

## PLANNING REPORT

### TEMORA SOLAR FARM

Report to Southern Regional Planning Panel

Prepared by Claire Golder, Town Planner, Temora Shire Council

### **EXECUTIVE SUMMARY**

This planning report has been prepared in response to the proposal by ITP (Development) Pty Ltd for the construction of the Temora Solar Farm at 197 Moroneys Lane Temora. The proposal involves the installation of solar photovoltaic panels, with supporting inverter station, fencing, landscaping and ancillary infrastructure across a 11 hectare footprint within a 48.6 hectare property. The subject land is a predominantly cleared small scale agricultural property.

The proposal is private infrastructure and community facilities over \$5 million. The proposal has a capital investment value of \$6.6 million dollars.

The proposal was placed on public exhibition from 19 March 2021 to 21 April 2021 in accordance with the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000* and the Temora Shire Development Control Plan 2012.

Four submissions were received during the notification period. Issues covered by the objectors related to visual impact, impact on potential future subdivision of adjoining land, location of the proposed solar panels within the subject lot, proposed landscaping, environmental impact of site remediation and preference for solar farms to be located in settings further away from urban areas. Comments were also received from John Holland Rail raising no concerns with the proposal. A response was also received from the Natural Resources Access Regulator, providing General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000*.

The application is recommended for approval as the development is of acceptable size and scale in the proposed location and provides an additional source of energy generation. Impacts of the proposed development can be suitably mitigated through suitable environmental management plans, controls and provision of a landscaping screen.

## Assessment Report

DA No.	17/2021
Applicant	ITP (Development) Pty Ltd
Property	Lot 1 DP 1110693, 197 Moroneys Lane, Temora
Owners	Phillip and Debbie Smith
Proposal	<p>The construction and operation of a 5MW solar farm, including:</p> <ul style="list-style-type: none"><li>• Solar voltaic modules</li><li>• Mounting frames</li><li>• Electrical transformer and two inverters</li><li>• Electrical cabling</li><li>• Perimeter fencing,</li><li>• Landscape screen planting, and</li><li>• Access from Moroneys Lane</li></ul>
Notification	<p>Advertising of this application for a period of thirty-six (36) days was provided as part of the assessment process, from 17 March 2021 to 21 April 2021</p> <ul style="list-style-type: none"><li>• Notification letters to forty-one (41) adjoining/nearby landowners, located within 2 kilometres of the proposed site.</li><li>• Integrated Development notification to the NSW Natural Resources Access Regulator</li><li>• Newspaper advertisements on Friday 19 March 2021 and Friday 26 March 2021</li><li>• Newspaper article on 26 March 2021</li><li>• Council's website and social media awareness</li></ul>

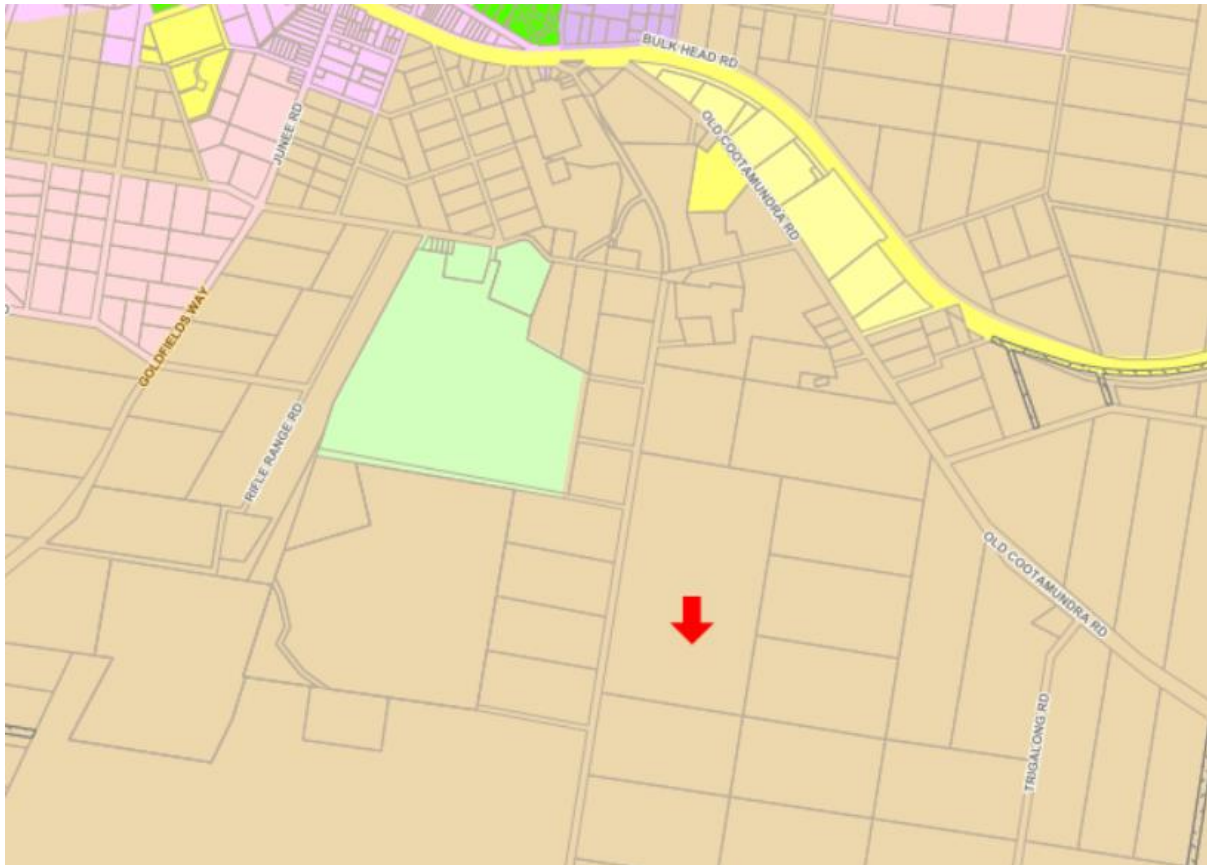
## Site Description

The development site is located approximately 2.8 kilometres south-east of Temora township, and involves the development of 11 hectares of land, within a 48.6 hectare property, with access from Moroneys Lane.

The subject land is cleared and used for lifestyle agricultural purposes, including grazing by alpacas. Existing native vegetation located in the north-western corner and along the southern boundary is located 100m-150m from the development site. Site photos are included at Appendix 1.

