

Sutton & District Community Association Inc.

Submission to the Independent Planning Commission – Springdale Solar Farm, Sutton

In August 2018, the Sutton & District Community Association Inc (SDCA) provided a submission to the Department of Planning Industry & Environment (DPIE) into the proposed Springdale Solar development.

In that submission we raised three key issues –

1. Traffic
2. Bush fire prevention
3. Community consultation

We have read the Response to Submission (RTS) provided by the new developer, RES Australia and the evidence provided to the Independent Planning Commission (IPC) by the Yass Valley Council, DPIE and RES.

Details in the RTS and in the evidence and supporting documentation provided by the DPIE and RES to the IPC have done little to alleviate the community's concerns about all three issues raised.

1. TRAFFIC

Summary

The IPC would likely already be well aware of the significant community concern related to the issue of traffic and it was the number one issue raised in submissions by members of the local community in 2018.

SDCA's submission concerning the traffic impact of the development on the surrounding community is predicated on ensuring the safety of all road users in and around Sutton (and the preservation of the use and enjoyment of the village itself).

The RTS does not alleviate the community's concerns about the safety of road users (outlined below) should the development proceed. Major changes to current traffic proposals are required.

The proposed access route is not feasible because:

- a) The traffic counts relied on by the developers are outdated, calculated on misleading assumptions and are not reflective of the current traffic situation. The vehicular traffic through Sutton is currently already very high.
- b) Use of the proposed route renders the village unsafe. The proposed route runs through the heart of the village, along a two-lane road, which includes three sharp 90 degree turns right in front of all key village amenities, frequented by pedestrian traffic (especially children) in circumstances where there are no safety crossings or footpaths.
- c) Heavy vehicular traffic along the proposed route will discourage visitors to Sutton, impacting on the village atmosphere and commercial hub.
- d) The roads along the proposed route are chronically ill-equipped to deal with the traffic. Upgrading the roads would involve significant expense and disruption.

The SDCA submits that the development should not be approved (indeed it would be irresponsible to approve the development) until such time as the Sutton Village Bypass has been completed, or until an alternate suitable route for development traffic can be identified and agreed upon.

A) *The EIS traffic counts are outdated and do not reflect the true position*

The EIS relied on traffic counts conducted by Yass Valley Council on various roads, including Bywong Street, East Tallagandra Lane, Tallagandra Lane and Sutton Road. These traffic counts are outdated, the most recent being 2016 – over five years ago. The Response to Submissions by the developer suggests that the EIS “...data remains relevant to the project”. The SDCA strongly disagrees. Much has changed in and around Sutton in that time, particularly in relation to traffic density in the area.

Firstly, Sutton Road is the major arterial road from Queanbeyan and South Canberra to areas such as Murrumbateman and Yass and other areas in the Yass Valley and Upper Lachlan Shire Council areas. It is being heavily impacted by the issues concerning the adequacy of the Barton Highway. It is also a major thoroughfare for traffic heading from south western NSW and even northern Victoria, to the NSW South Coast, via the Kings Highway.

Secondly, with population growth in Canberra and proximity to Canberra, Sutton and Gundaroo are now considered dormitory suburbs for people working in Canberra or attending Canberra schools or universities. This has increased population around the area and, it follows, traffic.

Thirdly, looking ahead, up to three (3) developments are in the planning stage on the northern and southern borders of the Sutton Village, with a plan for up to 150 residential lots. Two of the proposed developments are well advanced in the planning stages and could be under construction at a similar time to the Springdale project. In addition, new developments have already commenced in north Gundaroo and another one is in the planning stage and further housing

developments have also commenced in Gunning. Sutton village is experiencing increased development-associated traffic, and this will only increase.

