

## **APPENDIX C CONSULTATION**

### **C.1 COMMUNITY CONSULTATION PLAN**

### **C.2 LETTER TO MID WESTERN REGIONAL COUNCIL**

### **C.3 RESPONSE FROM MID WESTERN REGIONAL COUNCIL**

# Community Consultation Plan

BERYL SOLAR FARM

MARCH 2017



## Document Verification



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# 1 INTRODUCTION

## 1.1 COMMUNITY CONSULTATION PRINCIPLES

Best practice community consultation involves the community in all decision-making stages of a project. There is a role for the community from project conception, through the assessment process and on to project development. Effective community consultation has three important functions:

1. It facilitates deeper understanding of issues and decisions required for the project;
2. It improves the quality of decisions made for the project;
3. It allows people to be involved in decisions that affect their lives.

Important community engagement principles for a project include:

- Openness – combats assumptions and misinformation.
- Inclusiveness - consultation should be diverse and representative, not responding only to the most vocal stakeholders.
- Effective communication – requiring trust between parties and tools appropriate to the task.
- A communication strategy – clarity about what is being undertaken:
  - Inform - one-way communication to deliver information about the project.
  - Consult - two-way communication to seek input into the project.
  - Collaborate and involve – seek participation in elements of the project design and implementation.
- Early rather than late – to maximise engagement opportunities.
- Accountability – the process should be monitored and evaluated to ensure its aims are being achieved.

## 1.2 AIM OF THIS PLAN

This Community Consultation Plan (CCP) has been developed for the Beryl Solar Farm.

The aim of the plan is to:

1. Identify effective methods to inform the community about the Beryl Solar Farm
2. Facilitate engagement with the community, including input into the environmental assessment and project development

The plan identifies:

- Community stakeholders for the project;
- Issues / risks related to the engagement of each stakeholder group;
- A consultation strategy for each stakeholder group;
- A set of activities against the project development time line to facilitate consultation.

Effective engagement will require an understanding of community stakeholders and prioritisation of potential impacts. It also relies on the community understanding the project and specific issues of interest to them, to contribute effectively. The focus of the consultation plan will be on providing this understanding and engagement.

## 1.3 STRUCTURE

The structure of this plan is:

1. Proposal overview
2. Identification of community stakeholders for the project
3. Issue management – what specific issues need consideration
4. Project based activities – what vehicles will be utilised in the consultation process

## 1.4 IMPLEMENTATION AND REVISION OF THIS DOCUMENT

The plan has been developed to coincide with the early planning and assessment stages of the project.

If the project is approved, consultation will also be required to continue into the construction and operational phases of the project. These phases will require a new or updated plan, to reflect any changes to consultation objectives but also the increasing knowledge gained about the community.

## 1.5 RELEVANT GUIDELINES

This CCP has been prepared with reference to the following guidelines / references:

- *Establishing the social licence to operate large scale solar facilities in Australia: Insights from social research for industry*, Australian Renewable Energy Agency (ARENA).
- *Beyond Public Meetings: Connecting community engagement with decision making*, Twyford Consulting 2007.

## **2 PROPOSAL OVERVIEW**

The proposed solar farm would be located on Lot 20 DP 1173059, Lot 1 DP 1012926, Lot 1 DP 190927 and Lot 1 DP 1016556, Beryl .

The construction phase would include the installation of Photovoltaic modules (solar panels), mounted on steel frames over most of the site, as well as electrical conduits, inverters, access tracks, site office and perimeter fencing.

Access to the site would be off Beryl Road.

Additional electrical transmission infrastructure would be required to connect the solar panel infrastructure to an existing Beryl substation adjacent to the site.

To avoid duplication of information and errors as the proposal is developed, all detailed proposal information is contained within the Environmental Impact Statement and is not repeated here.

## 3 COMMUNITY PROFILE

Understanding the makeup and values of the community is essential to finding effective ways to reach the community as well as beginning to identify ways that the project may impact the community. This section provides a broad overview of the local government area, closest major town of Gulgong and the locality of Beryl.

### 3.1 MID-WESTERN REGIONAL LOCAL GOVERNMENT AREA

The Mid-Western Government area (LGA) had a population of 24,017 in 2014 (ABS 2016) and covers an area of approximately 9000 square kilometres (Mid-Western Regional Council 2015). The area's population has steadily been increasing from 23,020 recorded on the 2011 Census, an increase of almost 5% (ABS 2011a). The median age of the locality is 41 years of age; this is comparable to the Australian average of 37.3 (ABS 2016). The 2011 census records indicate that 3.9% of the population is from Aboriginal and Torres Strait Islander origin and 14.5% of the population was born overseas (ABS 2011a).

The main local industries for employment within the Mid-Western LGA is mining (13.8% in 2011a), followed by the retail trade at 11.3%; agriculture, forestry and fishing industry with 9.5% employed and health care and social assistance at 9.2% (ABS 2011a). The region is also renowned for its vineyards, wineries, wilderness areas and historic villages (Mid-Western Regional Council 2015, Destination NSW 2016a). The regional council is anticipating significant population growth in the area over the next five years due to the recent and ongoing expansions in the coal mining industry (Mid-Western Regional Council 2015).

The Mid-Western Regional LGA is in the central west of NSW, approximately 300kms from Sydney (Mid-Western Regional Council 2015). Towns in the LGA include Mudgee, Gulgong, Rylstone and Kandos (Destinations NSW 2016a).

The Mid-Western Regional Council (MWRC) states that advantages to living in this region include:

- A diverse and growing economic base;
- centrally located to regional centres;
- strong transport links (air and bus services daily);
- a skilled workforce,
- strong business service sector
- thriving tourism and arts/cultural industries (Mid-Western Regional Council 2015).

Some of the community facilities and economic features of the Mid-Western regional LGA include:

- Health facilities include: Mudgee Hospital, Rylstone Hospital, The Carmel Croan Community centre (this includes community transport, meals on wheels, respite care and cultural services), doctors, aged care facilities, (Mid-Western Regional Council 2015).
- Recreation and sporting facilities include: Glen Willow Regional Sports Complex, various showgrounds, three swimming pools, pony clubs, horse clubs, poultry club, woodworkers group, pottery groups and various art and craft groups (Mid-Western Regional Council 2015).
- Community facilities include: Mudgee Town Hall, three libraries, various halls and community buildings, airport (five km from Mudgee), rotary club and aero club (Mid-Western Regional Council 2015).
- The MWRC maintains 55 parks, gardens and sporting fields, 11 cemeteries, numerous playgrounds, parks and reserves ((Mid-Western Regional Council 2015).



