



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: OXLEY SOLAR FARM (SSD-10346)

COUNCIL MEETING

COMMISSION PANEL: CHRIS WILSON (Panel Chair)
 WENDY LEWIN
 ALISON MCCABE

OFFICE OF THE IPC: PHOEBE JARVIS
 OLIVER COPE
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ARMIDALE JESSE DICK
REGIONAL DANIEL BOYCE
COUNCIL:

LOCATION: VIA VIDEO CONFERENCE

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TRANSCRIBED AND RECORDED BY APT TRANSCRIPTIONS

MR CHRIS WILSON: Welcome to both of you. Before we begin I would like to acknowledge that I am speaking to you from Gadigal land and I acknowledge the traditional owners of all the country from which we virtually meet today and pay my respects to their Elders past and present. Welcome to the meeting today to discuss the Oxley Solar Farm Development Application currently before the Commission for determination. The Applicant, Oxley Solar Development Pty Limited proposes to develop a 215 megawatt solar farm and a 50 megawatt battery approximately 14 kilometres south-east of Armidale in the New England Renewable Energy Zone.

- 10 My name is Chris Wilson, I am the Chair of this Commission Panel. I am joined by my fellow Commissioners Wendy Lewin and Alison McCabe. We are also joined by Phoebe Jarvis and Oliver Cope from the Office of the Independent Planning Commission. We also have Brad James as well. In the interests of openness and transparency and to ensure the full capture of today's information today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website.

- 20 This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its determination. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you're asked a question and not in a position to answer, please feel free to take it on notice and we'll provide – provide any additional information in writing which we'll then put on our website. I request that all members here today introduce themselves before speaking for the first time and for all members to ensure they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin.

- 30 So thank you, gentlemen, for joining us. We drafted an agenda which is pretty much along the lines of the key issues associated with this development so we might as well go straight to the agenda if that's okay with you. Who's going to do – who's going to kick off the – who's speaking in the first instance?

MR DANIEL BOYCE: Jesse's our Acting Manager of Land Use Planning so he's going to provide most of the detail today and I'll just jump in when I need to.

- 40 MR WILSON: Okay. We had a bit of – we haven't – look, we haven't been out on site yet so we're coming – we've only been sort of involved – we've been doing catch-up for two weeks so we've been doing a lot of reading. We haven't been to site which is a bit unfortunate but we are going to the site obviously when we hold the public meeting and we'll be – yes, so we're doing a tour. So please bear with us, some questions may – may feel a bit ignorant but we're doing our best. So, yes, I hand over

to you. So, I guess, the first – the first thing we want – want to discuss is the Department's recommendations and the recommended conditions of consent.

MR JESSE DICK: Okay. So having a little bit of drama here with my – my tech. My ribbon down the bottom doesn't seem to be responding to any mouse-clicking at the moment so I'll have to go alt-tab, I think. So firstly, my review time has been a little bit limited as well so you'll have to bear with me if I'm jumping around a little bit but in the most part my main query right at the start was references to plans and associated documents. I couldn't find anywhere where the recommendations or the
10 recommended conditions refer to which plans or documents should be forming part of the approval. Is that typical for a SSD project?

MR WILSON: Not typical for a consent – a consent. My understanding consent should refer to – well, it refers to the EIS which I presume has been updated. If you look at the definition of the EIS it includes the amendments and the amendment report and the response to submissions. So whether that's sufficient or not but we'll take that one on board.

MR DICK: Yeah, because there's obviously the – there's the schedule of conditions
20 and then there's a list of appendices which broadly speak to plans or documents that I believe would be- work form part of the consent but they've drawn out quite specific parts of broader documents that I believe should all be formed – form part of the approve – approval package.

MR WILSON: In other words, specifically notated in the consent?

MR DICK: Yes. So I also noted that some – some of the conditions are quite broad in their wording. So they would capture a general theme but in each of the reports that go with the project there were quite specific recommendations throughout and some of
30 those specific recommendations don't appear to have made their way into the consent in the specific detail that I would've imagined.

MR WILSON: Are these – are there – sorry, Jesse, are these are some of the commitments that were made by the Applicant following the response to submissions? Is that what you're referring to, those recommendations?

MR DICK: Yes, and just some of the recommendations in each appendix report, each report that goes with the project. So - - -

MR WILSON: Okay. So I think what you're saying, Jesse, is that there are recommendations in different reports that you feel should be included or incorporated into the consent to have a standalone document, is that what you're basically saying?

MR DICK: Yeah. So, for example, there was – there was one I noticed where there was to be a – and this is just one example, I picked up a few but there was to be a wildlife corridor connectivity enhancement plan and that was to be incorporated into the consent, there was reference to that being an important piece of work that will be undertaken throughout the project. The conditions broadly talk to the biodiversity
10 development assessment report but they don't – they don't specifically reflect, you know, the – that plan reference and there's multiple things like that that are throughout all the supporting documents and information that they get into those specific details but they don't – don't quite come through in the conditions as clearly as I would've imagined they would.

