

Issues Raised by Objectors	Applicant's Response	Council Officer Response
Traffic		
<p>Several heavy vehicles already travel through the intersection of Anzac Parade and Punyarra Street, and there are three (3) give way signs along Anzac Parade. Therefore, it would make it extremely difficult for heavy vehicles to slow down, give way and start off again, this would apply in both directions.</p> <p>The increased traffic would create a lot of noise for the surrounding residents and public school. There was no traffic count done on Anzac Parade or Punyarra Street.</p> <p>Black Gully Road has a blind bend just past the end of the 50km/h zone. The blind bend is extremely dangerous and the increased traffic would make the road more hazardous.</p>	<p>Based on discussions with the traffic specialist and the proponent of the Project, it has been decided to nominate Russell Street as the transport route for the site. This will move traffic away from Anzac Parade and avoid the noted intersection.</p>	<p>It is considered that the revised TIA sufficiently clarifies the issues raised in the submissions. The revised TIA also aligns with the NIA.</p> <p>Section 6.4 of the NIA considers the impact of road traffic noise. The NIA advises that project construction traffic noise levels would comply with the relevant Road Noise Policy criteria (see Table 16 in the NIA).</p> <p>The TIA also recommends the following mitigation measures, which have been incorporated into the recommended terms of consent:</p> <ul style="list-style-type: none"> • the piloting of articulated vehicles to and from the site; • a commitment to repair any damage after construction via the preparation of a dilapidation report; and, • prior to the commencement of works, submission of a Construction Traffic Management Plan (CTMP) to Council for endorsement. Following Council's approval of the CTMP, the identified traffic
<p>The Quality Assurance of this assessment (TIA) has failed to check its route, Werris Creek speed limits, the condition of the road at the bend off Anzac Parade continuing onto Black Gully Road...the hazard has not been identified or mentioned in the assessment.</p>		
<p>Increased traffic will generate more dust and noise.</p>		
<p>The road is always in poor condition and the speed limit on the road is 100km/hr and because of the</p>		

<p>poor condition and gutters on the road there is nowhere to pull over for passing traffic.</p> <p>Black Gully Road is a popular walking track for residents.</p> <p>Black Gully Road and Anzac Parade would require upgrades and sealing as well as limited speed zones.</p> <p>The TIA describes the access route as being via Russell Street and traffic count data has been taken from Russell Street. However, the map on Figure 1 shows Anzac Parade...</p> <p>...the proposed heavy vehicle access route that travels through Werris Creek Road along Anzac Parade is unsuitable given the standard of the road surface, numerous intersection crossings with stop sign controls combined with steep gradients, width of various sections of the road and the fact that it passes the only entrance to the Werris Creek Public School.</p>		<p>management measures are required to be implemented for the duration of works.</p> <p>Given the short-term construction period and low number of personnel on site during operations, it would be unreasonable to require the Applicant to upgrade all the unsealed roads to the site. It is reasonable however to ensure that the roads are not made any worse. This will be achieved via the preparation of a dilapidation report wherein any repairs will be at cost to the developer.</p> <p>Dust impacts during construction have been addressed in detail as a part of the assessment of the subject application.</p>
Visual – views and vistas		
<p>There is a designated lookout at the Werris Creek Pool and has spectacular views to the east. I would like to see this view heritage listed and protected for future generations.</p> <p>On Black Gully Road...the view from the verandah is stunning. During the winter it's misty and a photographer's delight, during summer when drought free the green is spectacular with the</p>	<p>Moss Environmental have provided a separate letter to address the matters raised in submission. The letter notes that Page 25 of the VIA states:</p> <p>“Within the rural residential / commercial LCU, viewpoints were assessed as high sensitivity (the electrical substation on Black Gully Road, the Werris Creek hospital on North Street and the</p>	<p>The lookout at the Werris Creek swimming pool is not currently listed as an item of local or State heritage significance under Schedule 5 of the <i>Liverpool Plains Local Environmental Plan 2011</i>. Additionally, Council's Community-Based Heritage Study (adopted 2019) does not propose to list the site as a heritage item.</p>