- Active business organisations in the LGA include: Cudgegong business group, Gulgong Chamber of Commerce, Mudgee Chamber of Commerce, Mudgee Fine Foods Inc. and Mudgee grape growers' association Inc. (Mid-Western Regional Council 2015).
- Events in the region include the Rylstone Street Feast, Mudgee fine foods farmers market (monthly), Black tie at Burnbrae and the Huntington Estate Music festival (Destinations NSW 2016a).
- Environmental attractions include: Putta Bucca Wetlands, Capertee National Park, Wollemi National Park, Coorongoora National Park, Munghorn Cap Nature Reserve, Goulburn River National Park and Coolah Tops National Park, Ferntree Gully and Windamere Dam (Destinations NSW 2016a).

### **3.1.1 Gulgong**

Gulgong is the closest large township, to the locality of Beryl, and is 6 km from the proposed site and approximately 350km from Sydney (Destinations NSW 2016b). The population of Gulgong was 2,383 in the 2011 Census (ABS 2011b). This comprises of a high 4.9% Aboriginal and Torres Strait Islander people, compared to the Australian average of 2.5% (ABS 2011b). The median age is 39, comparable to the Australian median of 37 (ABS 2011b). In Gulgong 12.8% of the population was born overseas, with the most common countries of birth being England (2.2%) or New Zealand (0.8%) (ABS 2011b).

The main local industry for employment in Gulgong is the coal mining industry (ABS 2011b). The proposed solar farm would provide opportunity of employment diversification as NSW moves towards a carbon neutral economy by the year 2050. Full time employment, recorded at the 2011 census, was 56.6%, this is comparative to the Australian rate of the time of 59.7%; with the unemployment rate high at 6.5%, compared to the Australian average of 5.6% (ABS 2011b). The median age for full time employment in Gulgong is 42 (ABS 2011b). The main industries are coal mining at 16.6%; followed by school education at 6.6%, supermarket and grocery stores 4.2% and sheep, beef cattle and grain farming at 3.3% (ABS 2011b). The median weekly income for residents of Gulgong was \$412 in 2011 (ABS 2011b).

This area of rural NSW is rich in European heritage and was settled in the 1860's during the Australian gold rush (Destination NSW 2016b). Gulgong was the first town to be featured on the original ten-dollar note (Destinations NSW 2016b). There are currently 130 buildings, within the town of Gulgong, listed under National Trust classification many still have the original verandahs and iron-lace balconies (Destinations NSW 2016b). Today the town is renowned for its arts and crafts and is world famous for its clay/pottery (Mid-Western regional council 2015, Destinations NSW 2016b).

- Tourism attractions include the Pioneer Museum, Henry Lawson centre, The Prince of Wales opera house (oldest operating opera house in the southern hemisphere) and the Gulgong Symbol trail; a secret code of symbols used in the gold rush to communicate the 'lie of the land' (Destinations NSW 2016b).
- Events include: the annual Henry Lawson Festival, Gulgong Folk Festival; celebrating 30 years in 2016, Gulgong Gold Chinese festival, Community fun day and camel races, Gulgong annual eisteddfod and the triannual clay festival - Clay Gulgong (Destinations NSW 2016).
- Recreational and sporting facilities include: Billy Dunn Oval, Victoria Oval, swimming pool, turf club, golf club and dance academy (Destinations NSW 2016b).
- Community facilities and clubs include: a memorial hall, branch library, cemetery, Gulgong musical and dramatic society (MADS), craft club, RSL club and youth council (Destinations NSW 2016b, Gulgong Chamber of Commerce 2016).

- Health services include: Wenonah lodge aged care facility and Gulgong health services (Service NSW 2016).
- Services include: banks, supermarkets, post office, real estate, trades people, machinery and farming services, accommodation, cafes and restaurants, fire station (Gulgong Chamber of Commerce 2016).
- Education facilities include: Gulgong pre-school, Gulgong public school, Gulgong high School, All Hallows Catholic Primary School and the Red Hill environmental Centre (Service NSW 2016).
- Churches – St Luke’s Anglican, St John’s Catholic, Uniting and Presbyterian (Destinations NSW 2016a).

### **Beryl**

Beryl is a small rural locality approximately 9 km North-West from Gulgong. The proposed solar farm is approximately 4 km South of Beryl. The locality of Beryl is accessed from the Castlereagh Highway; it’s residents are sprawled out on large rural properties. There was no data available from the Australian Bureau of Statistics (ABS) on population, businesses or number of dwellings in the Beryl locality.

## 4 STAKEHOLDER GROUPS AND CONSULTATION STRATEGIES

It is important to identify all key stakeholder groups and relevant characteristics and tailor engagement strategies to suit each group. Different levels of engagement suit varying degrees of potential impacts in the community. Where impacts are less significant, for example, the International Association for Public Participation (IAP2) consultation spectrum suggests approaches such as 'Inform' and 'Consult'. Greater impacts on communities require approaches such as 'Involve', 'Collaborate' and 'Empower'. Appropriate strategies are set out below for each stakeholder group.

Stakeholder group	Defining characteristics	Consultation strategies
1. Adjacent neighbours	<p>Neighbours adjacent to the project and those who may be directly affected, for example: those with a view of infrastructure, noise or vibration from haulage route or construction activities.</p> <p>Twenty-seven residences are located within 1km of the site and may experience direct impacts.</p>	<p><b>Meet first</b> – Inform and consult</p> <p>Understanding the values and potential impacts to this group is highly important.</p> <p>Face to face consultation and direct feedback is required.</p> <p>Mitigation strategies may require changes to the project or the development of specific plans of management i.e. screening visual impact.</p> <p>All consultation should be documented.</p>
2. Near Neighbours (Residents of Beryl locality)	<p>Neighbours to the project and those who may be directly affected, for example: those with a view of infrastructure, noise or vibration from haulage route or construction activities.</p> <p>Being a major development close to a small settlement, direct impacts may be of great interest to residents and businesses. This is a large development with potential to define the locality in many ways.</p> <p>Approximately 60 residences are located within 2km of the site and may experience direct impacts.</p>	<p><b>Inform and Consult</b></p> <p>Understanding the values and potential impacts to this group is highly important. It will assist the assessment process and development of appropriate mitigation strategies.</p> <p>Face to face consultation and direct feedback is required.</p> <p>All consultation should be documented.</p>