MR WILSON: Okay.

MR DICK: And another example of that is Council provided a letter in, I think, January to support the road construction work in general and as part of that our letter
20 said that any – prior to any – any works being undertaken a section 138 Road Act approval would be sent to us signing off on those works before they commenced but that made its way into the consent as a note to appendix 5. So it's quite – it's quite varied and it's – and it's – and it comes out in the consent as a – as a note rather than a specific condition.

So there's examples of that where there's a bit of – there's a bit of a break between the recommendations of the report or the submission that – how the submissions have been addressed and how the Department's report is saying that these things would be addressed as part of the approval but they don't appear to come through in as strong a
30 terms on the consent as I would've imagined.

MR WILSON: Right. Look, we've already picked up on the fact there's a number of commitments which we feel probably should be in the – in the consent but we take that on board. Are you – are you proposing to put that in writing to us or not? It's up to you.

MR DICK: Yeah, I can do and I – yeah, I'm comfortable to do that, yep.

MR WILSON: Okay. So that – is there any more you want to say on the
40 Department's report and the conditions?

MR DICK: So the conditions the conditions may come up again as we work through these other forms I've noticed here but no, not specifically on the conditions at this point in time, no.

MR WILSON: Okay. So the next item – the item on the agenda is, I guess, Council's submissions in relation to the project, Council's position and whether there's any, notwithstanding the condition – issue on the conditions any residual issues and we do want to talk about road upgrades so we'll get to that but that's the next general item so, yes. So in terms of the Council's – the Council's - - -

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MR DICK: Okay. Do you want to go onto the road stuff?

MR WILSON: Well, are there any outstanding issues from the Council's perspective? We'll get to the VPA, the roads and cumulative impacts but are there any – are there any fundamental outstanding issues from the Council's perspective?

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MR DICK: So, I mean, there's one specific fundamental issue that I believe we're working to resolve currently and that is the travelling stock route/Crown land-owned strip of land that Council's landfill currently traverses. So there's a – there's a matter there to deal with on a day-to-day operational basis for us but also it will be relied on by the Applicant during the development and operational stage. So that's still a matter that's yet to be resolved but I believe it is working towards – the resolution is that we're working towards opening it as a public road rather than dedicating in an easement.

So, I guess, there's some – there's some wording throughout the – the report to say that in the interim if that hasn't been resolved that an easement could be created over the travelling stock route which, I believe, is – is a workable interim solution. So does the Commission see any issues with that aspect?

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MR WILSON: It's not on our radar just yet but it is now.

MS ALISON McCABE: I was just – just to kind of drill down on the specifics, the application relies on access through your landfill site. So my question was – my question was were they seeking a right of way across your land or are they using a Crown road? What – or did Council require a licence agreement? I'm just wondering how that was playing out in terms of, you know, this application relies on access across – and I'm assuming it's Council land and I apologise if I haven't got it completely right because we haven't been up there yet. So I'm just treating it like any other, you know, development. You know, you usually don't get it going across other

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people's land without having the appropriate agreement so I was wanting to understand what Council needed and required, if anything. It might already be - - -

MR DICK: Yeah. Okay.

MS McCABE: - - - public road, I just haven't kind of found that exactly in the documentation so maybe if it you could explain that to us.

10 MR DICK: Yeah. Okay. I think – so the Crown land PSR issue is, before you get to Council land you have to traverse that PSR strip so that's one issue that's been resolved by our property team at this point in time but – so the next landowner is Council, I believe, there's a memorandum of understanding which our landfill operations manager has either – I'm not sure, you might want to chime in here, Dan, has either agreed to or we've agreed in general or in principle to the MOU?

20 MR BOYCE: Thanks, Jesse. I think this might be one we'll provide some follow-up written advice to the Commissioners on, just to lay out the process. I guess to summarise, we need to formalise our own access arrangements via that Crown land for our waste management facility and that will obviously dovetail into the Oxley Solar Farm project as well. So we'll follow up with a – a written submission to you, Commissioners, just outlining the process that we're in at the moment with Crown Lands just to clarify for you.

MS McCABE: Following up on that, Crown Lands, I think as Jesse said, is one aspect, what about in that MOU what are you suggesting across your own land for their access?

30 MR BOYCE: Yes, I think that would be done by way of a licence agreement but again, as Jesse said, we'll – we'll seek advice from our property team who are handling that process and happy to provide all that information in an email to you.

MS McCABE: And just again factually, do I understand the landfill site's operational land, like it's owned by Council and it's operational land?