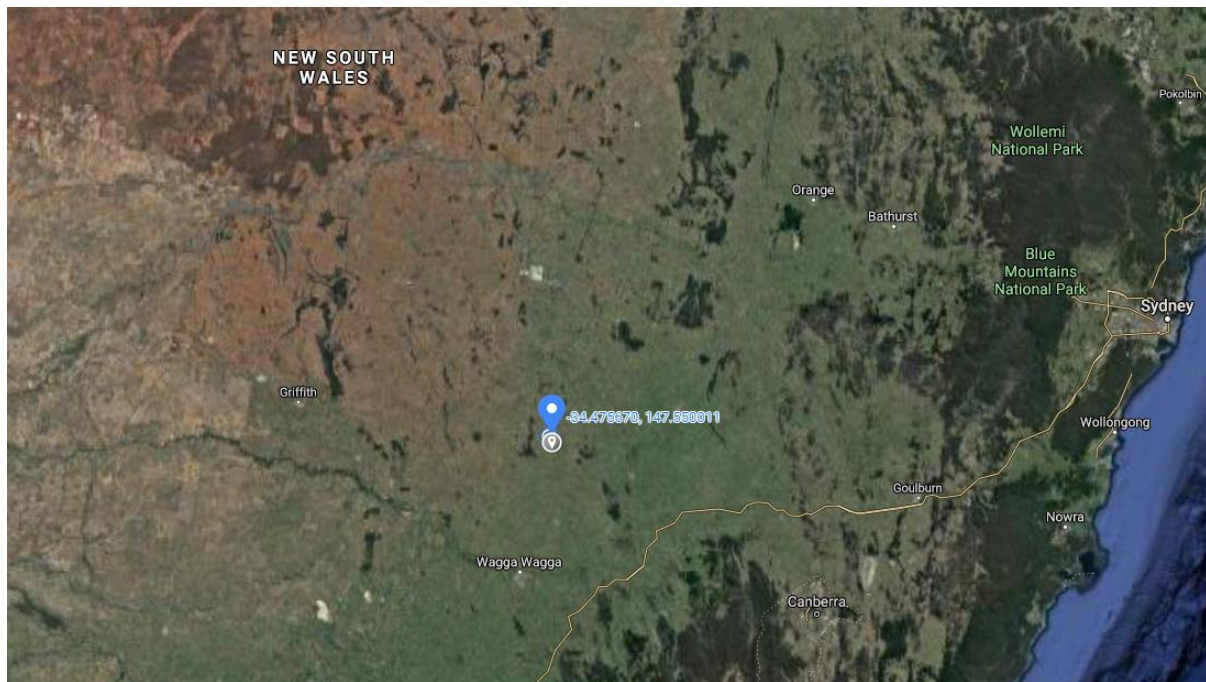
Adjoining land is also used for agricultural and lifestyle purposes, as well as the Temora golf course, located on the north-western boundary.

Map 1 shows the location of the subject site, indicated by a red arrow, within the Temora Local Environmental Plan (LEP) zoning map. The zoning of the land is RU1 Primary Production



**Map 1: The location of the subject land, indicated by a red arrow, shown on the LEP zoning map.**

Map 2 shows the location of the site, within southern NSW.



**Map 2: Location of site within southern NSW (Google Maps)**

### Development Description

Specific details of the development are:

The development consists of 12,100 solar modules, arranged in 140 rows, running north to south proposed to be spaced approximately 6.25m centre to centre apart, which will tilt to a maximum height of 2.7m. The hub height of each tracker will be around 1.5m. The project includes the provision of ancillary facilities including two inverter stations, with dimensions of shipping container size of 3.05m high, 12.19m long and 2.43m wide. The site will be secured with a chain mesh steel security fence topped with three rows of barbed wire to a total height of 2.3m. The solar arrays are to be setback 8 metres within the fence. A landscaped screen is proposed on all four sides of the outer side of the security fence and inside a stock fence.

During construction, there is expected to be 50 personnel on site working from 7am – 4pm, Monday to Friday. The construction is expected to take approximately 3 months. During the 12-week construction period an estimated 33 semi-articulated trucks and 12 B-Doubles will access the site with an expected daily maximum likelihood of 4 trucks. The trucks will access the site throughout the day generally between 10am and 2 pm and would therefore not contribute to morning or afternoon peak hour.

Construction workers are likely to be in the order of 20-30 vehicles entering the site in the morning between 6:30 to 8:00am and leaving at the afternoon peak around 4:00 to 5:00pm. These will be light vehicles and or shuttle bus service.

Once operational, the site will be unmanned. Maintenance is expected to be carried out quarterly by a crew of 2 to 3 people.

The proposal includes the provision of a landscape buffer be planted around the entire development site boundary, in order to reduce the visual impact of the proposed development to a satisfactory level. Photomontages of views towards the development site



**GENERAL ARRANGEMENT PLAN**  
SCALE: 1:5000

SITE INFORMATION	
LOT/DP	11112860
ADDRESS	187 MCKENZIE LANE, TEMORA, NSW 2866
LOCAL	TEMORA SHIRE COUNCIL
LAT/LONG	34.67023 150.5462
ELEVATION	210m
LOT AREA	46.5 ha
FENCED AREA	11.0 ha
GRID	ESSENTIAL ENERGY

PROJECT INFORMATION	
AC CAPACITY	5.0 MW
INVERTERS	2 x 2.5 MW AC
TRACKER SPACING (M)	MIN. 1m
ARRAY PITCH	0.25m
CONNECTION VOLTAGE	11 kV
CONNECTION FEEDER	ESSENTIAL ENERGY (TEMORA)
CONNECTION SUBSTATION	ESSENTIAL ENERGY TEMORA TOWN 8011
SECURITY FENCE NETWORK	MIN. 3m FROM OPTION BOUNDARY
ARRAY SETBACK	MIN. 8m FROM SECURITY FENCE
ACCESS PATH WIDTH	4m

DEVELOPMENT APPLICATION	
APPLICANT	TEMORA 10 MW SOLAR FARM
PROJECT	10 MW DEVELOPMENT
ADDRESS	187 MCKENZIE LANE, TEMORA, NSW 2866
REFERENCE	TEMIC-G-2100

NO	DATE	BY	FOR	REVISION
1	05/07/2020		1. CIVILITY SYSTEM WILL BE USED, AND SECURITY CAMERAS WILL BE INSTALLED AROUND THE SITE	
2	05/07/2021			
3	05/07/2021			
4	05/07/2021			
5	05/07/2021			

itp RENEWABLES

187 MCKENZIE LANE, TEMORA, NSW 2866

02 6822 1111

Solar panels and related infrastructure will be decommissioned and removed upon cessation of operations. This is likely to occur within two years of the end of the project. The site will be returned to the pre-development land use.

The following matters are considered under section 4.15 of the Environmental Planning and Assessment Act, 1979, as part of the assessment of the proposal.

1. State Environmental Planning Policy (SEPP) (Infrastructure) 2007 is relevant to this application.

The application is considered under Division 4, Electricity generating works or solar energy systems. The application falls within the definition of a solar energy system, which includes a photovoltaic electricity generating system. Under Clause 34,

Development for the purpose of a solar energy system may be carried out by any person with consent on any land.

2. State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019 is relevant to this application.

The aims of this Policy are as follows:

- (a) to facilitate the orderly economic use and development of lands for primary production,
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,
- (e) to encourage sustainable agriculture, including sustainable aquaculture,
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.

The proposal is not inconsistent these aims, as the proposal is limited to a total development area of 11 hectares of rural land. The subject land has limited agricultural use due to the size of the property and is predominantly used for rural lifestyle purposes. The design has responded to the need to reduce land use conflicts by separating the proposed structures from existing rural dwellings. The proposed use will not impact upon the ability of adjoining and nearby landowners to carry out normal farming operations.

3. State Environmental Planning Policy (State and Regional Development) 2011 is relevant to this application

Development that is state and regionally significant is identified in *SEPP (State and Regional Development) 2011*. Electricity generating works including solar farms which have a capital investment value of more than \$30 million, or a capital investment value of more than \$10 million and are located in an environmentally sensitive area of State significance, are declared state significant development. Private infrastructure, including electricity generating stations, that have a capital investment value of over \$5 million are declared regionally significant. In this case the proposed development has a CIV of \$6.6 million and is regionally significant. The application will be determined by the Southern Regional Planning Panel.

4. State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

The proposal does not involve any development that is identified as hazardous or offensive. The proposal does not involve the inclusion of battery storage.

5. State Environmental Planning Policy No. 55 – Remediation of Land is relevant to this application.

The property has been cleared and farmed for many years and is not known to be listed on a Council register of potentially contaminated land. There has been no known historical usage that would cause the land to be contaminated. NSW Health advise that the use of farm chemicals such as pesticides and fertilisers is not considered to contaminate soils to the extent that mediation is required. It is considered that a preliminary investigation is not required for the development of a solar farm.

