNCIL

14 April 2020

Our Ref: CK:SG

Mr Rob Beckett
Environmental Assessment Officer
Energy Assessments
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Beckett

Greater Hume Council Endorsed Submission to the Environmental Impact Statement (EIS) – Walla Walla Solar Farm

I refer to the notice of exhibition of the EIS for the Wala Walla solar farm (proposed development) which was received by Council on 25 October 2019. It is advised that Council has reviewed the Environmental Impact Statement and at its November Ordinary meeting held on 20 November 2019 Council resolved to formally object to the proposed development for the following reasons:

1 Reduced Levels of Amenity for Nearby Residents

The EIS identifies that there are 4 uninvolved neighbouring properties that have residences or working land that will have a direct outlook onto the subject land. Council considers that residents from these properties will experience reduced amenity as the outlook from their property will change from being an agricultural landscape to one that is of an industrial appearance with a development footprint of 605 hectares. This footprint incorporates approximately 900,000 solar panels on tracker units, operation and maintenance buildings, access roads, inverter stations, high voltage substation and 2.4 metre high perimeter fencing. Council believes that the proposed landscaping will not provide a timely response to address the amenity loss of nearby receivers.

For one resident reduced amenity levels has the potential to have an adverse impact upon their business which is running a function centre. That business provides wedding packages and is a venue for other occasions. The business has been operating from the property for many years, enjoys good levels of patronage and is a going concern.

To provide a venue that can compete in a very competitive business environment the owners have invested significant funds into their business to provide an attractive venue. They recently have added tourist accommodation facilities and associated infrastructure.

It will be the construction period for the Walla Walla solar farm that will be the most detrimental to the function centre business as the transformation of the site will result in visual, noise and dust impacts. It is easy to envisage that such works will be off putting to potential clients who will want a high level of ambience for their event and potential clients will be lost to numerous competitors within the region whose venues will offer a more ambient setting. The operational phase of the Walla Walla solar farm will have

reduced impacts for nearby residents including the function centre however, it will be many years before proposed vegetation screening will be of a sufficient size to mask the appearance of the solar farm development.

2 Social, Environmental and Economic Impacts

It would be an adverse social and economic outcome if the Walla Walla solar farm was detrimental to the function centre business as it provides employment for local people and is supported by other businesses including those involved in transportation and catering. The function centre provides some diversification for the broader local economy.

Council is concerned about the potential for the heat island effect to adversely impact upon localised climatic conditions and result in heat transmission out of the solar farm and into neighbouring properties. The EIS relies upon several studies that have been undertaken internationally to discuss the heat island effect caused by PV arrays however there is no cited Australian studies on the heat island effect. This is of concern to Council as it may not be appropriate to extrapolate the results of international studies on the heat island effect to localised conditions where this development is large, another nearby proposed development bigger again, there is receivers that are as close as 80 metres from the property boundary and the mean summer maximum temperature is 32.3°C.

The EIS should have discussed what mitigation measures, other than a setback and planting of a vegetation screen, that the proponent could take to minimise adverse outcomes caused by the heat island effect.

Council is concerned about the proposed development producing a dust nuisance during construction but particularly during its operational phase. The local area enjoys a reasonably high average rainfall and so it is not common for land in the vicinity of the proposed development to be devoid of vegetation. Consequently, nearby receptors currently do not experience any significant issues in relation to dust. Council believes that the use of tracking systems and efficient PV cells will dramatically reduce the amount of solar energy reaching the soil beneath the solar arrays and, over the thirty year life of the development, it could be increasingly difficult to maintain vegetation cover. Given the scale of the development site (605 hectares), there may be the potential for barren earth beneath solar arrays to be a significant source of dust for nearby receptors.

In a discussion on socioeconomic impacts arising from the Walla Walla solar farm the EIS mentions that benefits will arise to local farmers and the community who will benefit from an additional source of income that is independent of agriculture. During the construction phase the EIS indicates there will be 250 staff employed with many of these drawn from the local community. The EIS reveals that peak employment is for a period of time being 8-12 months with the numbers employed dramatically reducing outside of this period. It is felt that most of the benefits from the construction employment will not be able to be capitalised upon by the Walla Walla and Culcairn community as there is very limited temporary accommodation available. Workers will most likely be accommodated in the nearby regional centre of Albury/Wodonga. The EIS provides the impression that much of the equipment such as the PV cells, tracking arrays, inverter stations and are all to be purchased from the global market.

It is pleasing to note that employment and annual expenditure of the Walla Walla solar farm will be substantially larger than other similar developments that Council has reviewed with the operational period employment being 21 full time staff members consisting of 11 onsite, 5 in head office and 5 local contractors and projected annual expenditure of \$10 million dollars.

It is advised that the proponent has had minimal engagement with Council in relation to a payment to Council of a development contribution associated with the proposed development.