mountains in the background. Please reconsider the location of your solar company. We are all for renewable energy in the right place but not in our front yard and so close to town.	public pool on Punyarra Street, noting that the views to the ranges and of farming land broken up by native vegetation are assumed to be valued)."	<p>It is considered that the potential visual impacts from the proposed development can be appropriately mitigated, as identified within the VIA. Such mitigation measures include:</p> <ul style="list-style-type: none"> • Vegetation screening – medium density, 1-2 rows deep comprised of varying native species and advanced (sapling) plants; • Planting should be undertaken as soon as practicable in the construction process; • Carry out additional consultation with affected residents to inform the need for offsite mitigation, prior to the commencement of construction; • Design measures – use of non-reflective and earthy coloured materials (e.g. green, beige or muted wheat) where possible; • Construction – dust will be managed in response to visual cues and areas of soil disturbance rehabilitated progressively or immediately post-construction; and, • Operation – ongoing maintenance of ground cover and vegetation screening, minimise traffic movements and outdoor lighting.
The Moss Environmental Visual Impact Assessment page 25 last point states that there were no viewpoints assessed as there is no public lookouts. Werris Creek does have a lookout, Sunrise Lookout positioned at Werris Creek War Memorial Swimming Pool carpark which is west of the proposed development site.	"Within the Forested Ranges and Bushland LCU, there were no viewpoints assessed as there are no public lookouts, roads or walking tracks with views towards Werris Creek."	
Our property has been identified as having high impacts. There has been no consultation with us during the scoping of the project.	Moss Environmental clarify that the last point noted in the community submission is in reference to the Forested Ranges and Bushland LCU (landscape character unit) specifically. This LCU is located on the Liverpool Ranges an LCU with a western facing aspect, towards Werris Creek. The pool is addressed separately in the second point on page 25. This point agrees with the assessment of the DA response, that this viewpoint is high sensitivity. As such, the mitigation measures outlined within the VIA and landscape reports are of utmost importance.	
This development will greatly impact on our view of the lovely valley framed by the mountains.	<p>Page 35 of the VIA states:</p> <p>"Mitigate impacts through good design and use fast growing endemic species in the vegetative screening. Carry out additional consultation with affected residents at these locations, to inform the need for offsite mitigation."</p>	

	The above mitigation measures are expanded upon within the Landscape Report, which will be made available for public viewing to address these (and other) concerns. Additional consultation will be coordinated through Menz and Council.	Conditions have been incorporated into the recommended terms of consent to ensure that the abovementioned mitigation measures are met by the Applicant.
Visual – Reflectivity/Glare		
<p>The glare reflected from the panels and increase in temperature.</p> <p>The report prepared by Wynergy has directly reproduced substantial sections of the Manilla Solar Farm Reflectivity Assessment...the report lacks sound and critical review of the potential impacts on nearby receivers.</p>	<p>An updated Reflectivity Report has been provided enclosed with the Response to Requested Information letter addressing concerns regarding the development.</p> <p>The potential for glare impacts on the surrounding area is considered to be negligible primarily due to:</p> <ul style="list-style-type: none"> • The selection of a single axis tracking mounting system; • The distances to nearest receivers of interest in relation to aviation, road traffic, industrial machinery and residential areas; • The Project's location behind a natural ridgeline; and, • The implementation of the Landscape Plan, which will reduce and remove 'line of sight' adverse glare potential by establishing vegetated buffer zones. 	<p>It is considered that the updated Reflectivity Report adequately addresses the issues raised in the submissions. Citations have been included and the report has been reviewed by Moss Environmental who prepared the VIA.</p>
Contamination		
...Watercourse A intersects the southern end of Lot 249 in DP 751017 which, I am instructed, was used by the former Parry Shire Council for many years as	The proposed solar farm is located approximately 440m to the north of the sanitary disposal site; this buffer distance provides considerable space	Council's Environmental Health Consultant has reviewed the additional information and advised that it is all that is required in this instance. There

