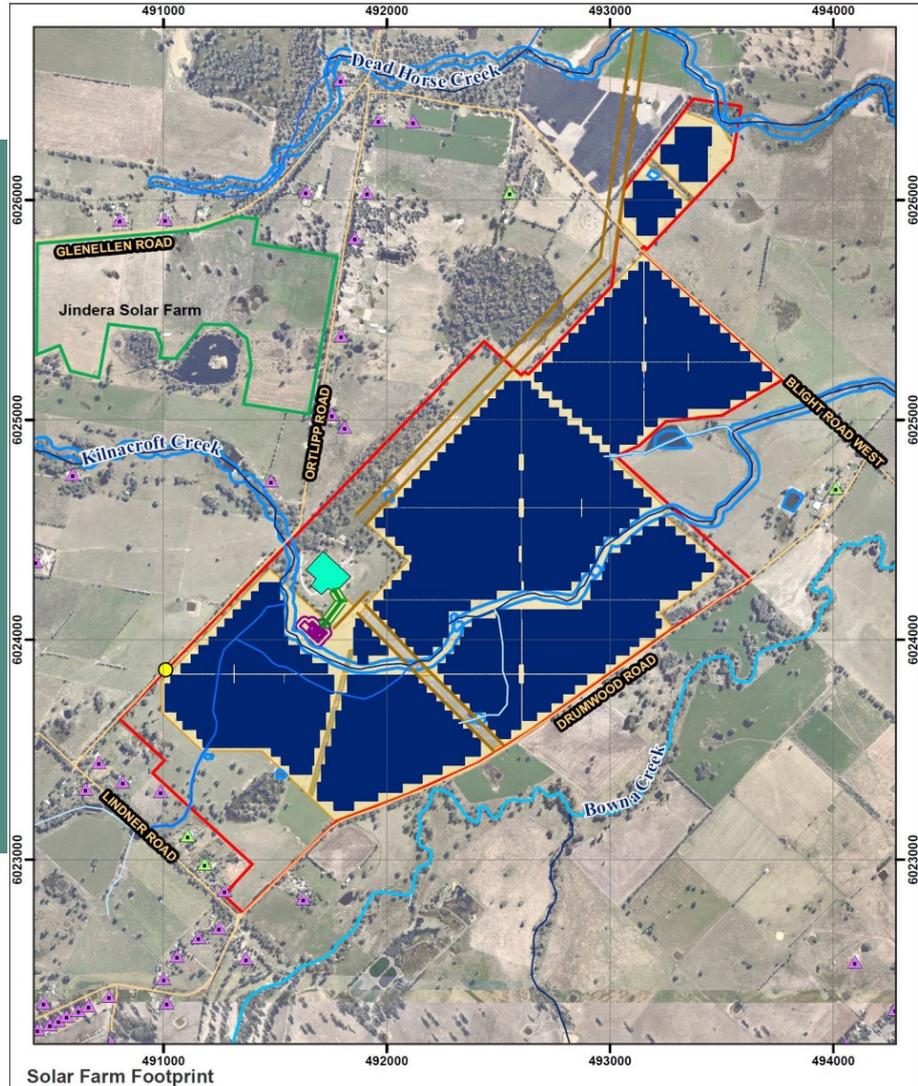


Glenellen Solar Farm Project (SSD-9550)

Response to October 2023 Assessment Report – NSW Department of Planning and Environment

Submission and presentation by Lucinda Palmer, as representative for neighbouring property of “Drumwood” (Drumwood Road, Jindera NSW – **Property DRM008**)



01

INTRODUCTION AND CONTEXT

Neighbouring property – Drumwood DRMO08.
Involved in consultations previously under guidance of David and Susan Palmer

02

ACKNOWLEDGEMENT OF AND RESPONSE TO AMENDMENTS

Trina Solar amendments and NSW DPE Assessment Report Conditions considered satisfactory or requesting further consideration

03

REMAINING CONCERNS

Issues considered yet to be satisfactorily addressed

04

SUPPORTING DOCUMENTATION AND PUBLIC DISCUSSION

Summary of supporting public and political material with request for further consideration