Stakeholder group	Defining characteristics	Consultation strategies
3. Local Businesses	<p>One business is located within 2km of the site.</p> <p>Businesses within the locality of Gulgong may experience direct impacts.</p>	<p><b>Inform and Consult</b></p> <p>Understanding the values of this group will assist the assessment process and development of appropriate mitigation strategies.</p> <p>Direct contact and direct feedback is required. Potential opportunity to distribute project information and understand community sentiment.</p> <p>All consultation should be documented.</p>
4. Special interest groups	<p>Special interest groups, for example, recreational groups, sporting groups.</p> <p>A number were identified specific to this proposal. These include:</p> <ul style="list-style-type: none"> <li>• Turf club</li> <li>• Pony club</li> <li>• Horse club</li> <li>• Aero club</li> <li>• Golf Club</li> </ul>	<p><b>Inform and Consult</b></p> <p>These should be directly contacted.</p> <p>Specific information or assessment may be required to understand and mitigate impacts for these groups.</p> <p>An avenue to provide feedback or ask questions should be provided.</p>
5. Representative bodies	<p>Representatives of groups such as:</p> <ul style="list-style-type: none"> <li>• Gulgong Chamber of Commerce</li> <li>• Mid-Western Regional Council</li> </ul>	<p><b>Inform and Consult</b></p> <p>Specific information may be required for this group.</p> <p>An avenue to receive information and provide specific feedback or ask questions should be provided.</p>
6. Media	<p>Outlets to ensure a clear message is delivered:</p> <p>Local radio, television, newspapers.</p>	<p><b>Inform</b></p> <p>A contact should be provided to this group, for further information if required.</p>

Stakeholder group	Defining characteristics	Consultation strategies
7. Broader community	<p>The town of Gulgong is approximately 6 km from the proposed solar farm. There are numerous residences and business located in and around the township.</p> <p>While direct impacts are unlikely, the project would be a large new development for the broader community.</p>	<p><b>Inform</b></p> <p>Newsletters, advertisements, website information used to relay information about the project.</p> <p>A contact should be provided to this group, for further information if required.</p>
8. Mid-Western shire	<p>The regions history has been rich in the mining industry. The proposed solar farm would provide an economic stimulus for the area, during construction, and would be a positive step forward in the renewable energy sector.</p> <p>While direct impacts are unlikely, the project would be a large new development for the broader community.</p>	<p><b>Inform</b></p> <p>Advertisements and website information used to relay information about the project.</p> <p>A contact should be provided to this group, for further information if required.</p> <p>Direct contact with specific representative groups (Chamber of Commerce).</p>

## 5 ISSUE MANAGEMENT

A set of project-specific issues and risks to maximising community engagement in the project have been identified below. These issues pose potential risks to the effective identification and mitigation of impacts important to the community. Mitigation strategies have been developed below, specific to the identified issues. These have been incorporated into the Project-based Activities, in Section 6.

Issue	Risks	Mitigation strategies
The project may define / overwhelm the locality	<p>This may polarise the community.</p> <p>They may not feel that the project reflects their values.</p> <p>The scale of the project may overwhelm the existing local character.</p>	<p>Education material about the role of solar energy in the country's energy mix, the technology and its impacts.</p> <p>Early dissemination of information about the project and its specific justification and benefits, particularly with reference to developing new income streams on agricultural land and the ability to restore the land capability after decommissioning.</p> <p>Seek direct input into how the project may reflect the communities 'personality' and values and how the benefits of the project may be spread to the local community.</p> <p>Clear communication of key environmental impacts and mitigation strategies of the project.</p> <p>Offer direct contact to project manager.</p>
Misinformation: Word of mouth / rumours first source of information	<p>Feel left out, disengaged, misinformed.</p>	<p>Direct communication early to local community – adjacent landowners first, near neighbours second, then the wider community.</p>

Issue	Risks	Mitigation strategies
Lack of support for project	<p>Lack of interest, leading to low levels of public support.</p> <p>Unaddressed concerns may generate opponents of this project.</p> <p>Large proportion of jobs in local area are reliant on coal mining may influence support of development of renewable infrastructure.</p>	<p>Early dissemination of information about the project and its justification and project benefits.</p> <p>Clear communication of key environmental impacts and mitigation strategies.</p> <p>Make participation easy – to ensure all concerns are addressed.</p> <p>Be creative – seek support for renewable project that demonstrates how benefits are felt at the local level.</p>
The approvals process can be complex.	<p>Perception that the process is too difficult to become involved in.</p> <p>Suspicion that input will not be valued.</p>	<p>Clearly illustrate approvals process.</p> <p>Clearly define opportunities for community input including what is required and when it is required.</p> <p>Communicate back, identifying where input has been used.</p> <p>Reinforce this at each relevant stage for community input – pre lodgement, during public exhibition etc.</p>
Distrust in environmental assessment process.	Distrust of impact identification and mitigation strategies.	<p>Establish credentials of assessment team and First Solar. Present these in the EIS and in newsletters etc.</p> <p>Make participation easy – create opportunities to discuss issues with the team.</p>
Fear of unknown / complex information	Exaggerated fears / misunderstanding of information.	<p>Layman explanations of issues.</p> <p>Offer to follow up – one on one, or special interest meetings.</p>

Issue	Risks	Mitigation strategies
Relationship with community	Risk that during the long approval and assessment process, the community will lose enthusiasm, become disengaged or negative.	Milestone events should be identified early and celebrated.
Representative	Risk of biased consultation, serving only the most vocal community members.  Sections of the community may be “overpowered” and may be marginalised.	Ensure community is engaged in a forum that minimises risk of debate being side tracked.  Follow up with smaller groups where required.  Use established social (and media) channels in dissemination of materials, i.e. sport clubs.
Unified message	Differing messages may create confusion and mistrust.	Limit points of contact.  Have message clearly set out for use, rather than reinventing it for each consultation activity.
Unequal distribution of benefits	Residents close to the development are likely to feel more strongly.	Identification of stakeholder groups should reflect differences in impacts.