MR BOYCE: That's correct.

40 MS McCABE: And again just, you know, a left-field question, if there was a need for an easement or a right of way or something like that, that it's not precluded from that happening because it's operational land?

MR BOYCE: Correct, it's operational land.

MS McCABE: Yes.

MR WILSON: Anything else on – so that's probably a good segue into discussion on the road upgrades. We notice that there's probably – probably six different upgrade requirements to accommodate this development. Do you want to – I mean, there's obviously the access from – from Waterfall Way, that's – that's – that's – is that a state road, a regional road? And that's - - -

10 MR DICK: Yeah, it's a classified state road, I believe, yeah.

MR WILSON: Classified state road. So it requires – and it's – it's required to be upgraded for this development or is it a combination of this development and the landfill?

MR DICK: Yeah, I'd have to take that one on notice as well. My understanding was that the – the roadwork within the Waterfall Way, if there were requirements for upgrades it was – it was minor in that the access has been chosen – they've chosen
20 their access to align with ours because it already exists and it is – it is set up to cope for large vehicles but I will have to just check how much in terms of road upgrade is required on the Waterfall Way still.

MR WILSON: I guess the context of the question is we're trying to understand how much of the – what are the implications of these upgrades in terms of their – the area they require for the upgrades, the impacts of the upgrades and whether or not those impacts have been addressed, I guess, and how – I presume if its on a state road that it requires a WAD and so forth. We don't really have much indicative idea what that upgrade might entail so I guess that's a question we'll – we'll continue to prosecute through the process.

30 MR DICK: Yeah, yeah, and like I was getting at before, I think Council's not fully aware of the detailed construction requirements for those upgrades at this stage, that we've been given indicative, I believe, upgrade plans and virtually the – the extent of the upgrade in terms of the start-finish chainages and the potential, you know, construction zone areas have been established but the detail of the work that is going to come will be submitted to us by that section 138 application process. So, yeah, the detail will be forthcoming.

40 MR WILSON: So that upgrade works to Waterfall Way and entrance into the landfill will that – will that – that requires a section 138, does it? But that section 138 will that go to Transport New South Wales or Council or do you have delegation for that?

MR DICK: It would come – any work from the classified road, the application would come to us and we would, under the infrastructure SEPP, internally refer that across to Transport for New South Wales for their concurrence.

MR WILSON: Okay.

10 MS McCABE: Just picking up on – you'd mentioned you'd seen some plans, have you got – did the Applicant provide you with - maybe when talking to your own engineering department, did they provide you with more plans than that's in the Transport – what is it, the - - -

MR WILSON: TIA.

MS McCABE: TIA, the Transport Impact Assessment because they're fairly basic coloured drawings? Did you get – have you seen any other plans in terms of road upgrade plans that - - -

20 MR DICK: No, I haven't, no, but again limited sort of knowledge of the background of it. So if there were additional plans provided I haven't seen them, just going off the information that's on the – the planning portal SSD page. So, yeah, not that I've seen.

MS McCABE: Maybe we'll probably ask the Applicant the same question but from an assessment point of view the question as to whether the proposed upgrades all are able to be accommodated within the existing grove reserves. Do we know the answer to that? And then this will – we'll also probably ask the Applicant this as well and we just needed to, (1), is there any need – there's mention of widening but it's either widening within the existing reserve so there's no need to be taking land off other people or – and then secondly, whether those widening and the road upgrades are we
30 losing any significant vegetation? Just wondering to understand that and whether or not that's been discussed with Council as well?

MR DICK: Yeah. Okay. My understanding was for parts of the Gara Road upgrade that they will involve a straightening and a widening but I'm not sure whether that strays from the dedicated road reserve or not. It's possible that it will given that a lot of our rural roads don't sit within their reserves regardless. So, yeah, we'd have to check that again and come back to you on that.

40 MS McCABE: Yes. That, I think, from my point of view if there's any suggestion that there is a need for land acquisition or how – again how they're going to happen to

accommodate these road upgrades, I think we're going to want to know. So that – hence the question, is it fitting within – fitting within the existing reserves.

MR DICK: Yeah. Okay. There's no mention of acquisition in the traffic impact assessment that I've seen but there is mention that the road reserve for Gara Road, the road doesn't actually fall in some instances through the reserve so it's possible.

MR WILSON: We'll – we'll – we'll chase that up with the Applicant, Jesse. If we need to we'll come back to you.

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MR DICK: Yeah. Okay.