Any required subdivision of the site, as part of future lease or purchase arrangements, will be dealt with as part of a separate application, if the consent for the solar farm is approved. This is acceptable under the Temora Local Environmental Plan 2010.

### **Riverina Murray Regional Plan 2036**

The *Riverina Murray Regional Plan 2036* was released in March 2017. It establishes a framework for growth over the next 20 years for the Riverina Murray Region which includes Temora LGA.

The plan supports the protection of high-value environmental assets and aims to develop a strong and diverse economy with supportive communities. The plan contains the following four goals:

- 1. A growing and diverse economy*
- 2. A healthy environment with pristine waterways*
- 3. Efficient transport and infrastructure networks*
- 4. Strong, connected and healthy communities*

A series of directions and actions are to guide land use planning priorities and decisions.

Direction 11 is to *promote the diversification of energy supplies through renewable energy generation*. Actions associated with this direction are:

*11.1 Encourage renewable energy projects by identifying locations with renewable energy potential and ready access to connect with the electricity network.*

*11.2 Promote best practice community engagement and maximise community benefits from all utility-scale renewable energy projects.*

*11.3 Promote appropriate smaller-scale renewable energy projects using bioenergy, solar, wind, small-scale hydro, geothermal or other innovative storage technologies.*

Direction 21 is to *align and protect utility infrastructure investment*. It is noted that there are opportunities to provide cost-effective extended and upgraded services for stand-alone alternative energy generation and the use of renewable options such as solar generation.

### **Temora Shire Local Strategic Planning Statement**

The purpose of the *Temora Shire Local Strategic Planning Statement* (LSPS) is to guide current and future land uses for over the next 20 years. The Statement sets out Temora Shire's land use planning priorities and actions over the short-medium term. It uses population data, future projections, housing needs, economic issues, transport, social

issues, and environmental factors to explain current growth and change, and guide priorities and actions. The Statement identifies the planning priorities of the community, including agriculture, housing, aviation, employment, tourism, heritage, environment, amenity and liveability.

The proposal is consistent with the planning priorities and actions identified within the LSPS, as the project supports the continuation of agriculture, manages land use conflict and protect the right to farm, supports new and expanding agribusiness opportunities, creating investment and employment opportunities, through the active support of a range of permitted land uses that complement traditional agricultural production, diversifies the local economy and supports sustainable growth.

### Other legislation

#### *Biodiversity Conservation Act 2016*

The *Biodiversity Conservation Act 2016* introduced the *Biodiversity Offsets Scheme* which is used to determine whether the *Biodiversity Assessment Method* is necessary to assess the impacts of a development proposal on threatened species, endangered ecological communities and habitats.

Determining whether a *Biodiversity Development Assessment Report* is required under the *Biodiversity Conservation Act 2016* and subsequently whether the *Biodiversity Offsets Scheme* would apply to the proposed works is subject to three steps.

- The first step is to identify whether the site is mapped on the *Biodiversity Values Map*.
- The second step is to estimate whether the extent of native vegetation to be cleared for the proposed development is above the threshold which in this case is 1 hectare.
- The third step is to carry out a test of significance to predict whether impacts on biodiversity are likely to be significant.

Under the *Biodiversity Offsets Scheme* offset obligations may apply whereby the biodiversity assessment finds that the removal of vegetation to facilitate the development will have significant impacts on flora. These offsets are in the form of credit obligations whereby payment is made to a biodiversity conservation fund which enable vegetation removal and provides funds to assists to preserve the same vegetation community elsewhere. Credit obligations also apply to fauna species where particular species are likely to be living in or frequenting the property.

The project requires less than 1 hectare clearance of native grass and zero remnant native trees.

The proposed works will have a negligible adverse effect on the foraging ability or the life cycle of threatened species that may be opportunistically using the site or surrounding areas. The small amount of native grass that will be impacted by the development will not endanger or have a significant effect on any existing native vegetation, habitats within the site, or fauna species that may be using the site.



Through controls, the small sections of remnant EEC Box Gum Woodland on the southern boundary of the lot can be protected from impact by the development, given that the nearest edge of the works is over 100 metres north. This project will not displace any rare or threatened species, however, it is likely that a number of threatened and declining bird species may be using the area to the south and along the heavily wooded road reserve on the western boundary, hence the construction activities may prove to disturb foraging activities for a short period.

The site comprises exotic species and pasture grasses, with many species commonly regarded as 'highly invasive' in more natural woodland settings. While the proposed works will create negligible opportunities to introduce noxious weeds, vermin, feral species or genetically modified organisms into an area, the movement of vehicles, plant, equipment and people on and off the development site has the potential to introduce such impacts. Council proposes controls to require a weed management and biosecurity plan to mitigate against the risks of invasive species at the site. Wherever possible, removal of weeds should be undertaken prior to seed developing, which for most species occurs during summer months.

It is concluded that the proposed works will not have a significant effect on any threatened species and ecological communities and/or their conservation.

### **Local Planning Controls**

The site is zoned RU1 Primary Production under the Temora Local Environmental Plan (LEP) 2010.

The proposed use of solar energy system is not permitted with consent in this zone. However, the proposal relies on permissibility with consent under SEPP (Infrastructure) 2007.

The objectives of the RU1 Primary Production zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- 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 minimise the degradation of natural scenery and rural landscapes.
- To encourage the conservation and efficient use and of water.
- To protect, enhance and conserve the natural environment, including native vegetation, wetlands and other natural features that provide wildlife habitat, protect flora and fauna, provide scenic amenity and that may prevent or mitigate land degradation.

- To encourage the provision of tourist accommodation in association with agricultural activities.

The proposal is not inconsistent with the objectives of this zone, as it is a non-agricultural use, appropriate to the area, with low noise and low traffic generation once construction is complete. The development is proposed in response to the local natural resources of high solar radiance and gently sloping topography. The not inhibit the nearby routine farming operations, as these can continue around the operations of the solar farm. The proposal provides an appropriate diversification from small scale agricultural use of the site.

The proposal has been designed to minimise conflict with adjoining land uses by separating the proposed solar structure from existing dwellings, with screening of the site through existing vegetation and gentle changes in the topography to shield broad views of the proposed solar farm. The applicant also includes a 3m wide landscape screening buffer around the development site boundary, consisting of suitable native grasses, groundcovers and shrubs, to achieve a softening of the visual impact of the development to an acceptable level. Once the shrubs mature, they will achieve a height of 2 – 2.5 metres, which will largely screen the development from view. As the site has low agricultural value, due to its relatively small size, the impact of the loss of agricultural land is considered to be negligible.