## 6 PROJECT BASED ACTIVITIES

The following table outlines the different project stages and associated community consultation objectives and activities, in chronological order. The stages include:

- Decision to proceed with early investigations, proposal development
- Receipt of SEARs
- Detailed assessment and proposal development
- EIS on public exhibition, submissions reporting
- Approval determination
- Construction contract award
- Construction commences
- Operation commences
- Decommissioning commences

### 6.1 MILESTONES

Mile stone events should be celebrated, and used as an opportunity to keep the community on board. Milestones can include:

1. Announce project – notify near residents first, follow up with consistent information
2. Receipt of SEARs
3. Early studies update – meet the community face to face
4. EIS submitted – explain avenues for input
5. Submissions Report submitted – explain avenues for input
6. Approval – celebrate in a way that involves the community
7. Construction contractors awarded - opportunity for local employment
8. Construction commences - sod turning ceremony
9. Operation commences – public open day

### 6.2 THROUGHOUT PROCESS

Relevant to all activities:

- One person would remain key spokesperson, this would be Tom Best, First Solar (Australia) Pty Ltd Project Manager, to:
  - Limit points of contact, ensuring a clear message and no contradictions in terminology or project information.
  - Retain personal direct relationship with the community, identifiable face for the project.
- Feedback would be sought using a standard form where possible, allowing this information to inform the assessment (example provided in Appendix A). This form would be made available during meetings and on the project website.

Stakeholder group	Issue	Consultation objective	Community engagement activities	Format
<b>Decision to proceed with early investigations, proposal development, and receipt of SEARs</b>				
Adjacent landowners	May define locality Lack of support Other concerns	Inform and engage	Early dissemination of information about solar development generally. Early dissemination of information about the project and its justification and benefits. Seek direct input to include in assessment approach and development of proposal.	<b>Face to face meeting</b> <b>Include feedback form and encourage direct contact with Project Manager.</b>
Council	Misinformation Lack of support	Inform and engage	Ensure that the information is available Build relationship to understand their key issues	<b>Face to face meeting</b>
Near neighbours (Beryl locality)	May define locality Lack of support Unequal distribution of benefits Other concerns	Inform and engage	Early dissemination of information about solar development generally. Early dissemination of information about the project and its justification and benefits. Seek direct input to include in assessment approach and development of proposal, regarding: <ul style="list-style-type: none"> <li>• General feeling toward solar development</li> <li>• Specific feeling toward the Beryl solar proposal</li> <li>• Specific concerns</li> <li>• Ways the project may reflect the communities 'personality' and values.</li> <li>• How the benefits of the project may be spread to the local community?</li> </ul> Offer to meet Face to Face with Project Manager.	<b>Newsletter 1 / factsheet drop</b> <b>Include feedback form and opportunity for follow up call by Project Manager.</b>

Stakeholder group	Issue	Consultation objective	Community engagement activities	Format
	Distrust in environmental assessment process	Inform	Ensure the timelines and the stages for community input are clearly documented - use graphics and indicate where we are now at for the assessment. Make information on the project team and assessment team available	<b>Factsheet to include graphic showing stage of the process and opportunities for input</b> <b>Website, links to other projects and accreditations</b>
Local business owners	Misinformation	Inform and engage	Ensure that the information is available to the local community first. As well as letter drop, meet local business owners and offer to leave information with them to distribute. Build relationship with these owners and staff as they may assist to 'get the word out'.	<b>Face to face meeting with local business owners</b>
Broader community	Distrust in environmental assessment process. The approvals process can be complex.	Inform	Preliminary project announcement, including stage of assessment, likely timelines, ways in which the community can be involved.	<b>Media release, link to website</b>
<b>Detailed assessment and proposal development</b>				
Adjacent landowners	May define locality Lack of support	Inform and engage	Feed information into the final assessment to ensure all their issues have been identified and addressed by the project.	<b>Face to face meeting / Phone call</b>

Stakeholder group	Issue	Consultation objective	Community engagement activities	Format
Near neighbours	May define locality Lack of support	Inform and engage	Identify ways the community can participate in the project and seek input on these: <ul style="list-style-type: none"> <li>Vegetation screen planting, adopt a tree (one for project, one for landowner?)</li> <li>Signage / logo for solar farm (will be prominent part of the town?)</li> <li>Other renewable or energy saving programs that the proponent could support?</li> </ul>	<b>Competitions, Adopt a tree, other programs</b>
Near neighbours	Fear of unknown, complex information	Inform and engage	Identify ways simplify and present the key information, seek feedback.	<b>Open house – specialist and project information</b>
Broader community	Unequal distribution of benefits Risk of biased consultation, serving only the most vocal community members.	Consult and inform	Feed information into the final assessment to ensure all community issues have been identified and addressed by the project, differentiating between stakeholder groups	<b>Newsletter 2, Website</b>
<b>EIS on public exhibition, submissions reporting</b>				
Adjacent landowners	Relationship with landowners and community	Inform and engage	Reinforce stage in the project and ways to have input	<b>Face to face meeting / Phone call</b>
Near neighbours	Relationship with community	Inform and engage	Celebrate milestone, reinforce stage in the project and ways to have input	<b>Newsletter 3</b>

Stakeholder group	Issue	Consultation objective	Community engagement activities	Format
Near neighbours	Fear of unknown, complex information	Inform and engage	Special interest groups – address specifically in meeting.	<b>Meeting with group, if required.</b>
<b>Approval determination</b>				
Near neighbours	Relationship with community	Inform and engage	Celebrate milestone, reinforce stage in the project and ways to have input. Thank the community for their support Results of competition: signage / logo?	<b>Newsletter 4</b>
Broader community	Differing messages may create confusion and mistrust. The approvals process can be complex.	Inform	Keep project information up to date. Provide link to relevant information including feedback form. Provide a contact for further information.	<b>Media release</b> <b>Website</b>
<b>Construction contract award</b>				
Near neighbours	Relationship with community	Inform and engage	Celebrate milestone, reinforce stage in the project and ways to have input. What opportunities for local employment?	<b>Newsletter 5</b>
<b>Construction commences</b>				
Near neighbours	Relationship with community	Inform and engage	Celebrate milestone, reinforce stage in the project and ways to have input. Notify about impacts that can be expected, avenues to complain, for more information.	<b>Newsletter 6</b> <b>Event: sod turning</b>