2. ACKNOWLEDGEMENT OF ADJUSTMENTS

As detailed in the Department of Planning and Environment Referral to the Independent Planning Commission, the Glenellen Solar Farm project received 79 objections during the public submission process. Trina is to be acknowledged for its response to these concerns and the amendments detailed in the DPE report, as is the DPE for the conditions applied throughout their proposed approval. As such, we acknowledge, support or request further reconsideration of the following:

TRINA AMENDMENTS

NATIVE VEGETATION	HEAVY VEHICLE HAULAGE	RECONTOURING	VISUAL IMPACTS
Reduced impact by avoiding 2.7 ha and 4 paddock trees.	Revised heavy vehicle haulage route.	Inundation area in the south-east of the site to be recontoured.	Relocation of the substation. Removal of 22,000 panels. Increased panel row spacing. Reduction in fencing height and station height. Increased road setbacks. Increased vegetation screening.
SUPPORTED IN LINE WITH CONDITIONS DETAILED BY DPE	REQUESTING FURTHER CONSIDERATION	SUPPORTED IN LINE WITH CONDITIONS DETAILED BY DPE	REQUESTING FURTHER CONSIDERATION

HEAVY VEHICLE HAULAGE

We acknowledge and support the amendments made by Trina and the recommendations from NSW DPE Assessment Report.

However; we request that the IPC place consideration around use of Drumwood Road and detail their recommendations and conditions specifically in response.

Key Concerns from Drumwood Road:

- There are upwards of 25 non-associated properties and households who will be directly impacted by any use of this road.
- It is a dirt road beyond the intersection with Lindner Road. Currently features Hume Shire Council Roadside Warning Signs due to condition.
- It is commonly used for stock movement beyond the intersection with Lindner Road.
- It is commonly used for recreational activities such as walking, bike riding and horse riding by local community members.
- It is used for Golf Course and Cemetery access.
- The intersection of Lindner and Drumwood Road has limited visibility.
- The road is prone to potholes and corrugations, particularly in the area adjacent to the Golf Course.
- During neighbour discussions, use of this road during the planting of vegetation screening was discussed and it is listed in the reports as an emergency access road.

Google Maps Image:

Shows intersection of Drumwood and Lindner Road with unsealed agricultural road, low visibility intersection and private entry driveway for non-associated property DMR007. Road shows potholes, edge degradation and corrugations.



VISUAL IMPACTS

We acknowledge and support the amendments made by Trina and the recommendations from NSW DPE Assessment Report.

However; we request that the IPC place consideration around the level of importance being placed upon increased vegetation screening as an effective mitigation and detail their recommendations and conditions specifically in response

Key Concerns from Vegetation Screening Mitigation:

- Projected lifespan of the project is 30 years approx. For screening to grow to effective level as suggested in Figure 5 from the NSW DPE Assessment Report, estimates would be approximately 10 years. This would leave the visual impact ineffectively mitigated for up to 1/3 of the life of the project.
- What expectations are placed upon survival rates and maintenance of vegetation screening, where will this be stipulated and how are relevant bodies held accountable for this? Consider Recommendation 2.2.4 of AEIC 2022 Annual Report. Condition B19 does not provide measures.
- The visual mitigation needs to take into account future potential use of our land as it extends down Drumwood Road, not just the household block to allow us opportunity for evolving use of our land in changing economic, agricultural and tourism environments.
- The most recent Neighbour Agreement offered (as referred to in Table 4) is far from sufficient in regards to vegetation plantings or financial payment to allow for effective purchase and planting.
- Table 5 refers to impact as being “low” – the site is 30 mtrs away and extends over 2km! This statement indicates lack of respect for the community stakeholders effected in these negotiations!
- Landscape Plan (Appendix 6 of Consent) shows **most significant screening planting occurs to protect the house furthest from the site which also happens to belong to the Applying Leaseholder!**

Table 4 | Summary of impacts to residences assessed to have low visual impacts

Residence ID and distance to solar panels	Trina's visual impact rating	Proposed mitigation measures and Department's assessment
Lindner Road, Ortlipp Road and Drumwood Road (LIN001, 004, 005, 007 and DRM008)	Low	<ul style="list-style-type: none">• These residences are at the same elevation as the site and existing intervening vegetation would fragment views, resulting in low visual impacts.• The proposed vegetation screening would further reduce views of the project.• Noting proximity to the site, Trina has committed to continue to offer neighbour agreements to mitigate visual impacts.• In addition, the Trina has committed to providing additional vegetation screening or scattered trees at residences, in consultation with landowners.