MR WILSON: Moving onto the voluntary planning agreement. So just a basic question about the voluntary planning agreement. The monies that are paid to Council is that part of a wider program because I think I read somewhere that Council has a wider program in relation to renewable energy projects? Do you want to just explain how the – if that – is that the mechanism in terms of - - -

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MR BOYCE: Sorry, Commissioner, I can speak to that. Daniel Boyce here. So Council or the mayors of the renewable energy zone or New England Renewable Energy Zone, Council's agreed a statement of expectations probably 12 or 18 months ago, that included some clear positions on decommissioning community engagement for the major solar wind projects and also the quantum for planning agreements being a minimum of 1.5 per cent of capital investment value. Since those statement of expectations were agreed Armidale Council has developed, and it was endorsed at the September Council meeting last week has endorsed the concept of pooling the planning agreement funds into a future fund protecting the principal and then using the – the dividend for the public purpose described in the individual planning agreements.

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So we're still working through that process but, yeah, but the idea is the quantum is a minimum of 1.5 per cent which we've been talking to the Department of Planning about and we're confident that there's going to be a policy position from the Department coming soon that aligns – aligns to that expectation and refining that concept of obviously pooling – pooling the resources and the idea being that the benefits for these projects don't just accumulate to the current generation.

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MR WILSON: Okay. So just on the back of that, is that policy framework – I mean, is there an objective in there to - like, I guess, a bias towards spending those funds in those areas where those renewable energy projects occur or is it more of a broad – broad-based expectation?

MR BOYCE: A bit of both. I think we've used the Department's guidelines which – which clearly say that ensuring that state significant projects deliver a net community benefit – offsite benefit to the community is a suitable objective of planning agreements and then where specific projects have a community of impact there would also be obviously some – some of the funds spent there as well. So, for example, Tilbuster Solar Farm that was approved a little while ago, there really isn't a community of impact because of its location whereas some of the – the other projects that we will no doubt be making submissions on will obviously have a bigger community of impact.

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MR WILSON: Thank you.

MS McCABE: Other than – we've got – we've actually had access to Council's report but the VPA hasn't been exhibited, has it?

MR BOYCE: No, the councillors agree the general terms.

MS McCABE: Yes.

20 MR BOYCE: So our process is whilst the DA is under assessment so that the general terms can be enshrined in the determination we will report the general terms to Council, we'll get the Council to resolve to agree the general terms so that they can form part of the schedule of the determination and then we go through the process of drafting the planning agreement and going through the usual protocols for public exhibition.

MR WILSON: So the expectation is it's executed prior to construction?

30 MR BOYCE: That's the expectation, yes. So we've just recently executed the Tilbuster Solar Farm VPA and went through the same process, so agreed the general terms whilst the DA was under assessment and then worked with the Applicant to draft the – the document and do the public exhibition between or after determination prior to the commencement of construction.

MS McCABE: Just to follow, do I understand that you've accepted the general terms of this VPA offer that's on the table - - -

MR BOYCE: That's correct.

40 MS McCABE: - - - that Council's comfortable with those?

MR BOYCE: That's correct, yeah. So we received the general terms, that was reported to the elected council and the council resolved to accept those.

MR WILSON: Okay. Thank you very much. The next matter – yes, so I guess now we're just turning to more some of the amenity impacts, traffic and transport. Are you satisfied with traffic outcome – traffic outcomes from the site specifically, I presume, during construction?

10 MR DICK: Okay. Generally there was – there was some additional requirements that Council brought up throughout the – the period where we were able to comment and they didn't quite filter through to the conditions in the detail that we would've liked. For example, pick-up, drop-off points for bus shuttles that weren't clearly identified. So we did want to know where those points might be – there can be. There has been traffic conflicts at those pick-up and drop-off points around town. So that – that was an issue that we brought up that wasn't fully addressed as part of the response. So we don't know, we don't actually know where they plan to pick-up and drop-off the workers to take them to the site, we don't know where those locations are going to be.

20 MR WILSON: Yes, I thought they had to identify it in the traffic management plan so now I can't find it. Here it is. Okay. You might want to add that into your – into your response but I had – so you'd prefer it identified now as opposed to in the traffic management plan which needs to be prepared prior to construction with – in consultation with Council?

MR DICK: Yeah. So, I mean, in consultation with Council was key. The – there's – I'm going to just try and find the email. So, yeah, we were basically hoping for or we were requesting that there be an agreement or some concurrence from Council that the arrangements that had identified for pick-up and drop-off points were acceptable to us. So we'd just like to be involved in that discussion when the time comes. So if it
30 during the traffic management plan stage prior to construction we just want to be involved in that conversation.

MR WILSON: Okay. So condition B11-7 it says, "Details and volume of the employees' shuttle bus service including pick-up and drop-off points and associated parking arrangements for construction workers and measures to ensure employee use of the this service as described in the EIS." So that's – and that's – that's a requirement for them to consult with you in preparation of that plan which includes pick-up and drop-off of – those pick-up and drop-off areas. So you're saying would that be – is that - - is that sufficient? So you would have those - - -
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MR DICK: So B11.