Stakeholder group	Issue	Consultation objective	Community engagement activities	Format
Broader community	Differing messages may create confusion and mistrust.	Inform	Keep project information up to date Provide link to relevant information including feedback form Provide a contact for further information	Website
<b>Operation commences</b>				
Near neighbours	Relationship with community	Inform and engage	Celebrate milestone, reinforce stage in the project and ways to have input Notify about impacts that can be expected, avenues to complain, for more information.	<b>Newsletter 7</b> <b>Event: public open day</b>
Broader community	Differing messages may create confusion and mistrust.	Inform	Keep project information up to date Provide link to relevant information including feedback form Provide a contact for further information	Website
<b>Decommissioning commences</b>				
Near neighbours	Relationship with community	Inform and engage	Reinforce stage in the project and ways to have input Notify about impacts that can be expected, avenues to complain, for more information.	<b>Newsletter 8</b>
Broader community	Differing messages may create confusion and mistrust.	Inform	Keep project information up to date Provide link to relevant information including feedback form Provide a contact for further information	Website

## 7 MONITORING AND EVALUATION

To ensure this plan is effective during the implementation of activities, and adapts as required to new information, the following review actions will be undertaken alongside implementation activities:

- Appoint and maintain a consultation manager for the project to implement activities and review this plan regularly.
- Keep an accurate record of all feedback from consultation activities and all correspondence with the community.
- Monitor regularly and respond promptly to email and phone queries.
- Are the activities reaching a diverse and representative section of the community; do new activities need to be implemented?
- Has relevant information been passed back to:
  - Project developers
  - Assessment staff.

## 8 REFERENCES AND RESOURCES

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## APPENDIX A COMMUNITY FEEDBACK FORM

# COMMUNITY FEEDBACK FORM: BERYL SOLAR FARM

**Your feedback is important to develop a solar farm project that best suits the local area and community.**

**Your comments ensure local feedback is understood by the developers and assessment team.**

Please send your feedback to (or seek further information directly, from):

Tom Best, First Solar Australia Pty Ltd  
Level 3 16 Spring Street, Sydney, NSW 2000  
berylsolarfarm@firstsolar.com

For further information about the project, please see the project website at [berylsolarfarm.com.au](http://berylsolarfarm.com.au)

**Your contact details: (this information will be treated as confidential)**

Name: ..... Address: ..... Ph: .....

**Circle which best describes how far you live from the proposed Beryl Solar Farm:**

<1 km      1-2 km      2-5 km      >5 kilometres      Not a member of the local community

**Tell us what you value about the local area:**

What do you value most about the local area?

.....  
.....  
.....  
.....

What views or landscape characteristics in the region and local area are important to you?

.....  
.....  
.....  
.....

What do you like about solar farms?

.....  
.....  
.....  
.....

Do you have any concerns about solar farms?

.....  
.....  
.....  
.....

Do you have any specific concerns regarding the proposed solar farm at Beryl?

.....  
.....  
.....  
.....

2 March 2017

Mr Brad Cam  
The General Manager  
Mid-Western Regional Council  
PO Box 156  
MUDGEES NSW 2850

**Attention Mr Lindsay – Manager Statutory Planning**

Email to: [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)  
CC [lindsay.dunstan@midwestern.nsw.gov.au](mailto:lindsay.dunstan@midwestern.nsw.gov.au)  
CC [julie.robertson@midwestern.nsw.gov.au](mailto:julie.robertson@midwestern.nsw.gov.au)  
CC [drew.roberts@midwestern.nsw.gov.au](mailto:drew.roberts@midwestern.nsw.gov.au)

**wagga wagga**  
suite 1, 39 fitzmaurice st  
(po box 5464)  
wagga wagga nsw 2650  
t 61 2 6971 9696  
f 61 2 6971 9693  
**newcastle**  
7/11 union st  
newcastle west nsw 2302  
t 61 2 4929 2301

**bathurst**  
35 morrisset st  
(po box 434)  
bathurst nsw 2795  
t 61 2 6331 4541

**bega**  
suite 1, 216 carp st  
(po box 470)  
bega nsw 2550  
t 61 2 6492 8333

**canberra**  
unit 17, 27 yallourn st  
(po box 62)  
fyshwick act 2609  
t 61 2 6280 5053  
f 61 2 6280 9387

**sydney**  
unit 18, level 3  
21 mary st  
surry hills nsw 2010  
t 61 2 8202 8333

[ngh@nghenvironmental.com.au](mailto:ngh@nghenvironmental.com.au)  
[www.nghenvironmental.com.au](http://www.nghenvironmental.com.au)

Dear Sir,

**RE: PROPOSED SOLAR FARM, BERYL ROAD BERYL - SUBDIVISION OF LAND**

I refer to recent consultation with Council's Manager of Statutory Planning regarding the subdivision of land required to facilitate the operation of a proposed solar farm development at Beryl. The development proposal is declared a State Significant Development (SSD 8183). This development proposal was presented to Council by a representative of First Solar at its meeting held 15 February 2017.

NGH Environmental act on behalf of First Solar (Australia) Pty Ltd, the proponent for the proposed solar farm. We are presently preparing an Environmental Impact Assessment in accordance with the Environmental Assessment Requirements issued on 25/01/2017.

During the preparation of the scope of works it was understood that the proposal involved a 'boundary adjustment' that would be dealt with under the provisions of the State Environmental Planning Policy Exempt and Complying Code or as a development application at the local level. However, it has since been established that the boundary adjustment is technically defined as a subdivision due to the proposed arrangement of land and other determining factors.

Following review of the local planning provisions and subsequent consultation with the Mid-Western Regional Council, it was advised that there are no provisions within the Mid-Western Regional Council Local Environmental Plan (LEP) 2012 or State Environmental Planning Policy Infrastructure (ISEPP) that would permit approval of the subdivision at the local level.

Subsequently, we sought the direction of the Department, being the consent authority for the proposed development, given the State Environmental Planning Policy (State and Regional Development) 2011 and the *Environmental Planning and Assessment Act 1979* could permit the land subdivision if assessed as part of the overall state significant development.

The Department advised that they could include the subdivision in their assessment however, requested evidence from the Mid-Western Regional Council that there would be no objection to the proposal during the notification period. It was also advised that the Department required evidence of Council's concurrence prior to the assessment of the proposed development.

In this regard, the following information is provided for Council's consideration.

## The proposal

The proposed development includes the construction and operation of a photovoltaic solar generation facility with an estimated capacity of 100 Megawatts of electricity generation that would supply electricity to the national electricity grid. Ancillary components include infrastructure and grid connection. The development is declared as a State Significant Development due to the proposed capacity of electrical generation.