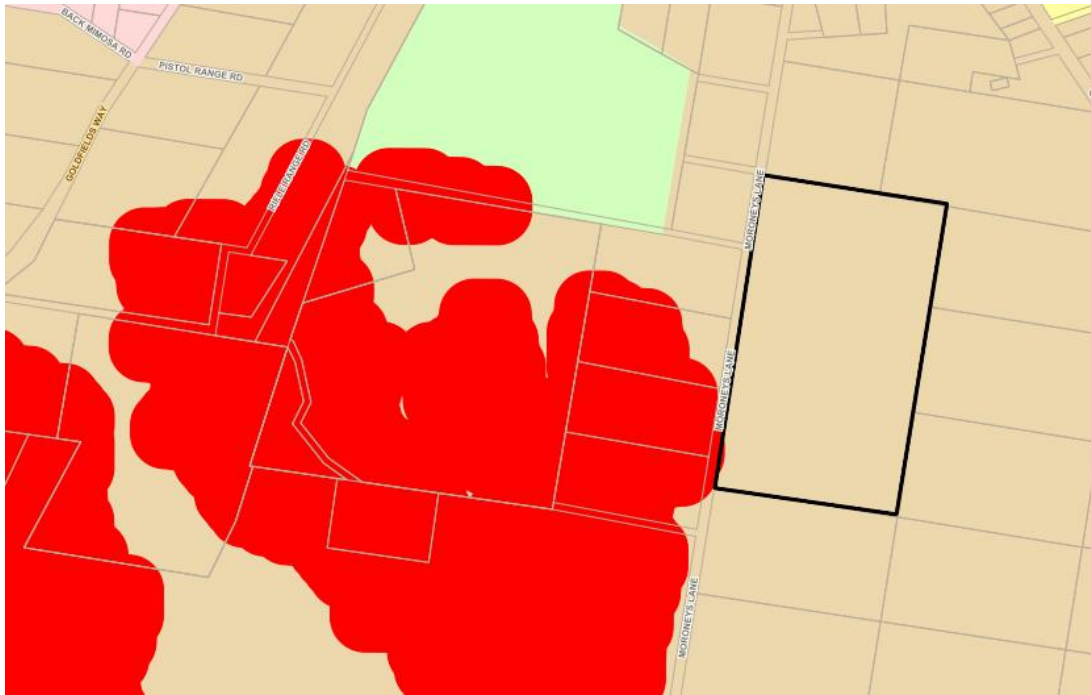
The proposal is obviously a change from a primary production use of the land, however the proposal includes a concept decommissioning plan, for a future return back to primary production land use. Therefore the proposal is not inconsistent with the objectives of the zone.

The Temora Shire Council Development Control Plan 2012 is relevant to this application. The chapters relevant to this proposal are:

- Bushfire Protection

The site is adjoined by bushfire prone land to the west, including privately owned land and roadside vegetation. Map 4 shows the location of adjoining bushfire prone land. A small area at the south-western corner of the development site is mapped as being a bushfire buffer on the bushfire prone land map. Infrastructure comprising electricity generating works is not a habitable building and is not listed as a *special fire protection purpose* under section 100B of the *Rural Fires Act 1997*. The development footprint is not mapped as bushfire prone land and is over 250 metres from the mapped bushfire buffer.

Defendable space is available within the 8 metre setback between the array and the security fence. It is also proposed that a fire emergency management plan be prepared through liaison with Council, Essential Energy and the Rural Fire Service. That plan would establish procedures to respond to a fire event and other measures such as maintenance of ground fuels, access arrangements, on site fire-fighting equipment and isolation of electrical infrastructure. Relevant conditions of consent will include management practices and procedures to minimise the risk of a grass fire at the site.



**Map 4: Location of bushfire prone land adjoining the subject site**

- Car Parking

Temporary car parking will be provided during the construction period, for up to 40 small vehicles, as well as a materials lay down area. Council proposes a condition of consent to require the applicant to detail the size/capacity, construction and location of the temporary car parking area, to the satisfaction of Council.

- Development Applications

The application for development has been made including all relevant information and plans.

- Industrial Development

The applicant will be required to respond to relevant controls including provision of appropriate servicing, traffic, parking and access, namely all vehicles must be able to enter and exit the site in a forward direction, adequate space and facilities for loading and unloading are required to be provided wholly within the site, Waste material shall be stored in appropriate receptacles, and removed on a regular basis to Council's satisfaction.

This will ensure adverse environmental impacts such as traffic movements, noise, dust, waste disposal and poor design are minimised or eliminated.

The proposal includes a noise assessment, which identifies construction works involving earthworks, heavy and light vehicle movements.

- Notification of Development Application

The applicant has been notified to adjoining and nearby neighbouring landholders, as well as advertised to the public, in accordance with the Development Control Plan.

- Rural Development

The application responds to general controls for a rural industry, including landscaping to screen the site from neighbouring dwellings and good vehicular access.

- Sewage Management

The applicant advises that temporary facilities will be installed onsite for the duration of construction. No permanent facilities are required as there will be no permanent staff required to maintain the site.

### Likely Impacts

#### *Environmental*

- *Natural*

#### Vegetation

The proposal is located on cleared land that is used for rural lifestyle purposes. The site is a highly modified grazing paddock with some native grasses present and an obvious history of pastoralism and or cultivation.

The Landscape Character and Visual Impact Assessment provided by the applicant, states that the rural landscape in the vicinity of the development site is one that has been modified by human activity associated with the agricultural industry. It is characterised by a mix of farming, rural uses including rural industrial facilities, rural living dwellings and scattered remnant native vegetation along boundaries, road reserves and patches within private property. This is considered to be an accurate assessment of the site.

The development will not impact on the strip of remnant vegetation to the south of the site which could be defined as part of the Endangered Ecological Community (EEC) - Box-Gum Woodland. The site has had obvious disturbance in the pursuits of pastoralism and or cultivation. No threatened species, scats or other evidence of the use of this zone or the development site were recorded during a survey conducted as part of the biodiversity assessment.

The project requires <1 ha clearance of native grass and zero remnant native trees. Proposed conditions will manage the level of risk to an acceptable level, in relation to activities that may impact on the foraging ability or the life cycle of threatened species, which may be opportunistically using the site or surrounding areas.

The small amount of native grass that will be impacted by the development will not endanger or have a significant effect on any existing native vegetation, habitats within the site, or fauna species that may be using the site.

The small sections of remnant EEC Box Gum Woodland on the southern boundary of the lot can be protected from the impacts of the development, as the nearest edge of works is over 100m north. This project will not displace any rare or threatened species, however it is likely that a number of threatened and declining bird species may be using the area to the south and along the heavily wooded road reserve on the western boundary, hence the construction

activities may prove to disturb foraging activities for a short period. Relevant controls are proposed to manage risks to such bird species.

The site is not identified as being with a Flood Planning area. Erosion risk during and post construction can be managed through relevant conditions of consent.

#### Land Contamination

The site is not identified as contaminated land. The property has been cleared and farmed for many years and is not known to be listed on a Council register of potentially contaminated land. There has been no known historical usage that would cause the land to be contaminated.

#### Aboriginal Cultural Heritage

In accordance with the code, an on-line search was carried out of the *Aboriginal Heritage Information Management Service (AHIMS)* that is maintained by Heritage NSW. The search is part of the due diligence process and remains valid for 12 months.

A search of Lot 1 DP 1110693 was performed on 27 January 2021. The search results are:

- There are no Aboriginal sites recorded in or near the selected location, and
- There are no Aboriginal places that have been declared in or near the selected location.

The development area does not possess landscape features that indicate the presence of Aboriginal objects. The development area has been disturbed and farmed, does not possess significant landscape features and no known Aboriginal objects are listed in *AHIMS*. The desktop assessment found that no known Aboriginal objects are listed in *AHIMS*. A site inspection was made on 12 November 2020 and there was no obvious evidence of any artefacts or items of cultural significance on the surface of the land.