In 2019 members of the local community conducted several manual traffic counts in similar areas to the EIS counts. Those counts were taken over four (4) hour periods, between either 6am to 10am or 2pm to 6pm. Community traffic counts were conducted during peak times because, as Mr Stan Robb, the then Director of Engineering at YVC said in 2019: “The use of AADT (Annual Average Daily Traffic) information on its own can be somewhat misleading in development scenarios as the am and pm peak counts may be more reflective...”. Further, unless otherwise specified, peak times are likely to wear most of the increased traffic.

In short, these counts bear little resemblance to the traffic counts used in the EIS. For example:

- The **Springdale EIS ADT** count conducted between 5 May 2016 and 25 May 2016 on Sutton Road (50m west from the Sutton Road and Bywong Street intersection (near the school & pre-school) shows **3,133 vehicle movements per day** being:
 - **130 movements on average per hour.**

A Community count conducted at the same location on Thursday on 30 May 2019 between 2pm and 6pm, amounted to **1,688 vehicles**, being

- **422 movements on average per hour.**

- The **Springdale EIS ADT** count conducted between 5 May 2016 and 25 May 2016 on Sutton Road (south of Tallagandra Lane (note: Sutton Road does not intersect with Tallagandra Lane)) shows **2,917** vehicle movements per day, amounting to
 - **121 movements on average per hour.**

A community count conducted on Wednesday 13 March 2019 between 6am and 10am. That count amounted to **1,442 vehicles**, being

- **360 movements on average per hour.**

A community count was also conducted on Thursday 11 April 2019 between 2pm and 6pm. That count amounted to **1,461 vehicles**, being

- **365 movements on average per hour.**

The community counts show an average vehicle movement per hour that is **three times** that quoted by the developers. Put simply, the data used in the EIS, or any subsequent documents provide by the developer, does not reflect the current traffic patterns on the proposed route.

Adding the substantial number of vehicles that the development proposes, will create an even greater risk to pedestrians and other road users in this area. Simply restricting development traffic during school zone hours increases risk (because it increases volume) outside those hours. The route proposed remains frequented by pedestrians (including children) outside school hours. This applies particularly to high school students who live in the Sutton/Gundaroo area. Sutton school is the

interchange place for high school students travelling to Queanbeyan or Canberra on school buses, and the majority of buses depart before 8 am and return around 4:30pm. This travel is outside the controlled school hours.

Further, it should also be noted, there is no public transport for school children from the Sutton/Gundaroo area and the majority of the designated school buses that travel to and through Sutton with school children, operate outside of the school zone hours and therefore will be competing on the roads with solar development traffic.

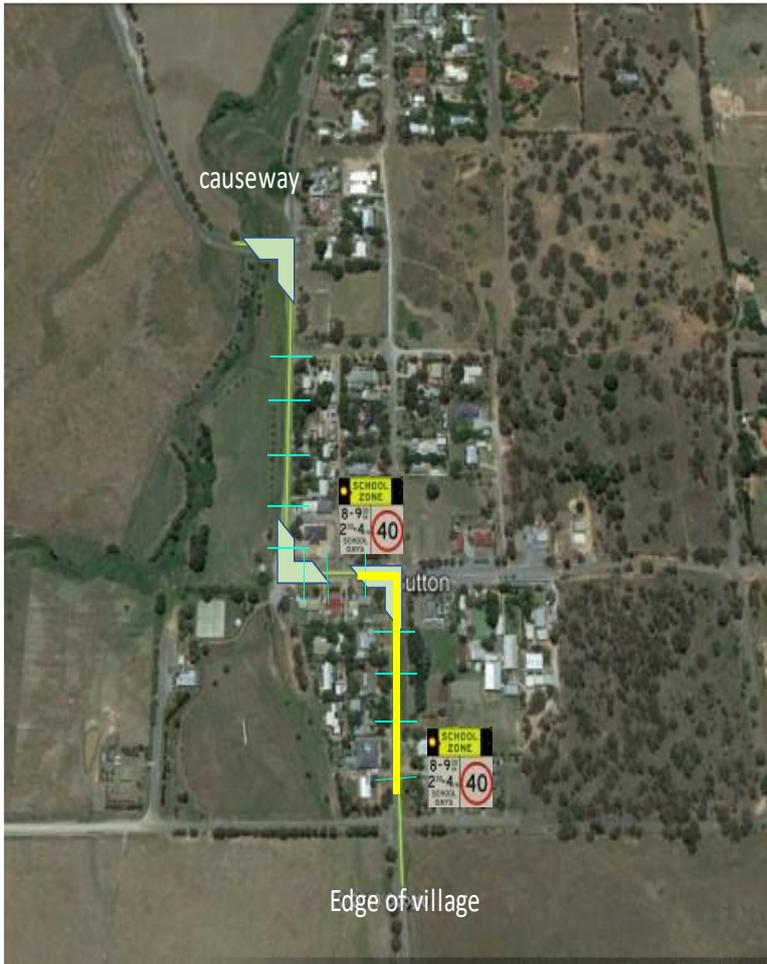
B) The proposed route renders the village unsafe