Figure 5 | Predicted Visual Impacts at LIN005 – Before and After Mitigation

3. REMAINING CONCERNS

The following concerns have been raised continuously throughout the Community Consultation Process and we consider them to be unresolved or unsatisfactorily acknowledged through both Trina Amendments and Neighbour Agreement Proposals and within the NSW DPE Assessment Report. As such, we request the IPC specifically consider and report to each of these concerns listed below and further explored on the following slide.

1. Decommissioning

Throughout the Community Consultation this has been an ongoing concern and whilst the NSW DPE Assessment and the NSW Planning Recommendation both acknowledge and set up procedures for this, neither document offers a satisfactory bond or deposit requirement. NSW Farmers Federation, The National Party and the Australian Energy Infrastructure Commissioner have all raised their own concerns in this area and are currently lobbying for change. **A permit for this project should not be granted whilst this political activity continues.**

2. Liability Insurance

Throughout the Community Consultation and Neighbour Agreement negotiations, concerns in regard to Public Liability Insurances have been raised and have not been addressed (either publicly or in private negotiations). The NSW Government is well aware of the concerns in this area for landholders and has noted the recommendations for the need for further analysis of this area. NSW Agricultural Commissioners Report Recommendation 22 and 23. **A permit for this project should not be granted whilst this political activity continues and whilst these have not been considered in Neighbour Agreements.**

3. Neighbour Agreements

These agreements are commonly agreed as best practice in negotiations such as the Glenellen Solar Farm. At date, there are 20 non-associated residences within 1km of the proposed site. Trina have committed to continue these negotiations (October 2023 communication) however, the quality of agreements so far is far from satisfactory. **A permit for this project should not be granted unless significant improvements occur in regard to the quantity and quality of current Neighbour Agreements.**

4. Complaints Policy and Procedure

Trina is a foreign owned company with little local connection to the townships and landholders most immediately impacted by the Glenellen Solar Farm. The Australian Energy Infrastructure Commissioner has acknowledged the realities around complaint and compliance management response and these concerns mirror those that were brought up through the Community Consultation. **If a permit for this project is granted, conditions in line with the Commissioner's Recommendations (Rec 7) should be included.**

5. Bushfire Management

We acknowledge the Bushfire Management conditions and procedures outlined in NSW DPE Assessment and the NSW Planning Recommendation; however, we still have concerns in regard to the ability of the NSW Rural Fire Service to adequately respond to, manage and control a fire within this tightly held mixed use zone. Within 1 km of the site lie 20 households, significant agricultural landholdings and other large scale solar farms, further to this, the township of Jindera itself lies less than 2km away. **A permit for this project needs to place full consideration upon potential catastrophic impact of fire.**

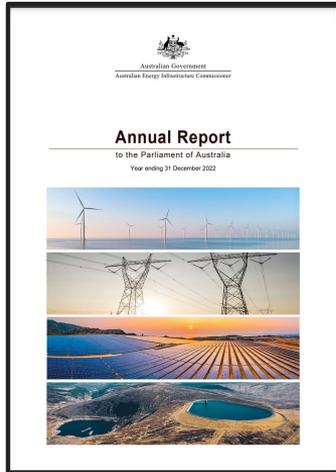
6. Property Valuation

In their response to the NSW Agricultural Commissioner's July 2020 and November 2022 papers reviewing policy around renewable energy development, the NSW Government acknowledged and noted Recommendation 24 in regard to property values. One local non-associated landholder has already experienced evidence of property devaluation after successfully having a proposed rates increase amended and withdrawn after the Valuer General noted the proposed solar farm site - a proposed increase of \$20,000 was removed from the valuation. **A permit for this project needs to take into consideration the valuation impact on the large number of residential properties within 1 km of the site, many of which have been built in the last 10 years.**