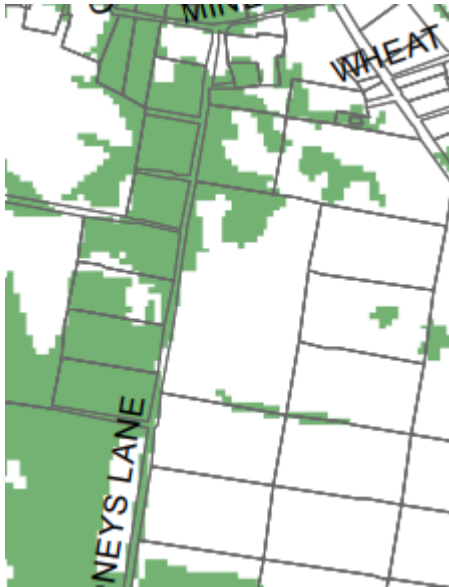
Temora lies within the area managed by Young Local Aboriginal Lands Council. The LALC has been advised of the plans to develop the solar farm by email. As not all culturally significant items or places are made public and listed on *AHIMS*, a request was forwarded to the LALC enquiring as to whether the organization has any knowledge of Indigenous items or places of significance on the property.

The LALC has not responded at the time of lodgement of the development application. Temora Shire Council may recommend that a condition of consent be imposed to require a site inspection be carried out by an LALC sites officer either before any work commences or prior to the issue of a construction certificate.

#### Biodiversity

Only the northern section of the subject lot and a very small section of roadside vegetation are identified within the Sensitive Biodiversity Map within the Temora LEP. Both of these sections of the site are unaffected by the proposed development, as shown by Map 5. Council proposes a condition of consent that these sensitive biodiversity areas are identified onsite during construction to ensure that these areas are not impacted by the construction works.





#### **Map 5: Natural Resources Sensitivity - Biodiversity Map of the site**

The site is not identified within the Natural Resources Sensitivity Water map or the Natural Resources Sensitivity Land Maps of the Temora LEP 2010.

Noise impacts during construction will be managed through conditions to limit the timing of construction to approved construction hours, as well as responding to the requirements of a noise management plan. No noise impacts post construction are expected, however a one-off noise assessment is proposed post construction.

Air quality impacts will require management during construction, to suppress dust generation. This will include strategic watering and suspending works during excessively dry and windy conditions.

#### **Bushfire Risk**

The site is not identified as Bushfire Prone land. However, as the site is located in a farming area, there is always a risk that a grassfire could occur on nearby or on the subject land. The applicant will be conditioned to develop a Construction Environmental Management Plan and an Operations Environmental Management Plan in order to develop procedures to reduce the risk of a bushfire threat and to manage a fire emergency event. These procedures will be developed in conjunction with the Rural Fire Service, Essential Energy and Council. Measures will include ongoing maintenance to reduce fuel load, staff training, access arrangements, isolation of electricity operations during a fire emergency and onsite fire fighting equipment.

#### **Visual Impact**

The proposal does represent a change to the rural landscape, as it is a change from cleared farmland to a solar electrical installation. The visual impact of such a change is subjective.

The applicant has provided the following details about how the site was selected and the techniques to minimise the visual intrusion of the development to the rural landscape.

The site at 197 Moroneys Lane Temora was selected as the preferred site for the Temora Solar Farm for the following reasons:

- Access to solar resource,
- Proximity to existing suitable electricity infrastructure
- Gently undulating topography, reducing the need for substantial earthworks
- Cleared landscape, reducing impact upon biodiversity
- Support from landowner to lease the site

The applicant acknowledges that the proposed use is substantially different from the current landuse of open farmland.

The size and scale, or magnitude, of the project and impact on landscape character is considered to be high for private property due to the introduction of a new type of development that is substantial in size and scale, and will change the nature of the rural landscape in the immediate vicinity of the site. It is also judged to be high for local roads from which it is visible and moderate for Old Cootamundra Road.

The sensitivity of private property to landscape change is considered moderate given the existing modified landscape which is predominantly agricultural with intervening vegetation between the dwellings and the development footprint. All dwellings to the west of the site are setback significantly from Moroneys Lane. Topography and vegetation would provide effective screening of the facility from dwellings to the north and to some extent from dwellings to the west. The sensitivity would decrease with distance so that visibility of the solar farm to neighbouring farms to the east and south would be negligible.

The works would be visible from some public roads including Moroneys Lane and Old Cootamundra Road. The sensitivity of Moroneys Lane and other local roads to landscape change would be moderate in close proximity to new development, and low for other roads as it is tempered by the presence of the silo and sub-station.

Without the inclusion of screen planting, the overall impact on landscape character in relation to private property is assessed to range from negligible-low up to moderate-high, depending on the location of the dwelling. The overall impact on landscape character in relation to the public domain is assessed to range from low to moderate to moderate-high depending upon proximity to the development site. The large sub-station and grain facility serve to mitigate the impact of the size and scale of the facility on the rural landscape visible from Old Cootamundra Road.

The applicant provides the following information about the means to minimise the level of visual impact of the proposed development:

- Separation of the development from neighbouring residences, through design of the layout
- Existing roadside vegetation to assist with screening the development

- Low scale of the development. With the majority of the development at just over two metres, when viewed from a distance of 500m and beyond, the development will not protrude to a large height above the view of natural ground level.
- Choice of colours of fencing and buildings is designed to blend into the landscape, not stand out.
- A landscaping proposal has been included with the application, which details species selection, planting techniques and dimensions.
- Although the development will be able to be seen; the combination of separation, design, native vegetation screen planting, low height and muted colours will limit the visual impact to an acceptable level in a rural landscape.

To mitigate impacts on the landscape and visual amenity, it is recommended that a vegetation screen be planted around all four sides of the array. Native plants that grow to a maximum height of 2.5 metres should be selected for all boundaries.

## **Noise**

A noise assessment provided as part of the application advises that, firstly, during construction, noise levels at four receivers are expected to exceed noise management levels by up to 4dB when works are nearest to those locations. The exceedance would be temporary, and of short duration and is primarily due to piling and earthworks activities when at their closest point to receivers. Therefore, noise controls during construction periods are recommended to be implemented to reduce noise impacts on the acoustic amenity of the surrounding community. With the implementation of the proposed noise controls, this level of noise impact is considered to be satisfactory.

The noise assessment demonstrates that road noise criteria will be satisfied at all receivers on the proposed transport route during the construction phase.

During operation, the PV panels would generate electricity which would be fed into the power grid. Key noise emissions from the operation of the project are associated with the inverter and transformer(s). It is noted that emissions from these sources are anticipated to be acoustically insignificant compared to ambient background noise levels at assessed receivers.

Map 6 shows the location of the proposed development site, within the rural land setting, and the proximity of nearby residences.

The closest dwellings to the subject site are four dwellings, excluding the landowners dwelling. These dwellings are located between approximately 400m to 600m from the development site. The locations of the nearest dwellings are identified as R01, R02, R04 and R05. The dwelling located at R03 is the landowner's dwelling.



**Map 6: Location of the development site, shown edged in red, with the location of nearby residences identified**

Council proposes a series of conditions to manage construction noise emissions, including:

- a construction noise management protocol to minimise noise emissions, manage out of hours (minor) works to be inaudible, and to respond to potential concerns from the community,
- use of localised mobile screens,
- plant operations controls,
- training, meetings and education of staff about noise minimisation,
- use of signage,
- community consultation and
- one-off operational noise monitoring assessment.

## **Waste**

Waste will mostly be generated during the construction phase of the project, and at the decommissioning phase (after 35 years of operation). The wastes are likely to include construction materials waste (e.g., wood pallets, cardboard), green waste and domestic waste. There will be no putrescible waste as a result of the project. The waste types generated from the project are likely to be classified as general solid waste (non-putrescible) class under the Protection of the Environment Operations Act 1997.

The operating phase will not generate waste streams unless there is maintenance, repairs or replacement of equipment required.

Decommissioning of the project is likely to occur in 35 years' time. Technology for recycling of PV panels is likely to be more advanced and readily available. Options for recycling of PV panels should be reviewed as the project progresses.