The heavy vehicle traffic is proposed to run straight along the two lane regional road, directly through the village, along the main pedestrian route to *all* village amenities.

Sutton Primary School, Country Bumpkins pre-school, the Sutton Bakery, the Pony Club, the planned IGA store and the recreational area and sporting field (tennis courts, oval, children's playground, open space) are all within 200 – 300m of one another. These amenities front Bywong, Victoria and Camp Streets, which together run for less than 1km through the village. There are no designated pedestrian crossings or foot paths in the area. A footpath is planned to run parallel with Victoria Street from the northern side of Bywong Street to enable the school to have greater use of the sporting fields before, during and after school hours. At present there are no other footpaths existing or planned in Sutton Village to allow pedestrians to safely cross the main thoroughfare through the village.



Sutton Village



777 metres from causeway to edge of village (green line)



90 deg bends



12 power lines to residences



40 kmph during school hours

- A number of **road side signs will need to be removed** to allow trucks to get around the bends
- The developer has stated that, “...**traffic and transport during construction can be managed without the need for any significant road infrastructure upgrades**”.



Trucks passing one another in front of the Primary School & Country Bumpkins pre-school on Bywong Street



Truck passing Primary school on Bywong Street (Note: school children & horse in background)



Bakery corner (Note: truck having difficulty traversing tight corner without crossing double yellow lines)

Since submissions were lodged to the EIS in August 2018, there have been some significant layout changes in the village – in particular, the Sutton Post Office has relocated along Camp Street, approximately 300m to the north of the commercial hub of the village (which includes the Bakery and planned IGA store and the recreation/sporting fields). The walking route is currently along Camp Street, which is a narrow two-lane road. This is the same stretch that would be used by the solar farm traffic. It is unsafe to walk along currently, let alone in the future. There is no footpath currently, or planned, and there are drainage ditches in large parts along both sides of the roadway. This means that pedestrians, for significant parts of the route, have to either walk on the verge of the roadway, or if wheeling a pram for example, on the roadway itself. This creates significant danger for local road users. The only alternative (and longer) walking route is along Bywong Street and down Middle Street, even then there are no footpaths and pedestrians are obliged to walk on the verge or on the roadway.

The Sutton Post Office has become much busier in the past 18 months resulting from the marked increase in online shopping and the consequential increased delivery of parcels to the Sutton Post Office. This trend is expected to continue, and Camp Street will become busier than ever.

The condition attached by the DPIE, “minimising potential for conflict with school zones, school buses and other road users as far as practicable (measures also

required during operation of the project”, is meaningless and has the potential to create other significant knock-on, traffic safety issues in the area.