The proposal site is located approximately 6km west of Gulgong in the locality of Beryl. The site is bound by Beryl Road to the north, Spring Ridge Road to the southwest and Perseverance Lane to the southeast. The land contains one dwelling and straddles a disused rail line.

The site would be accessed directly off Beryl Road, on the northern property boundary, adjacent to the existing Beryl Substation.

The subject land is shown in Figure 1 below.

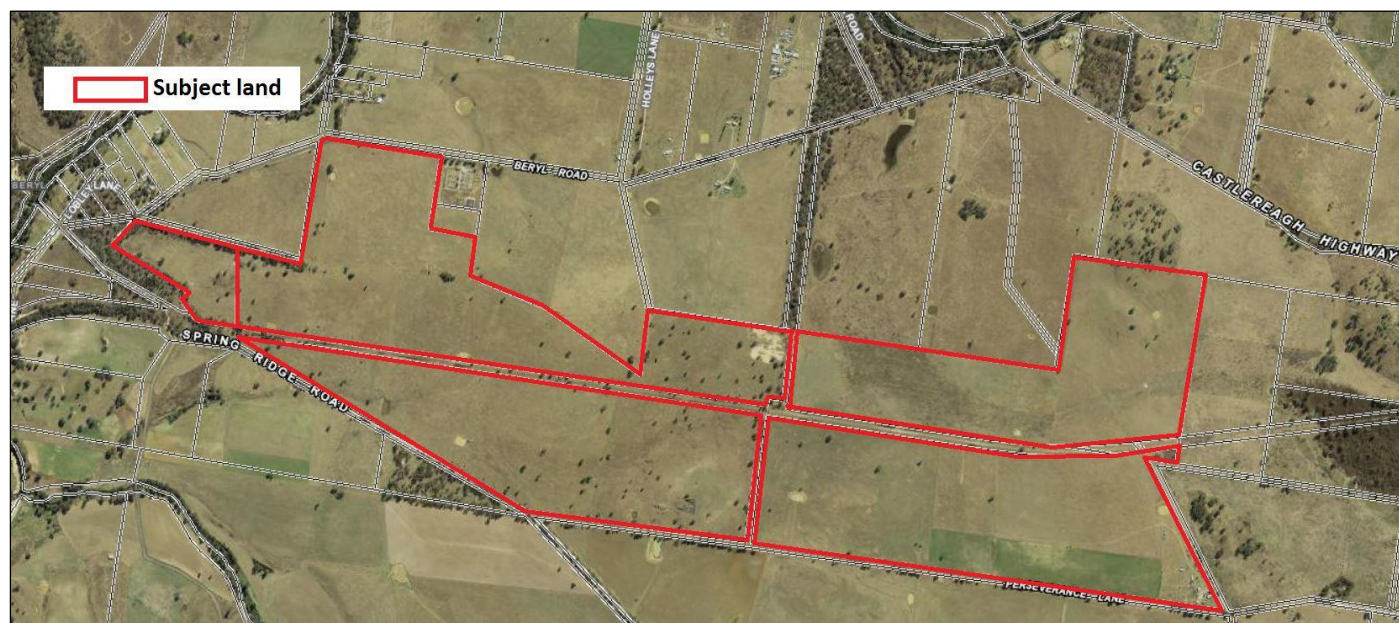


Figure 1: Subject land

## Existing environment

The subject land comprises two allotments with the legal description of Lot 1 DP 1012926 and Lot 20 DP 1173059, Beryl Road, Beryl. A map of the subject land and its current environment is provided in Figure 2 below and described in Table 1.

**Table 1: Summary of existing environment**

Lot & DP	Area (approx)	Zone	Min lot size	
Lot 1 DP 1012926	10 hectares	RU1 Primary Production	100 hectares	Vacant with dwelling entitlement (M271/00)
Lot 20 DP 1173059	290 hectares	RU1 Primary Production R5 Large Lot Residential	100 hectares 12 hectares	Existing dwelling



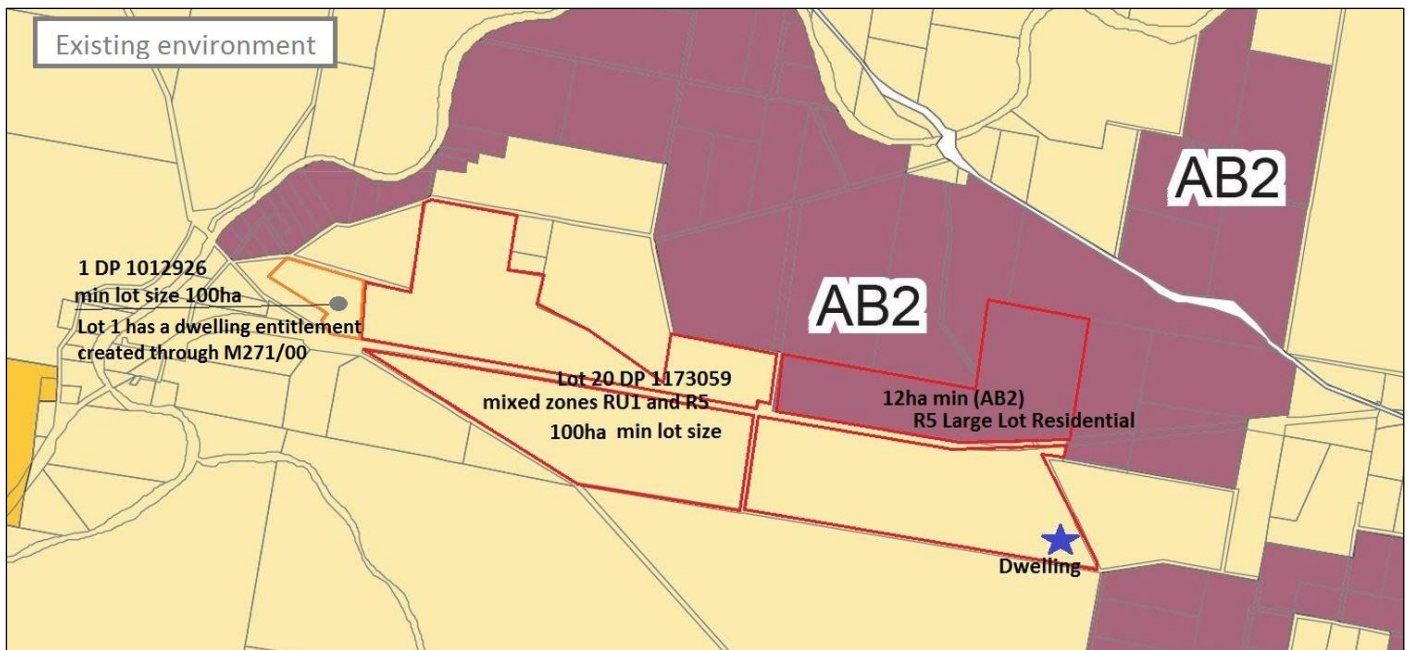


Figure 2: Existing Environment

## Proposed modified environment

It is proposed to:

- Consolidate land contained within Lot 1 with Lot 20. This land will contain the proposed solar farm development, and
- Excise the existing dwelling and surplus land with an area of approximately 12ha from Lot 20. The dwelling will remain in the ownership of the current landowners and will not be associated with the solar farm development.