<p>a disposal site for night soil and the contents of local septic tanks and grease traps...It is entirely possible that contaminated solids from this Depot are being deposited on the Development Site when Watercourse A is in flood...in light of Clause 7 of SEPP 55, I submit the proper response to this issue is to request a contamination investigation so the Consent Authority can then (sic.) consider the matters set out in subclause 7(1).</p>	<p>between the disposal site and the proposed solar farm location allowing for suitable breakdown of any potential biological contaminants which may have breached containment at the site.</p> <p>The site is currently operated for primary production, specifically the growing of crops which represents a higher sensitive land use compared to the electrical generation operation proposed. The proposed solar farm will utilise solar arrays which are driven into the ground with excavation limited to the posts and ancillary elements such as access road and management area.</p> <p>A search of the NSW EPA's '<i>List of NSW contaminated sites notified to the EPA</i>' and '<i>POEO Public Register</i>' has been undertaken which revealed no contaminated sites listed on or in the vicinity of the site. A total of 5 licences have been issued under the <i>Protection of the Environment Operations Act</i> in Werris Creek however none are noted within proximity to the site.</p> <p>The proposed development is not considered to be sensitive in nature and is not located in proximity to any known contaminated site. As a result, is considered to be appropriate for the site in its current state without any further need for</p>	<p>is no risk of transmission of contamination due to the development, and the site that was used for a sanitary depot is known and isolated.</p> <p>As an additional mitigation measure, a condition has been included in the recommended terms of consent requiring works to immediately stop and Council to be notified if the land is found to be contaminated during works.</p>
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	contamination investigation in accordance with SEPP 55.	
Stormwater, Access & Bushfire		
<p>The DRB Storm Management report or GHD flood impact study or other assessments provided by Wynergy Pty Ltd don't include Lot 3 DP 343532 in the proposed development. Have the environmental impacts of the proposed access road been considered?</p> <p>I submit that it is not presently possible for the Consent Authority to inform NRAR of the basis on which controlled activity approvals are required. The SEE provides no detail of the proposed activities and the Stormwater Management Report specifically excludes consideration of the impact of a potentially critical controlled activity, namely the construction of an access road across Watercourse A. The Consent Authority must request additional information from the applicant.</p> <p>I submit that the Consent Authority must be provided with a bushfire emergency management operations plan and further information regarding access issues before it can determine this DA.</p>	<p>The access road will be compliant with the relevant requirements of PBP 2019 through providing sufficient access road width to accommodate emergency services vehicles and allow for safe and efficient egress from the site.</p>	<p>It is noted that only a small proportion of the proposed access road to the solar farm transverses Lot 3 in DP 343532. No other infrastructure or improvements are proposed on the site. In this regard, it is considered that there will be negligible impacts arising from Lot 3.</p> <p>The NSW Natural Resource Regulator (NRAR) have provided their General Terms of Approval (GTA) to Council for the proposed development, which are contained in the recommended conditions of consent.</p> <p>The environmental impacts of the access road have been considered throughout the assessment of the subject application. Conditions have been included in the recommended terms of consent to ensure that the access road is built to the requirements of Essential Energy, Council and PBP 2019, and that any adverse impacts, such as dust and stormwater, are appropriately mitigated.</p> <p>A Bushfire and Emergency Management Operations Plan is required to be submitted prior to the issue of an Occupation Certificate, as a recommended condition of consent.</p>

Noise		
<p>The low-grade continual noise of panels tracking the sun and the audio hum of electricity being produced and transported.</p> <p>...no sleep disturbance has been carried out as per 3.1.2 of these documents as per Section 4.3 of ICNG (DECC< 2009). Lack of sleep for us and many like us can and will result in major incidents at work and to have not carried out a sleep assessment is highly irresponsible on LPSC's part and could end in litigation.</p>	<p>No response required from the Applicant.</p>	<p>The NIA advises that operational noise will satisfy the Noise Policy for Industry's Project Noise Trigger Levels (i.e. criteria) for the assessed receivers. A condition has also been included in the recommended terms of consent to ensure that the development does not produce offensive or intrusive noise, as defined by the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>The NIA notes that Section 4.3 of the Interim Construction Noise Guideline states that a sleep disturbance assessment is required where construction activities are planned to occur for more than two (2) consecutive nights. As construction hours are to occur during standard construction hours, sleep disturbance has not been considered. A condition has been included in the recommended terms of consent to limit construction hours ensure compliance in this regard.</p>
Flooding		
<p>Section 3 and Section 4 in the Flood Impact Study refers to the Cockburn River catchment...Werris Creek is approximately 80 km from the Cockburn River.</p>	<p>The assessment contained within the various specialist reports have been undertaken in accordance with all relevant legislation, regulations and technical guidelines relevant to their respective disciplines. All recommended environmental controls are to be implemented by</p>	<p>Council's Works Engineer has reviewed the submitted information and advised that the Applicant has clarified that they are not making any changes to the natural and existing stormwater flow regime outside of the solar farm area. The proposed on-site stormwater detention basin will</p>