DECOMMISSIONING	INSURANCE	NEIGHBOUR AGREEMENTS	COMPLAINTS POLICY AND PROCEDURE	BUSHFIRE MANAGEMENT	PROPERTY DEVALUATION
<p>NSW DPE Assessment Report addresses decommissioning obligations on p.28 and Condition A8 and B31 but Australia currently has no financial fund arrangements to ensure this occurs and the reality of foreign ownership is open to make pursuit of non-compliance ineffective. Having a plan is one thing but means little if the funds are not pre-secured to ensure it takes place!</p> <p>We draw the attention of the IPC to:</p> <ol style="list-style-type: none"> NSW Farmer's Associations concerns soon to be addressed to government. Australian Energy Infrastructure Commissioners Annual Report concerns into protection of landholders and financial accountabilities to ensure decommissioning. 	<p>Correspondence between David and Susan Palmer and Trina in Community Consultation period specifically lists issues with Public Liability Insurance for neighbouring properties as a key concern.</p> <p>This has never been addressed beyond reassurance of Bushfire Management.</p> <p>We draw the attention of the IPC to:</p> <ol style="list-style-type: none"> NSW Agricultural Commissioners Report Recommendation 22 and 23 NSW Government Response acknowledging Recommendation 22 and 23 and noting the need for further analysis and appropriate response. Insurance brokers estimate that the highest possible level of Public Liability Insurance available to farmers in Australia is \$50 million and would cost upwards of \$30 k per annum. This level would still equal a huge short fall against a site such as Glenellen Solar Farm – leaving neighbours at risk of bankruptcy. Tim McCurdy Member for Ovens Valley (Victorian State Government) 2018 Where have such concerns been addressed by NSW Government to offer assurance to neighbouring properties? 	<p>NSW DPE Assessment Report details 20 non-associated rural residences within 1km of the site. It goes on to acknowledge the essential role Neighbour Agreements will play in resolving community concerns.</p> <p>We draw the attention of the IPC to:</p> <ol style="list-style-type: none"> Our concern that if planning approval is granted at this stage, Neighbour Agreements may never eventuate for these 20 properties. Reports constantly refer to them being offered yet fail to note how few have been accepted! Neighbour Agreements offered so far have fallen far short of the typical inclusions detailed in Australian Energy Infrastructure Commissioners Annual Report Most recent agreements offered make no address to key concern of insurance and the Commissioners Recommendations of 22 and 23 	<p>NSW Planning and Environment Recommendation of Consent lists many details of necessary compliance.</p> <p>We draw the attention of the IPC to:</p> <ol style="list-style-type: none"> Australian Energy Infrastructure Commissioners Annual Report Recommendations 7.2, most particularly 7.2.2 and 7.2.2 NSW DPE Assessment Report p. 25 Dust Concerns, no mention of Dust Monitoring Measures to be used during construction. <p>We ask that the IPC consider conditions for Complaint Handling in accordance with Recommendation 7 be included in any approval.</p> <p>We ask that the IPC consider conditions for dust and noise measurement and monitoring during the construction process be included in any approval. Condition B17 does not require any monitoring or specify measures.</p>	<p>NSW DPE Assessment report acknowledges that the Glenellen Solar Farm is at least partially on Bushfire Prone Land, yet goes onto say that the impact of the farm on the local community would not be significant – <i>has this considered fire risk to the community?</i></p> <p>Recent Solar Farm fires at both Finley and Gulgong have each received official comments that the blazes were difficult to control as they were under the panels.</p> <p>Concerns about future potential for the site to bring Lithium-Ion batteries in (is this allowed as per Development Consent Condition A5?).</p> <p>Concerns in regard to the limited capacity of NSW Rural Fire Service of the Hume area to adequately triage solar farm(s) agricultural property and residential households with all in such close proximity.</p> <p>Concerns for whether local brigades have sufficient relevant training and experience in the specialized area of Solar Farm (and potential Lithium-Ion) management and response.</p>	<p>NSW DPE Assessment sees no specific conditions required in this area, yet local experience is indicating otherwise.</p> <p>NSW Government Response to the Agricultural Commissioner Recommendation 2 states that RU1 category (that given to this project) needs to be reassessed to ensure it is being appropriately applied.</p> <p>Whilst the zone of the project is Rural, it directly connects to Low Density Residential, a recreational golf course, and a local cemetery. Has the appropriateness of this project been considered in regard to the land zones it connects with?</p> <p>Australia Institute p.78 "Proponents rely on studies of dubious comparative value" to discount landholders concerns</p>

4. TABLED DOCUMENTS

We ask for further and full consideration of the the featured documents and public discussion. Solar and renewable energy projects across Australia are currently attracting public and political discussion and review; it is our contention that these discussions, reviews and parliamentary considerations are not satisfactorily progressed to allow ethical and prudent approval of the currently proposed Glenellen Solar Farm.