MR WILSON: B11-7. You can come back to us if you like, Jesse, it's just – it is there, it's just whether or not that's satisfactory to you.

MR DICK: No, that's all right, I'm – I'm probably going to have to retract that – that issue. I believe that that's actually addressing the concerns that were raised so I've missed that in my review of the conditions so, yep, no, that's – that's actually what we're after.

10 MR WILSON: There's a lot to take in.

MR DICK: There is, there is, yeah.

MR WILSON: So, I mean, the traffic impact is really just during – it was primarily during the construction, isn't it? So - - -

MR DICK: Well, it is, yeah, so that's the main – that is the main impact period and I think the construction window was somewhat condensed as – as a result of reducing the size of the development so that was good to see.

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MR WILSON: So I think the peak is six to nine months now, isn't it?

MR DICK: Something like that, yeah. Yep.

MR WILSON: Yeah. Okay. All right. So that's – let's work on – moving on to worker – worker accommodation. My understanding is there's a commitment to source 50 per cent of the construction-related workers from the region which, I think, equates to about 175. So that – to me that would mean 175 is coming from outside, the majority might or require housing. So Council's comfortable with that number in terms of the provision of housing? We don't have much idea of what housing is up in that area.

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MR DICK: Yeah. Well, I mean, it has – it has been an issue in the past, yeah, so other projects that have kicked off certainly had a noticeable uptick in the number of people in – in town and the rental market squeezing at those times. So not sure about the – the actual number of workers that can be supplied by Armidale. So there might – there might be more coming from out of town than is stated but there is – there is a cumulative – there's potentially a cumulative issue with the number of projects that have been given approval that are waiting to begin. So we've got, you know, multiple other solar projects, two wind farms within the LGA, there's two battery energy

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storing projects at the Kempsey Road upgrade which is a 400-plus million dollar project for us to – to deliver.

So, you know, I think they've mentioned in the planning assessment report there could be up to about 800 people possibly – at – at one time if some or multiple projects kick off at a similar time. So that would entail a fair bit of accommodation stress on the LGA, there's no doubt about it. So it hasn't been fully addressed at this point in time, they are saying that it will be looked at via an accommodation plan or accommodation

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MR BOYCE: Strategy.

MR DICK: - - - like an accommodation plan, strategy. I'm not sure whether that might be a little too late.

MR WILSON: Accommodation Employment Strategy they call it. Okay.

MR DICK: So they – I believe that the – the report – the planning report says that Council didn't raise the issue about workforce accommodation. There's a specific dot
20 point that says that but I have found correspondence from us back in April 2021 specifically noting this issue that the cumulative impact of all these development occurring possibly overlapping each other will be something that needs to be addressed. So we would like to see a bit more thought put into, you know, how those 175 to possibly 800 constructions workers may be accommodated so - - -

MR WILSON: Okay. So, okay, we'll ask the Applicant but at the moment the condition requires this strategy to be prepared in consultation but, I guess, fundamentally we need to understand whether or not this – these construction workers can be accommodated. So we'll – again we'll – we'll ask the Applicant and the
30 Department so – but I guess from your understanding, notwithstanding there's a need – obviously there's a need to try and stagger these construction activities but what you're saying is it's pretty tight at the moment anyway regardless?

MR DICK: Well, yes – yes, I believe it is but – and then the opportunity for the projects to be staggered there's – there's no real sort of way that we can – we can control that. So it might be one that just ends up being a big issue.

MR WILSON: Okay. So - - -

40 MR DICK: (not transcribable)

MR WILSON: - - - the primary area for obviously the housing is in Armidale, isn't it? So that's where the pressure is, yes?

MR DICK: It is and has been – sort of that's been the main (not transcribable) that has absorbed these – well, these sort of projects that are out of town. Even including one in the next LGA over, like Uralla, there's was the New England Solar Farm project down there but Uralla's quite a small centre so Armidale absorbed a lot of accommodation for workers there. So purely because the project was basically between the two centres so Uralla was a five-minute drive, Armidale was a 10-minute drive so there's that as well.

MR WILSON: Okay. We'll take that on board.

MR BOYCE: Sorry, Commissioners – sorry, Commissioners, Daniel Boyce here. I might just add and expand a little bit on what Jesse was saying. So the cumulative impact of the New England REZ is a major concern for Armidale. I think you've hit the nail on the head there where you say for even the projects outside our LGA Armidale will be the base for those construction workers. Our rental vacancy rates are less than one per cent already so bringing the construction workforce into Armidale is obviously going to affect the rental market particularly for those people who can least afford it.