### **- Built**

The development site is cleared, with no existing built structures.

The development has been designed to minimise impact upon nearby residents, by providing as much separation as possible from the closest residences.

A glint and glare assessment of the site examined the potential for glare from 21 residential properties and 11 roads and no issues with potential glare were identified.

Traffic including truck movements generated at the site will only generate a relatively small level of increased impact on the local traffic conditions. Truck movements on the road network during harvest would be substantially higher.

### **Social**

The social impacts of the development are positive with the opportunity to provide 50 additional employment opportunities, over the three month construction period, and sourcing of local goods and services, during construction, as well as skilled employment opportunities covering long term maintenance of the site.

In relation to visual impact, the Landscape Character and Visual Impact Assessment noted that the overall impact on landscape character in relation to private property is assessed to be moderate-high. The overall impact on landscape character in relation to the public domain is assessed to range from low to moderate to moderate-high depending upon proximity to the development site. The large sub-station and grain facility serve to mitigate the impact of the size and scale of the facility on the rural landscape visible from Old Cootamundra Road. Photomontages provided by the applicant confirm that the panels will be visible from Moroneys Lane, Old Cootamundra Road and neighbouring private properties. However, the depiction of vegetative through stages of growth demonstrate that landscaping will provide effective screening from all directions.

The landscape that is already populated with large developments such as the electrical sub-station to the north and the bulk grain terminal to the north-east. Impacts are greatest in



close proximity to the solar farm as the further the distance a viewpoint is from the site the less the overall visual impact.

### *Economic*

The economic impacts of the development are positive with the opportunity to provide alternative energy supply services in Temora, as well as employment opportunities, supply of materials and demands for locally sourced services, such as accommodation, fuel and meals for visiting workers.

### Suitability of the Site

The suitability of the site relates to its access to regular solar radiation, gently undulating topography, predominantly cleared site, access to electricity infrastructure, and proximity to road infrastructure. The site is sufficiently separated from major urban centres, yet has reasonable proximity to enable ease of access to supplies, services and workforce. The site adjoins land with existing native vegetation, which assists with screening the development.

### Submissions

As a result of the notification of the development application, four written submissions were received. Issues raised by those making submissions included:

- Potential for future subdivision of adjoining land,
- Potential glare from development, despite environmental and aesthetic controls
- Prefer a location further away from town
- Consider that the siting of the panels within the lot will unreasonably affect views
- Concern about remediation and waste management
- Landscaping plan
- Advice that the Development Application will not have adverse impacts on the rail corridor.

A summary of these submissions is provided in Table 1. Copies of the submissions, including the response from the Natural Resources Access Regulator are included at Appendix 2. Copies of the submissions, with personal details removed, were provided to the applicant for response. The response is also summarised below. A copy of the applicant's response is included at Appendix 3. The applicant's response was provided to those making submissions, with a request for any further comments. However no further responses were received.

Submitter name	Comments	Applicant Response
Adjoining Landowner 1	The development is sited only 8 metres from western boundary. Adjoining land is conducive to future subdivision due to proximity to town and services. Environmental and aesthetic controls will not stop glare Should be located further from	Acknowledge the issue of the visual impact of security fencing, but note it is required for safety. Screening plantings with mature height of 2.5m – 3m will be used to soften the appearance of the development. Maintenance of the plantings will be included as part of the development.

	<p>town due to potential impacts on population growth</p> <p>Impact upon views due to siting of solar panels with the lot</p>	<p>Selection of the site is based upon access to network infrastructure, topography, vegetation, road access and availability of labour. The site is intended to minimise impact to existing immediate residents and have sufficient separation from roads.</p> <p>Provides evidence that the provision of a solar farm does not negatively impact property values.</p> <p>Advise that solar panels are designed to limit reflection and absorb around 98% of light received. Also, the glint and glare study completed in relation to the DA concluded that none of the residences or road users are expected to experience any glare from the solar farm. Many views towards the solar farm will be obstructed by vegetation.</p> <p>Decommissioning of the development is included as part of the lease agreement with the landholder, and remediation is conditioned to be to the satisfaction of Council, as well as in accordance with licence agreement with Essential Energy.</p>
Council officer response:	<p>The land adjoining the development site is land used for primary production purposes and has not been identified in any strategic planning for long term residential purposes, including large lot residential or rural lifestyle. This is due to its suitability for regular cultivation and separation from existing urban zones by over two kilometres. The location of the development responds to the priority to reduce the level of visual impact to the most sensitive receptors, being existing dwellings located closest to the development.</p>	
Adjoining Landowner 2	<p>The adjoining land is conducive to future dwelling construction due to close proximity of the town.</p> <p>The location of the solar farm should be away from town and residential structures</p> <p>Concerns about dumping of waste once the solar farm lifespan has passed</p>	<p>Refer to comments from applicant, relevant to Adjoining Landowner 1.</p>
Council officer response:	<p>The land adjoining the development site is land used for primary production purposes and has also not been identified in any strategic planning for long term residential purposes, including large lot residential or rural lifestyle. This</p>	

	<p>is due to its suitability for regular cultivation and separation from existing urban zones by over two kilometres.</p> <p>The selection of the site on low value agricultural land prevents impacts upon use of productive agricultural land for solar farm purposes. The subject land, being a small lot that is not used for commercial agriculture, reduces such impacts on agricultural productivity.</p> <p>The applicant has provided a Decommissioning Plan as part of the DA. Council would include a condition of consent relating to the removal of all infrastructure and the appropriate disposal of waste products, if the site is decommissioned in the future.</p>	
Adjoining Landowner 3	<p>Provision of a glint and glare assessment could address concerns in relation to possible glare.</p> <p>Request further information about the proposed native vegetation hedge line</p> <p>Concern that the solar panels may only be removed from the site at the end of the lifespan of the solar farm if the scrap price is higher than the removal costs</p>	<p>A glint and glare study is included as part of the DA.</p> <p>The landscaping plan provides details of the native vegetation hedge line.</p> <p>The applicant commits that solar panels would be removed from the site if the solar farm is decommissioned in the future.</p>
Council officer response:	<p>A copy of the glint and glare study was provided to the submitter. A copy of the landscaping plan was provided to the submitter. Council would include the requirement for removal of the solar panels if the solar farm is decommissioned in the future.</p>	
John Holland Rail	<p>Upon review of the DA and the traffic report, JHR is of the view that the DA will not have adverse impacts on the rail corridor</p>	Noted
Council officer response:	Noted	

**Table 1: Summary of submissions received, applicant response and Council officer response**

A response from the Natural Resources Access regulator was received through the Integrated Development process, which has provided general terms of approval to be included within the Development Consent.

#### Public Interest

The proposal has some public interest, however this has generally been related to those landowners with proximity to the proposed development, as well as comments from John Holland Rail.

It is in the public interest to support development that provides an overall benefit to the community, which responds to the intentions of planning controls, provides investment, is located on a suitable site, responds to the constraints and features of the site, is sufficiently serviced and mitigates against the adverse impacts associated with the development.

Equally important, it is in the public interest to protect existing residents and the wider community from development that is unsuitable, that will have overall adverse impacts upon their livelihood, and where these adverse impacts cannot be overcome.

In relation to this proposal, there is an overall benefit to the public in supporting the development of the Temora Solar Farm, as the proposed use is suitable for the site. Measures to reduce the impacts of the proposal on those located closest to the infrastructure have been included within the development plan.