Where would such traffic lay-over on the side of the road if they arrived at the village during school zone hours? After exit from the Federal Highway and entry into the village via Sutton Road from the south, there is no lay over provision for small vehicles, let alone heavy vehicles. Indeed, there is no safe space to do so given most of this route has an 80km/h limit, and the remaining portion is in front of the school and residences along Bywong Street. (We note that any vehicle lay-over on the southern side of the Federal Highway would involve Queanbeyan Palerang Council, not Yass Valley, and this would no doubt create issues for residents in that location.) Whilst there is an area on the northern side of the village for a potential lay over location, this site is used for the storage of road base and any vehicles stopping in that location would restrict access to those materials. Any vehicles stopped either north or south of the village due to school zone times will create a significant dangerous traffic hazard to other road users.

Whilst the developer has indicated they would coordinate shuttle buses for the development’s workers, to and from the site, there is no further explanation as to how or where this would occur. The DPIE conditions state “details of the employee shuttle bus service, including pick-up and associated parking arrangements for construction workers, and measures to encourage employee use of this service”, is again meaningless without detail. Where will the potentially 200 workers cars park during working hours? How many workers might actually use the shuttle bus and those that don’t add an already growing number of vehicles to the route. There is no logical location on the immediate southern side of Sutton unless the developers can find a suitable site/s on the southern side of the Federal Highway. However, as earlier explained, that area is not in the Yass Valley Shire, it is the responsibility of Queanbeyan Palerang Council. There is no mention of this in any of the developers’ documentation.

The EIS acknowledges the safety risk associated with additional project-related traffic and the potential for accidents to occur but has failed to undertake any studies to assess what the potential risks might be, or how they might address those risks. In regard to the transport mitigation measures, who will deliver instructions to drivers and how often, and who will monitor and enforce their behaviour?

In the 2019 Land and Environment case (Rocky Hill Mine, Gloucester) Dr Lawrence for the Minister, criticised the Social Impact Assessment for its failure to address the social impacts of increased traffic generated by the Project. ... The Social Impact Assessment did not provide any local data on current accident rates or local black spots or assess the risk and cost of any increase in accidents due to the Project... Gloucester Resources Ltd v’s Minister for Planning [2019] NSWLEC7, 334.

In that same matter it was stated that, the proposed mitigation measures and recommendations are primarily aspirational, rather than actual commitments by the applicant, and they are not demonstratively achievable or enforceable. ...

This is the concern with the Springdale project, and to date, none of these issues has been sufficiently addressed.

C) Heavy vehicular traffic will discourage visitors to Sutton

The advent of the very popular Sutton Bakery has encouraged a large number of visitors to the area. Every day of the week significant numbers of push bike riders, both recreational and more elite riders, the majority of whom come from the ACT, visit the bakery and use the surrounding roads of Sutton. It has also become a hub for motorcyclists and a number of smaller buses, containing elderly and handicapped persons, likewise, primarily from the ACT, who also visit the Bakery regularly during the week. One of the peak times for visitor numbers at the bakery is obvious around lunch time (10am-2 pm) on every day of the week. This is right in the middle of the construction and operating day for the solar development project, if approved.

Those visitors to the Bakery do not only enter or leave Sutton via the Federal Highway and Sutton Road, but often also via Sutton Road to the north, including emerging traffic from East Tallagandra Lane and Mulligans Flat Road. Push bike riders in particular, will be placed in significant danger when competing with development traffic on roads to the north of Sutton village, particularly East Tallagandra Lane and Mulligans Flat Road. The road verges are not designed to accommodate vehicles and push bikes simultaneously.

Sutton's rural-like backdrop and recreational amenities combined with its proximity to the large population base of the ACT, makes Sutton particularly attractive for day trippers and visitors to both Sutton and other nearby attractions and localities. As previously indicated, visitors to the area are not confined to weekends and will no doubt be on our local roads at the same time as development traffic.

These visitors to Sutton contribute significantly to the vibrancy of the village atmosphere and to the commercial hub in the village. The proposed route for the development traffic changes the safety and atmosphere of the village, which could very easily result in these visitors going elsewhere.