We're concerned with the amount of construction workers that take up hotel and motel beds, particularly over what is likely to be a decade-long construction period for the New England REZ because what tends to happen is obviously the motels are booked out for those periods, you lose your tourists and your tourists over that period of time don't come back so – so it is a major concern for us. We've been raising this with Energy Co and the Department for a number of years. I think it's – it can be a little bit unfair to be putting the workforce cumulative impact issue squarely on the applicants' shoulders for these projects, it's really something that the Department and Energy Co should've led prior to announcing the renewable energy zone. So I think we are playing a little bit of catch-up now but it needs a coordinated solution and I think if it's continually put on the applicants in a piecemeal fashion we're not going to get the true extent of the impact assessed and mitigated properly. So it's certainly something, I think, needs to be raised and probably more so with the Department.

MR WILSON: Okay. Thank you. We've got a question on that.

MS McCABE: Just Alison just to follow up. You mentioned that there's been a number of approvals and there's been development happening. Is there any – has there been any factual analysis of the impact on accommodation in your rental market

and your hotel uptake arising from these types of development or is it more anecdotal? And then the second question, have you seen any applications, and I haven't had a reasonable look yet, where any of your proposals are including, you know, applications for temporary workers accommodation, you know, like the mining camp stuff? Is there any of those coming forward at all?

MR BOYCE: Thanks for the question, Commissioner. So the first part, it's anecdotal evidence so we haven't done any baseline studies or anything like that but that's certainly what we're hearing around town. So and in terms of the construction
10 workers camps I haven't seen any state significant proposals that have included workers accommodation. My experience having been out at Narrabri during the mining boom there and then at Moree when the Inland Rail was coming through is that the proponent don't generally include that unless they're asked to.

We have made submissions on the Department's proposed policy response to this sort of stuff but again it seems like catch-up to me where the intentions seem to be just to permit temporary workers accommodation in a whole bunch of zones across the LGA which is really a bit of a lazy response from my perspective.

20 MR WILSON: Okay. Thank you very much for that. Appreciate it.

MR BOYCE: Sorry to jump in there again, Commissioners, there's a lot to say on this, it's something that's just popped in my mind. I think from our perspective if there is any workers accommodation we would like to see it built in such a way that it does leave a bit of a legacy for Armidale as well. So if the workers accommodation can come in and pay for the infrastructure cost to activate some land for housing, if some of the accommodation can be retained for affordable housing in like an Olympic village-style set-up that would also be something that we would be keen to hear about as well.

30 MS McCABE: Appreciate your comment, thanks.

MR WILSON: Visual Impacts. Are you – I guess, what's your position on visual impacts associated with the amended proposal?

MR DICK: Firstly, there is a reduction in the overall footprint of the panel and the development itself. So I believe all sensitive receivers have an increased buffer distance including to the National Park. So that buffer's increased from about 800 to just over 1.2K plus a vegetated buffer between the National Park and the nearest panel.
40 There was a quite detailed visual assessment submitted and having an initial review of that it's quite detailed and in depth. So, I guess, the development itself does appear to

have produced its footprint noting the visual impact issue. So purely as a result of that the visual impact is reduced but having said that the – the remaining visual impacts has been well addressed by that assessment report so - - -

MR WILSON: Okay. Just – just in terms – I mean, reading through some of the submissions there was – I guess, there were questions in the veracity of the visual impact assessment, probably the first one, I’m not quite sure about the second but so you’re comfortable in your – in your experience, I mean, you’ve probably looked at a few of these now in terms of the REZ. You’re comfortable in terms of it’s been
10 consistent with the guidelines and so forth?

MR DICK: Look, I probably – I probably would have to take that on notice and compare the assessment against the guidelines but having a look at it in – in context with other reports of this nature it does look to be quite in-depth so – but I can provide a written response on that. I can get back to you on how it’s addressed the visual guidelines for these projects.

MR WILSON: Well, I’m not asking you to do that, it’s not fair to me asking you to do that, I’m just – just from your – from your experience, I mean, it’s – you said it’s
20 detailed but it seems to have – I guess, from your perspective has it addressed the concerns that were raised in relation to the original submissions? We did question the veracity of the original visual impact assessment.

MR DICK: Well, yeah, I think because the – well, the original visual impact assessment was reflective of that much larger footprint so far as I’m aware. So it’s like a two-stage sort of review in that the impacts are reduced because of the reduction in footprint and the increased buffer distances between those sensitive receivers and the updated visual assessment reflects that.

MR WILSON: Just – just on the visual impact assessment and, I guess, the
30 landscaping is going to be key to this in terms of, you know, vegetation screening and so forth and in your experience the ability to maintain that vegetation screening over – over many years it’s feasible, yeah? Or is it feasible?