	<p>the proponent to ensure that any potential impacts are managed and minimised.</p> <p>The provided documentation is considered to be appropriate for the proposed development and demonstrates compliance with all relevant legislation, regulations, and technical guidelines.</p>	<p>ensure that post-development discharge is reduced to pre-development discharge within the solar farm area. Conditions have been incorporated into the terms of consent to ensure compliance in this regard.</p>
<i>Suitability of the Site</i>		
<p>The area chosen is a natural watercourse during heavy rainfall. There's a better site further to the south...</p> <p>The development is too close to town.</p>	<p>The proposed development location is considered to be an appropriate location for the solar farm being located in an area of great potential for solar energy generation which holds a relatively flat and large area. Equally important is the location of the site with access to nearby electrical infrastructure capable of supporting the proposed electrical generation activities.</p> <p>A number of locations around Werris Creek were considered during the initial stages of project planning with discussions with various landowners occurring, however the selected site represented the best opportunity for the project moving forward.</p>	<p>The site is considered to be suitable for the proposed development, as detailed within the assessment report for DA 48/2020.</p>
<i>Waste</i>		
<p>If there is a breakage of the solar panels during construction or during the life of the panels, is it best practice to dispose the panels into the metal section for recyclables?</p>	<p>The solar panels are to be removed from the array support structure and are to be transported to appropriately licenced waste management facilities with sufficient capacity to cater to the number of panels. Recycling options are to be prioritised over disposal at landfill. The solar panels</p>	<p>A Waste Management Plan (WMP) has been submitted with the subject application. The WMP identifies waste management measures for each stage of the development, including site preparation, construction and operations. Conditions have been included in the</p>

	will enter into a recycling program as part of agreement with the solar panel provider.	recommended terms of consent to ensure to that any waste generated by the development is appropriately managed.
Decommissioning		
<p>The SEE advises that the development will be expected to operate for approximately 30 years...What is going to happen to the 12,960 solar panels when the solar farm is decommissioned? Should there be an end-of-life plan of the solar panels?</p> <p>The development will create new environmental hazards when it's time to decommission the solar farm.</p>	<p>Once the proposed activities have ceased at the site, the power generation elements, such as solar panels and electrical infrastructure, are to be removed from the site.</p> <p>The solar panels are to be removed from the array support structure and are to be transported to appropriately licenced waste management facilities with sufficient capacity to cater to the number of panels. Recycling options are to be prioritised over disposal at landfill. The solar panels will enter into a recycling program as part of (sic.) agreement with the solar panel provider.</p>	<p>Conditions have been included in the recommended terms of consent to address waste and technological hazards.</p>
Economic		
<p>Decreased property value and people moving away from town.</p>	<p>While not strictly a planning consideration, the management of impacts on the surrounding environment and properties will ameliorate much of the potential impact on the community and potential property values.</p> <p>Due to the nature of solar PV farms, visual impacts are generally the main consideration on the surrounding area for the community. To manage these impacts, a number of are (sic.) recommendations made within the submitted VIA</p>	<p>The economic impacts arising from the proposed development are addressed within the assessment report for DA 48/2020. Conditions have been included in the terms of consent to ensure that all potential impacts are appropriately mitigated by the Developer.</p>