D) The roads along the proposed route are chronically ill-equipped to deal with the traffic -

The proposed route runs straight through the heart of the very small village, along a narrow two-lane rural road, which includes three sharp 90 degree turns. It traverses over a narrow causeway over McLaughlin's creek which feeds the Yass River and regularly floods.

This causeway was built some 50 years ago by volunteer labour. It is the only access to areas north of Sutton Village. All traffic passing through Sutton has to cross it to travel north.

The causeway is wide enough only for two regular family size vehicles to pass one another (slowly) travelling in opposite directions. Larger vehicles, including those towing caravans and large trailers as well as smaller trucks, generally endeavour to provide right of way to those vehicles that arrive at the causeway first. Larger trucks, including tippers and buses, (including school buses), cannot pass one another on the causeway. It should also be noted that there are no rails on the side of the

causeway to prevent a vehicle going over the side into McLaughlin's Creek. In times of heavy rain, the causeway floods and is uncrossable, or at best, dangerous to cross.



Causeway (Note: no side rails only concrete blocks to prevent vehicles from going over the edge)



Heavy machinery crossing the causeway

The causeway is crumbling and was not designed to transport heavy vehicular traffic. Nor are roads through Sutton village along the proposed route built or designed for such traffic. The roads regularly crumble and pot-hole, especially after heavy rains. They are narrow. They are not maintained to support such traffic.

Improving these roads for heavy vehicular traffic would involve significant public expense. It is not in keeping with the Sutton Master Plan to convert these roads and this thoroughfare into a route that would be suitable for heavy vehicular traffic. The outlay of expenditure to do so would be short sighted and a waste of public resources.

The roads and narrow causeway is one of the key reasons why a Sutton Village Bypass is essential and should be constructed, or an alternative route for the development located, before any approval is given for the Springdale Solar development.

POSSIBLE SOLUTIONS

Sutton residents need to have a say in any proposed Traffic Management Plan. To date, only two proposed routes have been examined and the developer has selected the current proposed route because it is shorter on local roads and obviously the

cheaper option for them. That is understandable for the developer but is unacceptable for relevant authorities to adopt the developer's position for the many reasons given above.

The SDCA believes that a suitable traffic management plan cannot be developed for the current proposed route and will continue to pose a significant safety threat to local road users. The only way that threat can be significantly minimised is by the construction of a Sutton Village bypass, prior to the commencement of development construction, or the identification of an alternate route that takes development traffic away from the Sutton village.

Sutton Village Bypass

The SDCA notes the comments of Mr Chris Berry – General Manager of Yass Valley Council (YVC) made to the IPC at its hearings on 8 December 2020 and fully supports his comments in relation to traffic concerns and the other issues he raised on behalf of YVC.

The issue of a Sutton bypass has been on the agenda for many years and is consistently one of the most important issues raised by the local community and other local road users. In regard to the Springdale proposal, the community's first concern is the need to identify, and if necessary, construct, an alternate route that takes development traffic away from the Sutton village. "Managing" the development-related traffic flow through the village is not a realistic option. It is already too late.

Alternative Routes

Clearly, there has been limited consideration of alternate routes for development traffic, however we note, that this may entail liaison with other community groups within the Yass Valley Shire, the Upper Lachlan Shire or the ACT.

RECOMMENDATION

The development not be approved until such time as the Sutton Village Bypass has been completed, or until an alternate suitable route for development traffic can be identified and agreed upon.

If the IPC feels compelled to still approve the development prior to the completion of the bypass, or an alternate traffic route being identified and agreed upon (an outcome not supported by the SDCA), any such approval should not be given until such time as –

- a. **A suitable Traffic Management Plan has been developed and agreed to by the Sutton community through the SDCA; and**

- b. Yass Valley Council prepares a preliminary design for a Sutton Village bypass, including an overall cost estimate and any steps required to acquire the relevant land, so that a Contributions Plan can be developed by the council, with the Springdale developer required to make an agreed proportionate contribution to the bypass's construction under that plan.**

2. FIRE

The SDCA notes that in the Fire and Rescue NSW (FRNSW) submission to this proposed development, they state, “FRNSW notes that the facility’s proposed location is within a NSW Rural Fire Services’ (RFS) bush fire prone area”.