MR DICK: Yeah. And, I guess, that would get back to – some of those mitigation measures like vegetation screening they need the maintenance and the upkeep so – and this probably gets back to those points I was raising earlier about the conditions that – an enforceable condition really needs to be quite specific in its nature. So some of the reports or recommendations they – the assessments have been done in – you know,
40 using best practice and then the recommendations are quite specific but they’re not coming through in the conditions.

So ultimately vegetation screening and those sorts of things can be somewhat of a sort of hit and miss mitigation measure but if the appropriate plans were put in place that were enforceable and had that strong wording in the consent. We could follow up and make sure the compliance action was being taken to maintain that buffer throughout the life of the development. I believe that's probably where this needs to be a little bit more stringent so – so to make sure that those vegetation management plans and – come through in the consent a bit more clear.

- 10 MR WILSON: There's no maintenance requirement for the maintenance of the landscaping for the life of development which probably needs to be in there at a minimum but - - -

MS McCABE: Failure as well.

MR WILSON: Yes, failure.

- MS McCABE: Probably this is an issue that comes up with a lot of different solar farm applications and I note that the – is it the Metz, is that how you say it, Mertz or
20 Metz Solar Farm has finished. Have you guys had any reason to go out and have a look at the landscape outcomes of that assuming there was probably some – I haven't looked at the approval but I'm just wondering whether you're familiar at all with that?

MR DICK: No, I'm not aware of any - - -

MS McCABE: Were there any lessons learnt - whether there might be some lessons learnt?

- MR DICK: Not aware of any specifics around that project having not really been
30 involved in it at all but I'm not – I'm not sure whether there were any requirements to follow up on Council's behalf on that specific project but it may be that it's not a matter that Council needs to follow up with, it might be between BCD and the proponent. So, yeah, because I understand that a vegetation management plan can be enforced for the life of the development. It could involve things like not just planting but maintenance, weed control, feral pests management to ensure that any buffers or any sort of mitigation measures that involve, you know, that sort of vegetation screening can be – can be monitored with some quite numerical sort of standards and controls in place.

- 40 MS LEWIN: It would also impact on the water management and storage capacity of the project too over the life of the project? All right.

MR BOYCE: We mentioned this just - - -

MR DICK: Yeah, that's right. So again – sorry, Dan.

MR BOYCE: Thanks, Jesse. Commissioners, it's Daniel Boyce here. I think it's very dry out here at the moment, I think you guys have hit the nail on the head when you talk about the ability to actually get establishment of this visual screen. I would like to see some sort of bond retained to ensure that it's established and in compliance with the visual assessment or visual impact guidelines as well and that again the enforcement of these conditions does tend to become an issue for Council even though the Department is the consent authority. So maybe if we can word something into that condition about a periodic inspection from the Department or something to ensure that the condition is complied with.

MR WILSON: Okay. Point taken. Biodiversity. Have you reviewed the biodiversity outcomes to the proposal and what's your position?

MR DICK: So not in depth, no, but I believe BCD had a detailed review and the development accords with the – the BDAR accords with the Conservation Act.

MR WILSON: Okay. No, that's fair enough. I mean, it's something we'll ask the Department. Decommission and rehabilitation. I mean, I guess one of the issues that this raises for me is – and the – schedule for an upgrade is the – one of the issues coming out internationally is the recycling of panels and my understanding is they're going – a lot of them are going to landfill. Has Council considered implications that this might arise, you know, if recycling doesn't – is not able, doesn't occur has Council considered the implications of this for its resource recovery facility?

MR BOYCE: I'll take that one, Commissioners. So this is a major concern for the Council and did form or decommissioning bonds did form part of the New England Renewable Energy Zone's statement of expectations. It's a major concern for Council. We are currently reviewing our fees and charges at our own waste management facility and we are looking at introducing a special charge for renewable energy zone waste which is likely to be a disincentive to these things coming to our waste management facility because we feel that that's a longer term impact that this community really shouldn't need to bear. We've also got concerns with the reports that where these panels are being recycled that they're being sent interstate and we really question the – whether that impact on the carbon footprint of these projects is adequately assessed in the Department's assessment.

MR WILSON: You mean, if they're replacing them every 10 years as opposed to the life of being for – 30-year life of the facility, is that what you mean in terms of comparative life cycle?

MR BOYCE: Yes. Yes, that's correct and in addition to, I guess, the total cost and the total impact of the projects we would rather see the resource recovery recycling process occur close to the major projects rather than them needing to be dismantled and sent interstate because we feel that that's an opportunity for a secondary industry to co-locate within the renewable energy zone rather than just essentially being a
10 generation – energy generation zone.

MR WILSON: So have you had discussions with the managers of REZ in relation to this?

MR BOYCE: In terms of the decommissioning, yes, it's an issue that we – we continue to raise. We continue to raise the secondary employment opportunities and the opportunities to attract secondary industries along with the generation projects.