	<p>(as detailed above). The proposed visual impact management measures are considered appropriate for the site and are inline with other solar farms in visually sensitive areas.</p> <p>With visual impacts along with all other impacts appropriately managed, the potential for impacts on the community are considered to be low. The investment in Werris Creek and the establishment of a key renewable energy project will provide economic benefits throughout the region and align with Council's and the NSW Government's vision of development for the region.</p>	
Dust		
<p>What are the dust impacts for the properties on the edge of town opposite the site during construction and any mitigations that Council might require Wynergy to undertake?</p>	<p>The design of the solar array structures allows for the supporting pylon to be driven into the ground as opposed to being installed via excavation. This limits the exposure of underlying soils on the site minimising the potential for dust impacts.</p> <p>Excavation is limited to ancillary elements such as access road management area, and electrical cabling all of which will be managed by appropriate erosion and sediment controls along with dust mitigation measures such as water sprays during works. It is also noted that such works are temporary in nature.</p>	<p>The SEE and supporting technical studies identify a range of measures to mitigate any dust that may be generated during construction and operation of the proposed development. Such measures, as identified in the VIA, include: the retention and maintenance of ground cover beneath the solar panels and application of water for dust suppression. Conditions have been incorporated into the recommended terms of consent to ensure compliance in this regard.</p>

	The access road and management areas are to be finished in line with Council design requirements and, with the relatively low amount of traffic projected, is not expected to generate dust issues during operation.	
Landscaping		
The possibility of a tree bank being successful are very minimal, given our history of drought and the rocky soil that the trees are to be planted in. How will the success of the proposed landscaping be ensured?	<p>As outlined in Section 6.4 Maintenance of the Menz Solar Farm, Werris Creek Landscape Plan: <i>“All plantings will be properly established and maintained, ensuring that the aesthetic remains neat and integrated with local landscape elements.”</i></p> <p>The landscape plan outlines that the use of indigenous, hardy natives most suited to the requirements of the vegetation plan and the varied soil types found onsite will be selected.</p> <p>The establishment and continued maintenance may be governed by appropriate conditions of consent imposed by Council ensuring long term outcomes for the site are achieved and maintained throughout the solar farm’s life.</p>	Conditions have been included in the recommended terms of consent to address this issue accordingly.
DA Processes - Notification & Staging		
The DA should be re-notified as the notice is incurably confusing in its various forms and is prone to mislead potentially interested parties.	No response required from the Applicant.	A written notice was published on Council’s website, the Quirindi Advocate newspaper (dated Wednesday 28 October 2020) and adjoining landowners. The notice included a description (including the address) of the lands on which the

<p>Council wrote advisory letters to about forty residents and gave us three weeks to respond with our responses. The remainder of Werris Creek is oblivious to this development, which makes me very suspicious of their motives.</p> <p>I am concerned because this (property) is zoned agricultural property and a Solar Facility is industry.</p>		<p>development is proposed to be carried out, being Lot 1 in DP 509915 and Lot 3 in DP 343532 – 962 and 822 Black Gully Road, WERRIS CREEK NSW 2341. The notice also contained the prescribed information under Clause 77 of the <i>Environmental Planning and Assessment Regulation 2000</i>. No further action is considered to be warranted in this regard.</p> <p>It is noted that Council's adopted <i>Community Engagement and Participation Plan (2019)</i> states that re-notification is not required if the environmental impact of the development has been reduced or not increased. The additional information provided by the Applicant has not increased the environmental impacts of the development and therefore re-notification is not required.</p> <p>The proposed development is permitted with consent by virtue of Clause 34 under <i>State Environmental Planning Policy (Infrastructure) 2007</i>, as detailed in the assessment report for DA 48/2020.</p>
<p>This is stage 1 of the solar development which means there are more stages with more solar panels are (sic.) to come in the future.</p>	<p>The proposed development only relates to the establishment of a 5MW solar PV farm at the site along with the proposed supporting infrastructure. The reference to Stage 2 within the VIA refers to</p>	<p>A condition has been including the recommended terms of consent to clarify that approval is granted for only Stage 1.</p>

	<p>the northern section of the leasehold area which is not proposed to be developed as a part of this DA.</p> <p>To clarify, no staging is proposed as part of this development application and any future expansion of the solar farm will require a separate development application to Council.</p>	
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