The last significant fire in the area adjacent to the proposed development occurred on the corner of Mulligan’s Flat Road and Tallagandra Lane in January 2017.

That fire, pushed by the predominantly north west winds, directed the fire towards Sutton Village and threatened a number of homes in the Read Road and East Tallagandra Lane area. Fortunately, with the assistance of both NSW and ACT fire authorities and significant aerial firefighting support, and with access to local property’s dams for the aerial firefighting fleet, the fire was brought under control before it got to the village, which was clearly in the fire’s path.

That fire was easily accessible, in open paddocks, not contained within an area surrounded by 1.8 metre wire fences, with tree lines and rows of solar arrays. A fire starting or spreading into the middle of the Springdale development, might not be so easily controlled.

A proposed 20,000 litre static water tank is not of any use to aerial fire fighters, and the several larger dams currently on the Springdale site are likely to be filled in to make room for solar arrays, thus putting more pressure on neighbouring properties’ water supplies for an aerial firefighting capability to fight any such fire. The ground fire-fighting capability would largely rest with the RFS local brigades, all of whom are volunteers.

We note in the RTS, that like the traffic issues, the issue of fire threats and plans are to be dealt with, AFTER development approval, by way of a Fire and Emergency Service Plan. Clearly this is highly unsatisfactory.

RECOMMENDATION

That a suitable Fire and Emergency Service Plan should be developed by NSW RFS in conjunction with the Sutton RFS and endorsed by all relevant stakeholders BEFORE any approval be granted for this development.

3. COMMUNITY CONSULTATION

Despite the portrayal to authorities of the importance of community consultation by the DPIE and both the initial developers (Renew Estate) and the new developers (RES), community consultation has been either been very poor or non-existent.

Prior to the EIS being lodged Renew Estate held two drop-in sessions and published five (5) newsletters, which were made available on the development's website.

Following the close of submissions, one email was sent in September 2018 to the adjoining landowners and since then there has be NO contact until 7 April 2020, when the community were informed that the RES-Group were the new developers.

The developers have had numerous opportunities to engage with the community and to provide information via the SDCA's monthly publication, the Sutton Chatter and its Facebook page, and the neighbouring village of Gundaroo's monthly publication, the Gundaroo Gazette. No updates or information have been provided since the close of submissions in August 2018, until the 7 April 2020 email advising of the project being transferred from Renew Estate to the RES Group.

Given the impact of this development on the surrounding community (in particular, see community concerns), the lack of ongoing consultation/updates is disappointing. It is also disingenuous for both the developer/s and the DPIE to continue to portray the importance of ongoing consultation as such developments are progressed when such consultations are not occurring.

Such a blatant disregard of local communities should not be allowed to go unchallenged by the IPC in this process.

CONCLUSION

The SDCA's submission is primarily focussed on the safety and security of not only the residents of Sutton, but all those who frequent or visit our area for either work or recreation. We are gravely concerned that the details provided to date by the developer/s in respect to, specifically traffic and potential fire hazards, do not dissipate our concerns. This leads us back to the issue of a lack of communication by the developers and the DPIE about these issues, and their impact on the local community.

We do not support the IPC approving this development, with conditions, when many of those conditions, which the community has great concerns about, have to be negotiated and resolved, post approval.

Approving the development without proper consultation and before an appropriate traffic route being identified puts the community in a very difficult position to have these concerns addressed at all in this development. The authorities are our elected representatives. Significant community concerns should be addressed before any approvals are given.

It is for these reasons that we encourage the IPC to not approve the development at this point, until the issues raised by the local community have been satisfactorily resolved.

Mark Burgess
President
Sutton & District Community Association Inc
26 January 2021