MR WILSON: Okay. Thank you.
20

MS McCABE: And just so I understand, there's no – does that mean there's no reasonable recycling facility in the region that could deal with this type of waste, is that what you're saying?

MR BOYCE: That's correct.

MS McCABE: And again I don't know but we'll ask the Applicant, presumably there's previous metal-type stuff in these things as well so that would lend itself to a particular type of recycling as well?
30

MR BOYCE: That's correct. And we do have a local smaller scale solar professional that he's recovering the precious metals from solar panels but probably not on the scale that we would require to deal with this stuff locally. So it does seem at the moment that it's cheaper for old solar panels to be shipped interstate but it would be great to see – to see that secondary industry co-locate within the renewable energy zone.

MS McCABE: And the land – the Armidale landfill facility is that – has that got a recycling aspect to it as well, like does it have the organic stuff and like technically
40 this stuff could be taken to but you're looking at a fee rating that might discourage that, did I understand that?

MR BOYCE: That's correct. If the – if the proponent's seeking to treat it as general – general waste and put it in a hole in the ground then it will be cost-prohibitive because that's not what we want to see but we were absolutely – the Armidale Waste Management Facility is, I think, the most recent – recently approved new facility in New South Wales so it's a modern facility, absolutely has the capacity to do large scale recycling but we would need – yeah, we would need some assistance for that to occur locally.

- 10 MR WILSON: Okay. Thank you. I think the last item's historic heritage. I guess, I think the key issue here – one of the key issues is the National Park.

MS McCABE: The National Park and I wanted to understand Gara Homestead. We can see that on site but I didn't understand what that was.

MS WENDY LEWIN: And it seems that there's a – the assessment of heritage values is quite contested within the community and we're interested in your – Council's understanding of that too.

- 20 MR DICK: Yeah. So I've – I did pick up as well there was the Gara Homestead that was identified by the consultant as being of potential local significance. There there – I did have some thoughts around how that has been sort of addressed in the report. It didn't really go too much further than just identifying that it was a late 1800s farmstead dwelling that appeared to be of, you know, rate aesthetic sort of value but then it didn't actually look at it any detail or it didn't drill down into, you know, what the impacts of this development might be on that potential heritage item. I think the reasons explained in the report is where the owner requested privacy so they couldn't actually get close to the dwelling to assess it.

- 30 So – and there were some conflicts in the report as to how close the panels were going to come to the potential heritage item. So in some sections of the report it says 60 metres and in other sections say 110 so I had – had a few queries around whether that potential heritage item should've been looked at in more detail and the impacts of that assessed. There are a – there was an Aboriginal study done which involved the registered Aboriginal parties that nominated to be involved so I believe that process has gone through a separate or a different pathway than a part 4 assessment would trigger but that report looked to be quite robust.

- 40 So there's further work to be done during the construction stage, I believe but – and then the impact on the National Park estate, again they've – National Parks made a

submission on this – on the proposal and the vegetative buffer and the increased buffer between the panels and National Park estate has been addressed so - - -

MR WILSON: Just on that, the walking trails - - -

MR DICK: Yeah, the Threlfall Walking Track.

MR WILSON: Sorry, what was it?

10 MR DICK: Threlfall Walking Track.

MR WILSON: It is in the National Park? So my understanding is they've – Blue Hole, a picnic table at the Blue Hole, there's no longer any – it's – you can't – you won't be able to view the arrays from there? My understanding that's because they pulled it back to well over - - -

MS LEWIN: 1.6.

MR WILSON: - - - 1.6.

20

MS LEWIN: And some landscaping.

MR WILSON: And some - - -

MS LEWIN: Significant.

MR WILSON: And but they will still get glimpses from this walking trail. You know, we still don't understand the context and stuff because we haven't been to the site but that track is in the National Park, is it?

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MR DICK: Yes, it's in the National Park but it does – it does stray quite close to the edge of the National Park estate, so the property boundary's between the subject site and the National Park. The walk does get quite close to that fence line so – so yeah, whether – whether or not that remains - - -

MR WILSON: But it's not in the National Park? It is in the National Park?

MR DICK: The walking track is within - - -

40 MR WILSON: Okay.

MR DICK: The walking track is within, yeah.

MR WILSON: All right. Okay. All right. Any other questions?

MS McCABE: No, I think that's kind of - - -

MR WILSON: Gentlemen, that's been very useful, absolutely, and if we have any further questions – as you said, this is the first – this is the first part of a process so if we have any further questions we'll – we'll put them in writing but appreciate your input today, it's been fantastic, thank you.

MR BOYCE: Thanks, Commissioners.

MS LEWIN: Thank you.

MR WILSON: Thank you.

MR DICK: Thank you.

20 **MEETING CONCLUDED**

[12.02pm]