Since 2012 Greater Hume Council has had a shire wide fixed development consent levy either complying with Section 94A or its replacement Section 7.12 of the Environmental Planning and Assessment Act 1979.

Council has applied the provisions of its fixed development contribution plan on 283 occasions irrespective whether there is an impact of the development on local infrastructure with the funds being used for provision, extension, augmentation of public amenities and public services.

Given Greater Hume Council's long standing application of a fixed development contributions levy and the impact of the development on the local community, a failure by the proponent to pay a development contribution to Council that is commensurate with the current Greater Hume Council's Section 7.12 Development Contribution Plan 2019 would also be an adverse social outcome.

3 Loss of High Quality Agricultural Land

Council has reviewed the Department of Planning, Industry and Environment's Large Solar Energy Guidelines in which there is a discussion about the importance of site selection. Agriculture is identified as a key site constraint and the guideline refers to land meeting the following:

Important agricultural lands, including Biophysical Strategic Agricultural Land (BSAL), irrigated cropping land, and land and soil capability classes 1, 2 and 3. Consideration should also be given to any significant fragmentation or displacement of existing agricultural industries and any cumulative impacts of multiple developments.

The EIS indicates that the proposal is located on soil capability Class 4 and Class 6 land. The current use of the land comprises sheep and cattle farming. Intermittently, the main subject land is also used for canola and wheat crops. There is no figure provided in the EIS that indicates the footprint of the development in relation to the respective soil classes. It is noted that DPI Agriculture commented through the SEARS that "*although the development is proposed for Class 4 and 6 land as assessed under the Land and Soil Capability Assessment scheme, the class 4 lands in this area are currently under review due to their value as high quality cropping farms.*"

Inspections by Council of the development site and adjacent land would indicate that it is high quality agricultural land. Council has been advised that this land will be mapped as important agricultural land under the Riverina Murray Draft Important Agricultural Land Mapping project which also indicates it is high quality agricultural land. Due to its impending status as important agricultural land, the site could be considered constrained under the Department of Planning, Industry and Environment's Large Solar Energy Guidelines.

The EIS indicates that existing native and exotic pastures will initially decline due to shading following PV array installation. There is a concern raised by Council that these effects maybe ongoing and the land may not benefit from thirty years of being beneath highly efficient photovoltaic cells mounted upon tracking units and indeed, may deteriorate if the vegetation is not able to be supported in this environment.

Due to the loss of the high quality agricultural land Council believes that the proposed development may not be compatible with the RU1 zone objectives contained in the Greater Hume Local Environment Plan 2012 which are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural landscape character of the land.

4 Impacts on Native Vegetation and Aboriginal Heritage

The EIS has undertaken very detailed studies concerning the biodiversity impacts and impacts on Aboriginal cultural heritage that will occur if the proposed development does proceed. Whilst Council is satisfied with the rigour of the assessment of these impacts, it is very concerned about the effect of the removal of 13.83 hectares of native vegetation, 53 paddock trees and a total loss of value of 24 items of Aboriginal cultural heritage.

Council's engineers have reviewed the Traffic Impact Statement contained within the EIS and they raise concerns that the unsealed portion of Benambra Road will be utilised to some degree during the construction of the facility. They believe that sealing of the Benambra Road to Schneiders Road at the full cost of the proponent should be considered.

The following traffic related recommended conditions are provided in the event of the approval of this application:

- Road works are to be undertaken in accordance with the submitted traffic assessment.
- For assessment by Council additional design plans are required for the access points from Benambra Road and across Schneiders Road.
- Under Section 138 of the Roads Act 1993 any works occurring within the road reserve require the consent of Council as the road authority.

Should you require further information please contact Colin Kane, Director Environment & Planning, on 6044 8928 or email ckane@greaterhume.nsw.gov.au.

Yours faithfully

Colin Kane
Director Environment & Planning
GREATER HUME COUNCIL

14 April 2020

Our Ref: CK:SG

Rob Beckett
Environmental Assessment Officer
Energy, Resources and Compliance
Department of Planning, Industry and Environment
Level 16, 4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

By email: rob.beckett@planning.nsw.gov.au

Dear Mr Beckett

Greater Hume Council's Endorsed Comments - Response to Submission and Amendment Reports – Walla Walla Solar Farm

I refer to your emailed request for Council to provide comments on the Response to Submission and Amendment Reports for the Walla Walla Solar Farm which was received by Council on 2 April 2020.

Council at its Ordinary Meeting on 15 April 2020 resolved to respond and indicate that Council is satisfied that the amendments that have been made to the development proposal have addressed most of Council's concerns.

Council wishes to raise concerns that it will be the appropriate regulatory authority under the Protection of the Environment Operations Act 1997.

Should you wish to discuss this matter further please contact me on 0428 667 071 or via email ckane@greaterhume.nsw.gov.au .

Yours faithfully

Colin Kane
Director Environment & Planning
GREATER HUME COUNCIL

14 April 2020

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