The proposed arrangement is shown below in Figure 3 below.

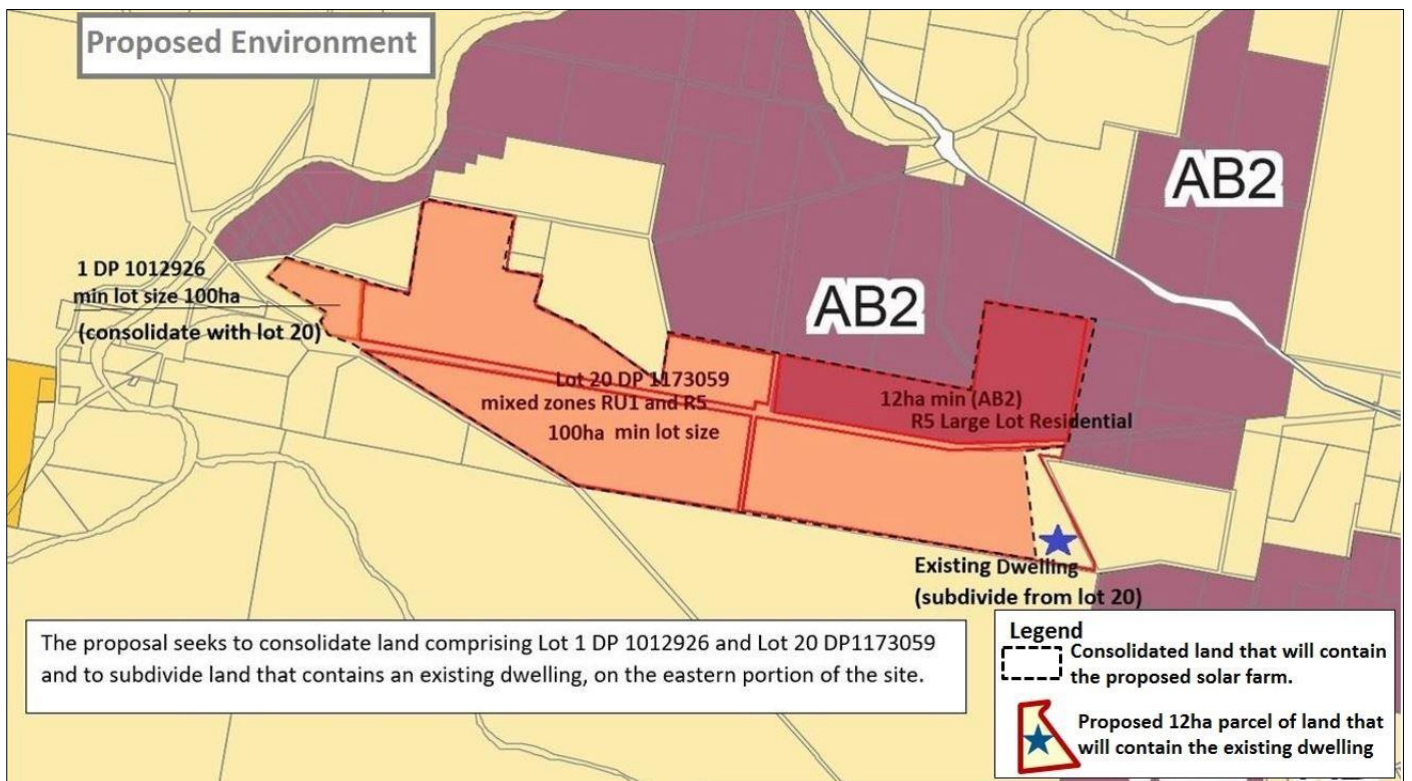


Figure 3: Proposed modified environment

The proposed solar farm development is reliant upon the ability to subdivide the surplus agricultural land and dwelling from the site as shown in Figure 3. In principle, the proposed subdivision would result in a land swap within the RU1 Primary Production zone. The dwelling entitlement attached to Lot 1 would be surrendered once the land is consolidated with the greater part of Lot 20, and the existing dwelling would continue to operate on a smaller parcel of land. Agricultural activities associated with the existing dwelling would also continue on a smaller scale. The proposed subdivision would not result in any change or impact to the existing environment or increase in the dwelling potential of the land.

## Planning Framework

### Limitations of the Mid-Western Local Environmental Plan 2012

The development proposal seeks approval to excise the existing dwelling and an area of 12 hectares, surplus to the needs of the solar farm, so it can be retained by the current landowner.

Clause 4.3(3) of the Mid-Western Local Environmental Plan (LEP) 2012 states that *the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.*

With respect to the subject land, which is zoned RU1 Primary Production, the minimum lot size shown on the Lot Size Map is 100ha. Therefore, the proposed subdivision is under the prescribed minimum lot size and not permitted under the provisions of the Plan. Other avenues under the Plan were explored, however the LEP2012 does not permit the creation of an undersized lot for the purpose of a dwelling.

## Justification for the proposal

### State Environmental Planning Policy (State and Regional Development) 2011.

Clause 8(2) of the SEPP State & Regional Development 2011 states that if a single development application comprises development that is only partly State significant development, the remainder of the development is also declared to be State significant development. Consultation with the Department confirmed that the intent of this clause means if the subdivision is included in the development application with the solar farm, the subdivision is also declared to be state significant.

In addition, Section 89E(3) of the *Environmental Planning and Assessment Act 1979* states “development consent may be granted despite the development being partly prohibited by an environmental planning instrument”. Consultation with the Department confirmed that the intent of the section means that even if the subdivision is prohibited by the LEP, development consent may still be granted.