## **CONCLUSION**

The proposal represents a significant change in land use for the subject site from the existing broad scale agriculture use to a constructed broad scale energy infrastructure system. However, the applicant has chosen a site that has benefits in access to solar supply, gently undulating topography, predominantly cleared location, ease of access to electricity infrastructure, suitable road infrastructure access, and existing native vegetation located in patches on some boundaries, supplemented by the inclusion of a vegetation screen buffer.

The applicant has sought to respond to the concerns of nearby residents in relation to visual impact through the commitment to planting vegetation screening buffers that will grow to a maximum height of between 2.5 and 3 metres, including a range of plants to provide a softening of the development appearance. The applicant has sought to locate the development away from the closest residential dwellings, which are considered to be the most sensitive receptors. The vegetation planting will assist with managing the potential of glare from solar panels, as well as assisting with managing concerns in relation to property values, which is also related to potential visual impact.

The applicant has provided suitable information in relation to the future decommissioning of the site, including the mandatory requirement within the lease agreement to remediate the site to the same condition and repair as it was prior to the construction of the project.

The selection of a site that has limited agricultural value is supported, as this reduces the potential loss of high value agricultural land to a non-agricultural use.

The development will not inhibit agricultural activities from continuing on adjoining land and the proposal includes requirements for a decommissioning plan to enable a return to future farming operations, when the solar farm is no longer required.

The provision of a solar farm in Temora Shire provides additional economic benefits of a diversifying economy, investor confidence and responding to broader national needs of renewable energy supply.

The proposal for the construction and operation of a 5MW solar farm at 197 Moroneys Lane Temora is supported.

## **RECOMMENDATION**

That approval be given to ITP (Development) Pty Ltd to construct and operate a 5MW solar farm at Lot 1 DP 1110693, 197 Moroneys Lane, Temora.

## **GENERAL**

1. The applicant shall carry out the proposal, and works shall be undertaken, generally in accordance with the information supplied to Council, detailed as follows:
  - (a) The Development Application 17/2021 dated received on 16 March 2021, submitted to Temora Shire Council
  - (b) Development Plans prepared by ITP Renewables Sheet numbers G-0100, G-0400, G-2100, G2200, C-4300, C-5300, C-5301, C-6300, E-3400 and E-4300.
  - (c) The Statement of Environmental Effects, dated 4 March 2021, prepared by Zenith Town Planning Pty Ltd
  - (d) The Biodiversity Inspection Report, Temora Solar Farm, dated 5 February 2021 prepared by Red-Gum Environmental Consulting
  - (e) Landscape character & visual impact assessment, prepared by Zenith Town Planning Pty Ltd
  - (f) Glint and Glare Assessment, Temora 1C Solar Farm, prepared by ITP Renewables
  - (g) Landscape Proposal prepared by Space Landscape Designs (3 pages)
  - (h) Noise Assessment Temora 1C Solar Farm, prepared by Muller Acoustic Consulting
  - (i) Traffic Impact Assessment Report, Temora Solar Farm, prepared by Price Merrett Consulting
  - (j) Waste Assessment, Temora 1C Solar Farm, prepared by ITP Renewables
  - (k) Water Assessment, Temora 1C Solar Farm, prepared by Golder Associates Pty Ltd
  - (l) Decommissioning Plan, Temora Solar Farm, prepared by ITP Renewables
  - (m) ITPD responses to SEPP55 and SEPP33, prepared by ITP Renewables
  - (n) ITPD responses to Public submissions, prepared by ITP Renewables



unless otherwise specified by the conditions of this consent.

2. The use not commencing until such time as **ALL** the requirements of the conditions of this consent have been carried out to the reasonable satisfaction of Junee Shire Council, as signified in writing.
3. The builder must at all times maintain on the job, a legible copy of the plans and specifications bearing the stamp and building permit of Council.
4. A notice bearing the lot number and the builders name and license number shall be prominently displayed at the front of the land from the time the development application is submitted to Council until the building is complete.
5. The building works shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the Regulations made thereunder, in accordance with the plans and specifications approved by Council. No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.
6. Toilet facilities are to be provided, at or in the vicinity of the work site, on which a building is being erected.
7. All building works must be carried out in accordance with the provisions of the Building Code of Australia.
8. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction and operation of the development.
9. All operations and activities occurring at the premises must be carried out in a manner that will minimise dust at the boundary of the premises.
10. Construction works may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, 8am and 1pm on Saturday and no construction is to be carried out at any time on a Sunday or a public holiday.
11. Building materials and equipment must be stored, in a neat and tidy manner, wholly within the work site unless an approval to store them elsewhere is held.
12. The work site must be left clear of waste and debris at the completion of the works.

#### **PRIOR TO CONSTRUCTION**

13. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.
14. In order to ensure the structural adequacy of the structure, additional details in regard to the following matters shall be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.
  - a. Structural drawings prepared and signed by a suitably qualified engineer certifying compliance with the relevant Australian Standard.

- b. Site movement plan comprising directional signage, speed limits, pedestrian movements, road maintenance and dust suppression, and lighting in order to manage site safety
  - c. Onsite traffic management, including details of the size/capacity, construction and location of the temporary car parking area.
15. Prior to the issue of the Construction Certificate, a Construction Environmental Management Plan shall be prepared, submitted and approved by Council. The approved plan shall be implemented during construction of the solar electricity system. The plan shall include a range of management controls as outlined in the approved SEE and other conditions listed in this consent. The plan shall include, but not limited to:
- a) Aboriginal Heritage Management
  - b) Construction Traffic Management
  - d) Bush Fire Management
  - e) Waste Management
  - f) Erosion and Sediment Control
  - g) Noise Management
  - h) Dust Management
  - i) Soil and Water Management
  - j) Weed Management
  - k) Integrated Site Restoration
  - l) Operation Hours
  - m) Security Management
  - n) Requirements and conditions of Essential Energy to connect to the state power grid, and
  - o) Sensitive Biodiversity Management
16. The Sensitive Biodiversity Management Plan shall include, but not limited to, procedures to minimise the risk to threatened species that may be opportunistically using the site, including:
- I. Construction limits and exclusion zones clearly identified prior to work;
  - II. A visual inspection is conducted by environmental staff before construction commences to identify any areas of site that might be supporting native fauna;

III. Vehicle movements around the site will be restricted to the construction footprint and away from any existing planted trees and flagging exclusion fencing to be installed.

IV. Soil disturbance by vehicle and pedestrian access is to be kept to a minimum outside the construction footprint.

V. Any weeds removed (particularly those bearing seeds) are to be disposed of appropriately at the nearest waste management facility.

8. A site inspection must be carried out by a Local Aboriginal Lands Council sites officer prior to the issue of a construction certificate.
9. Prior to operation of the project, a Waste Management Plan (WMP) should be developed. This will build on what is proposed in this report and provide detailed procedures regarding management, minimisation, recycling, record keeping and tracking and disposal of waste.
10. The WMP should contain:
  - Strategies to reduce waste during all project phases;
  - Recycling, re-use and recovery strategies and opportunities;
  - Classification of all waste streams;
  - Tracking register and details;
  - Recycling management onsite;
  - Responsibilities for recycling, re-use and disposal; and
  - Reporting and notification procedures if a waste incident occurs where there is a threat to the material harm of the environment.
11. Contact shall be made with the Local Brigade of the NSW Rural Fire Service and details about the construction schedule, contact numbers and site access arrangements shall be shared.
12. Consultation with nearby landowners shall occur, prior to construction commencing, to advise of the construction schedule and the Construction Environmental Management Plan (CEMP). The CEMP shall include management of interactions between construction vehicles and farm machinery movements on roads, to avoid impeding on cropping activity or impacting on the safety of road users.
13. The site shall be monitored and maintained to a satisfactory condition by maintenance staff, for the management of grass and weeds growth including maintenance of ground cover, and any indications of erosion.
14. Appropriate safety signage shall be displayed adjacent to the site entrance on Moroneys Lane advising of emergency contact details.

15. Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Natural Resources Access Regulator, and obtained, for a controlled activity approval under the Water Management Act 2000.

A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents relating to Development Application DA17/2021 provided by Council to Natural Resources Access Regulator.

B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Natural Resources Access Regulator, Parramatta Office, must be notified in writing to determine if any variations to the GTA will be required.

16. Pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979, the monetary contribution applicable as a S7.12 development levy is to be paid to Temora Shire Council prior to the issue of Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Temora Shire Section Developer Contributions Plan 2019, which may be viewed during office hours at Council's Offices, 105 Loftus Street, Temora, or on Council's website [www.temora.nsw.gov.au](http://www.temora.nsw.gov.au).

The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

#### **PRIOR TO RELEASE OF OCCUPATION CERTIFICATE**

17. Prior to the commencement of the solar energy system an Operations Environmental Management Plan (OEMP) shall be prepared, submitted and approved by Council. The approved plan shall be implemented for the lifetime of the development on the subject site. The Plan must include a range of measures as outlined in the SEE which include, but are not limited to:

- a) General maintenance and operation of the site e.g. inspection times, contact details of the site manager/maintenance staff;
- b) Addressing complaints relating to the operation of the premise;
- c) Access arrangements to the site;
- d) Emergency, safety and security;
- e) Groundcover management
- f) Weed management and biosecurity;
- g) Monitoring and mitigation measures for future rehabilitation remedial actions
- h) Bushfire management, including annual inspection of the site prior to the Bushfire Danger Period;

- i) Reviews, amendments and updates to the plan;
- j) Management of water runoff and risk of erosion; and
- k) Future site decommissioning

18. The OEMP shall include details of the proposed management practices to occur at the development site in relation to managing weeds at the site involving appropriate invasive weed management techniques and procedures. This shall include use of appropriate chemical sprays to reduce the transfer of weed seeds to neighbouring properties by water and wind. The OEMP shall include measures to manage herbicide resistance. The weed management section of the OEMP shall be prepared by a suitably qualified professional.
19. The OEMP shall require the maintenance of a suitable groundcover at the development site, for the lifetime of the solar farm, to be renewed as required. The groundcover shall be a suitable native or non-invasive groundcover to minimise the potential for weed invasion to native vegetation on the adjoining roadsides, and to neighbouring properties.
20. Prior to construction work commencing, the applicant shall prepare and provide a report to the satisfaction of Council, detailing the condition of Moroneys Lane. Following completion of construction, a dilapidation report shall be prepared by the applicant detailing the subsequent condition of Moroneys Lane. Any deterioration of Moroneys Lane as a result of project construction shall be rectified by the applicant to the satisfaction of Council.
21. As part of the OEMP, a Rehabilitation and Decommissioning/Closure Plan shall be prepared and submitted for approval by Council. The plan shall include rehabilitation objectives and strategies, including:
- a. A description of the design criteria of the final landuse and landform;
  - b. indicators to guide the return of the land back to agricultural production;
  - c. expected timeline for the rehabilitation program;
  - d. management controls regarding decommissioning and removal of all solar arrays, above and below ground infrastructure and any structures or infrastructure relating to the solar energy works, upon cease of solar energy works;
  - e. a commitment to remove all solar farm infrastructure located below the land surface.

All works shall follow the same management principles outlined in the Construction Management Plan.

## **BUILDING/CONSTRUCTION**

22. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate shall:



- (a) appoint a Principal Certifying Authority and notify Council of the appointment (if Council is not appointed), and
  - (b) notify Council of their intention to commence the erection of the building (at least 2 days notice is required).
23. Twenty four (24) hours notice is to be given by the Builder to Council to enable inspections to be carried out and Compliance Certificate issued at each of the following steps -
- (a) Excavation for pier, strip footings and slabs with steel if required, before pouring concrete.
24. The applicant shall be responsible for compliance with the requirements of the WorkCover Authority of NSW.
25. The applicant shall minimise the creation of dust due to vehicles movements onsite through reduced construction vehicle speed and dust suppression using a water truck, where required.
- I. Construction limits and exclusion zones clearly identified prior to work;
- II. Vehicle movements around the site will be restricted to the construction footprint and away from any existing trees and flagging exclusion fencing to be installed.
- III. Soil disturbance by vehicle and pedestrian access is to be kept to a minimum outside the construction footprint.
- IV. Any weeds removed (particularly those bearing seeds) are to be disposed of appropriately at the nearest waste management facility.
26. If, during construction, a potential site of Aboriginal heritage or potential Aboriginal object, is uncovered, all work in the vicinity of that area shall cease.
27. If any Aboriginal object is discovered and/or harmed in, on or under the land, while undertaking the proposed development activities, the proponent must:
- 1. Not further harm the object
  - 2. Immediately cease all work at the particular location
  - 3. Secure the area so as to avoid further harm to the Aboriginal object
  - 4. Notify OEH as soon as practical on 131555, providing any details of the Aboriginal object and its location
  - 5. Not recommence any work at the particular location unless authorised in writing by OEH.
28. In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and the NSW Police and OEH contacted.

29. The applicant shall ensure that the existing access point should be upgraded to accommodate B-Double access.
30. Any relevant permits for B-Double access to the site must be obtained by the developer.
31. The new culvert under proposed widening of the access with trafficable headwall, shall be constructed to the satisfaction of Council
32. New access to be designed and constructed to a standard to accommodate initial construction phase, to the satisfaction of Council.
33. The applicant shall ensure that truck entering signs (W5-22) to are erected either side of the access during construction phase to notify motorist of trucks.
34. The applicant shall ensure that implementation of a construction noise management protocol to minimise noise emissions, manage out of hours (minor) works to be inaudible, and to respond to potential concerns from the community; is prepared to the satisfaction of Council
35. Where possible the developer shall use localised mobile screens or construction hoarding around plant to act as barriers between construction works and receivers, particularly where equipment is near the site boundary and/or a residential receiver including areas in constant or regular use (eg unloading and laydown areas);
36. The developer shall operate plant in a conservative manner (no over-revving), shutdown when not in use, and be parked/started at farthest point from relevant assessment locations; selection of the quietest suitable machinery available for each activity; avoidance of noisy plant/machinery working simultaneously where practicable; minimise impact noise wherever possible; utilise a broadband reverse alarm in lieu of the traditional high frequency type reverse alarm.
37. Provide toolbox meetings, training and education to drivers and contractors visiting the site, during construction so they are aware of the location of noise sensitive receivers and to be cognisant of any noise generating activities;
38. Signage is to be placed at the front entrance advising truck drivers of their requirement to minimise noise both on and off-site.
39. Utilise project related community consultation forums to notify residences within close proximity of the site with project progress, proposed/upcoming potentially noise generating works, its duration and nature and complaint procedure.
40. Once operational, a one-off noise validation monitoring assessment be completed by the developer to quantify emissions from site and to confirm emissions meet relevant criteria.

## Appendix 1: Site photos



Photo 1: View from subject land, adjacent to existing dwelling, looking south



Photo 2: View from subject property, looking south east



Photo 3: View from subject property, looking east





Photo 4: View of development site, from northern side





Photo 5: View of development site from western side



Photo 6: View of property boundary and entrance, looking north



Photo 7: View of neighbouring property, located west of the development site





Photo 8: View of road on western boundary, looking south