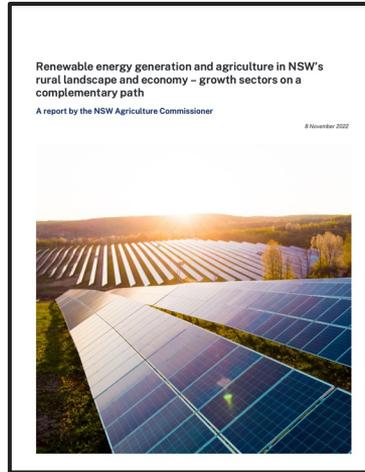
Australian Government
Australia Energy Infrastructure Commissioner

Annual Report
to the Parliament of Australia
Year ending 31 December 2022



Farming lobby wants ban on new solar farms, as renewables resentment festers in regions

Stachie Vorpath 27 July 2023 88



Renewable energy generation and agriculture in NSW's rural landscape and economy – growth sectors on a complementary path

A report by the NSW Agriculture Commissioner

8 November 2022



Department of Primary Industries
Department of Regional NSW

1 March 2023

NSW Government response to the NSW Agriculture Commissioner's Reports

The NSW Agriculture Commissioner has prepared two reports relating to land use conflict and agriculture

The NSW Agriculture Commissioner's reviews and recommendations

- renewing how agriculture can be better catered for in the NSW planning system to reduce and manage land use conflict and
- then reviewing the policy settings around for the development of renewable energy facilities and associated infrastructure to ease the growing friction between these developments and agricultural production.

In July 2020, the Commissioner presented options to better cater for agriculture in the planning framework, make it easier to do business and reduce land use conflict in his report, titled Improving the Prospects for Agriculture and Regional Australia in the NSW Planning System. The report made 33 recommendations across two themes: agriculture and regional economic growth and reducing and managing land use conflict.

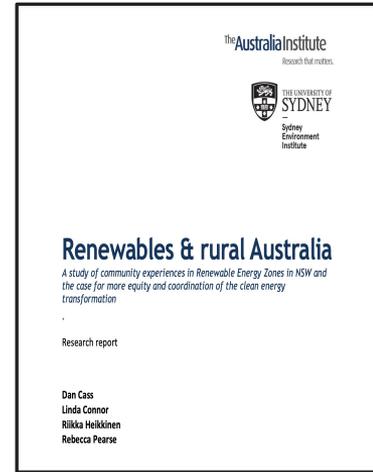
In November 2022, the Commissioner then recommended improvements to the policy framework to manage issues arising alongside the growth in the renewable energy and agriculture sectors in his report, titled Renewable energy generation and agriculture in NSW's rural landscape and economy – growth sectors on a complementary path. This report makes 29 recommendations to the NSW Government and the renewable energy sector to better avoid and manage these issues.

NSW Government response

The NSW Government remains committed to accommodating a range of land use priorities to boost both agricultural and regional economic growth.

The NSW Government recognises the driving role that the agriculture industry plays in the economy. The gross value of agricultural production in NSW was worth around \$20.8 billion in 2020-21, nearly 25 percent of the value of national production. The industry intends to grow far more production to \$30 billion by 2030 and is on track to do that with the strongest prospects for growth in food and fibre production seen in many years, despite the headwinds faced in recent years with bushfires, floods, drought and a disruptive global pandemic. The NSW agriculture is integral to sustaining and delivering food security.

The Commissioner's reviews were initiated by the increasing awareness of impacts of land use conflict interacting with agriculture, a long established renewable sector. The Planning Institute of Australia's 2019 report Rural and regional NSW: prescribed land use conflict on 'arguably the most immediate planning issue facing rural and regional NSW'. The renewable energy transition has also caused friction in some rural communities with concerns about the increase in renewable energy development and expanding transmission infrastructure, impacting agriculture and regional economies and social equity.



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Renewables & rural Australia

A study of community experiences in Renewable Energy Zones in NSW and the case for more equity and coordination of the clean energy transformation

Research report

Dan Cass
Linda Connor
Riikka Heikkinen
Rebecca Pearce