### State Environmental Planning Policy (Rural Lands) 2008

#### Planning Principles

Consideration has been given to the Rural Planning Principles, which are as follows:

- (a) *The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- (b) *Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- (c) *Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- (d) *In planning for rural lands, to balance the social, economic and environmental interests of the community,*

- (e) *The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) *The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) *The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- (h) *Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

It is considered that the proposed subdivision is in accordance with the above rural planning principles given the proposal will continue to provide the opportunity for a rural lifestyle that contributes to the social welfare of the rural community whilst accommodating a productive, sustainable economic activity in the rural area.

This proposed development will facilitate the establishment of a state significant development that is consistent with the principles of strategy endorsed by of the Department of Planning and Environment.

### **Rural Subdivision Principles**

The Rural Subdivision Principles are as follows:

- a) *The minimisation of rural land fragmentation,*
- b) *The minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,*
- c) *The consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,*
- d) *The consideration of the natural and physical constraints and opportunities of land,*
- e) *Ensuring that planning for dwelling opportunities takes account of those constraints.*

It is considered that the proposed subdivision would not generate any land use conflicts or have an impact on the nature of existing surrounding agricultural holdings given the proposal will not alter the existing environment. The proposed subdivision would facilitate the management of the solar farm while ensuring surplus land remains as productive agricultural land.

Furthermore, the proposed subdivision would prevent the potential fragmentation of resource lands that may arise from subdivision should the proposed solar farm not proceed. It is estimated that a total of 8 dwellings could potentially be created under clause 4.2 Rural subdivision of the LEP 2012 given the existing zoning and minimum lot sizes applicable to the subject land.

The proposed subdivision satisfies the subdivision principles of this clause.

### **Clause 10 – Matters to be considered in determining development applications for rural subdivisions or rural dwellings**

Clause 10 of the Rural Lands SEPP lists the following matters to be taken into account when determining a rural subdivision:

- (a) *The existing uses and approved uses of land in the vicinity of the development,*
- (b) *Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
- (c) *Whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*
- (d) *If the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone,*
- (e) *Any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).*

In consideration of the above matters the proposed subdivision would not have an impact on surrounding land uses, would not be incompatible with a preferred land use and would facilitate the management of an approved land use on the subject land. The proposed subdivision satisfies the requirements of this clause.

## **Mid-Western Local Environmental Plan 2012**

### **General Aims**

The aims of the Mid-Western Local Environmental Plan 2012, listed in clause 1.2 are as follows:

*(1) This Plan aims to make local environmental planning provisions for land in Mid-Western Regional in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*

*(2) The particular aims of this Plan are as follows:*

- (a) to promote growth and provide for a range of living opportunities throughout Mid-Western Regional,*
- (b) to encourage the proper management, development and conservation of resources within Mid-Western Regional by protecting, enhancing and conserving:*
  - (i) land of significance to agricultural production, and*
  - (ii) soil, water, minerals and other natural resources, and*
  - (iii) native plants and animals, and*
  - (iv) places and buildings of heritage significance, and*
  - (v) scenic values,*
- (c) to provide a secure future for agriculture through the protection of agricultural land capability and by maximising opportunities for sustainable rural and primary production pursuits,*
- (d) to foster a sustainable and vibrant economy that supports and celebrates the Mid-Western Regional's rural, natural and heritage attributes,*
- (e) to protect the settings of Mudgee, Gulgong, Kandos and Rylstone by:*
  - (i) managing the urban and rural interface, and*
  - (ii) preserving land that has been identified for future long- term urban development, and*
  - (iii) promoting urban and rural uses that minimise land use conflict and adverse impacts on amenity, and*
  - (iv) conserving the significant visual elements that contribute to the character of the towns, such as elevated land and the rural character of the main entry corridors into the towns,*
- (f) to match residential development opportunities with the availability of, and equity of access to, urban and community services and infrastructure,*
- (g) to promote development that minimises the impact of salinity on infrastructure, buildings and the landscape.*

It is considered that the proposed development is not inconsistent with any of the aims of the LEP.

### **Objectives of the RU1 Primary Production zone**

- *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 maintain the visual amenity and landscape quality of Mid-Western Regional by preserving the area's open rural landscapes and environmental and cultural heritage values.*
- *To promote the unique rural character of Mid-Western Regional and facilitate a variety of tourist land uses.*

It is considered that the proposed subdivision is not inconsistent with the objectives of the RU1 zone. The solar farm met the objective to encourage diversity in primary production. The proposed subdivision would not fragment resource lands, given there will be no alteration to the existing environment.

Without the subdivision, the residual agricultural land and dwelling would be taken away from agricultural production as it would be incorporated into the solar farm site. The subdivision would facilitate the management of the solar farm while ensuring surplus land remains as productive agricultural land.

We respectfully request that Council consider their position and provide a formal response at its earliest convenience. Should you have any questions please don't hesitate to contact me on 6923 1508 or [lizzie.oj@nghenvironmental.com.au](mailto:lizzie.oj@nghenvironmental.com.au).

Yours sincerely,



Lizzie Olesen – Jensen  
Principal Town Planner

NGH Environmental

DR: P22180

21 March 2017

Lizzie Olesen-Jensen  
NGH Environmental  
PO Box 5464  
WAGGA WAGGA NSW 2650

Dear Lizzie,

**PROPOSED BERYL SOLAR FARM – 276 PERSEVERANCE LANE, GULGONG**

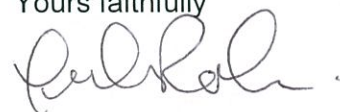
I refer to your letter dated 2 March 2017 concerning the proposed subdivision to support the development of the Beryl Solar Farm, which will be assessed as part of the overall State Significant Development process.

Council raises no objection to the proposed subdivision, even though it is not compliant with Council's LEP. The proposal will not result in any additional dwelling entitlements for the site and will essentially relocate the existing smaller Lot 1 to encompass the existing dwelling that sits upon the larger Lot 20.

It is requested that the direct access arrangements to Perseverance Lane for the dwelling be retained and that the location of the new lot boundaries ensure that all ancillary structures and septic systems in association with the dwelling are retained within the same lot with adequate setbacks.

If you need any further information or clarification in relation to the above, please contact Drew Roberts, Senior Town Planner on telephone (02) 6378 2850.

Yours faithfully



**JULIE ROBERTSON**  
**DIRECTOR DEVELOPMENT**