



**EMMA BOWMAN**

**OBJECT**

Submission No: 189660

Organisation:		<b>Key issues:</b> <i>Energy transition, Land use compatibility, Visual impacts, Biodiversity, Traffic, Erosion and sediment control, Water, Noise, Waste, Dust, Hazards and risks, Community benefit, Cumulative impacts, Decommissioning and rehabilitation, Other issues</i>
Location:	<i>New South Wales 2844</i>	
Submitter Type:	<i>an individual making a submission on my own behalf</i>	
Attachment:	<i>WALLAROO SOLAR IPCn SUBMISSION.pdf</i>	

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*Please find attached objection to Wallaroo Solar project.*

# WALLAROO SOLAR IPCn SUBMISSION

## Introduction

The Wallaroo Solar project has the potential to have enormous impacts on the local community and region due to a plethora of possible unintended consequences of turning rural agricultural land into an industrial area.

<u>Excerpt from DPHI Assessment Report</u>	<u>Response/Issue/Question</u>
<p>“The Department considers that the project represents an effective and compatible use of the land and that the site is suitable to accommodate the development.”</p>	<p>An effective use of rural agricultural land is providing food and fibre. “From a global perspective, it is estimated that farmers will have to produce 70% more food by 2050 to meet the world’s expected nine billion population” (Office of the Director, Agricultural Development Economic Division, Economic and Social Development 2009). How will farmers produce more food with less land? How is industrial, large scale energy generation infrastructure responsible for a loss of agricultural land and/or production, compatible with rural areas?</p>
<p>“The Department notes that WSF has committed to continue grazing concurrently with the operation of the solar farm where appropriate.”</p>	<p>A commitment that ends in “where appropriate” should not be acceptable to the Department. The loss of agricultural land is being mitigated by sheep grazing under the panels yet it is not a required measure. How will WSF mitigate the loss of land to agricultural production without grazing sheep under the solar panels? And how will the Department enforce this condition?  Has WSF conducted adequate research into construction of solar infrastructure to guarantee the wellbeing and safety of the sheep supposedly grazing under the panels so there are no animal welfare issues?</p>
<p>“Despite the large number of residences located in proximity to the site, the Department considers that impacts on visual amenity and landscape character would be low.” “... the Department does not consider the broader landscape character of the area would be significantly affected.”</p>	<p>There are numerous regional cities protected from large scale infrastructure projects being built within a certain radius. <i>State Environmental Planning Policy (Transport and Infrastructure) 2021, Part 2.3, Division 4, 2.42 “(2) Development consent must not be granted unless the consent authority is satisfied that the development (a) is located to avoid significant conflict with existing or approved residential or commercial uses of land surrounding the development, and (b) is unlikely to have a significant adverse impact on the regional city’s (i) capacity for growth, or (ii) scenic quality and landscape character.”</i> Why is Canberra not subject to the same protection?  Those who spoke at the IPCn meeting, who live in the immediate vicinity of the proposed project, were understandably concerned about the negative impacts to visual amenity and changes to the landscape character. When will DPHI and IPCn place appropriate importance on the concerns and opinions of those who are directly impacted by proposed renewable energy developments?</p>
<p>“The Department considers the project would not result in unacceptable impacts on the</p>	<p>What impacts are considered “unacceptable”? Will WSF, and the Department, guarantee there will be no local road user injured or killed as a result of a road accident with, or caused by, an</p>

<p>capacity, efficiency or safety of the road network.”</p>	<p>employee of the solar factory during construction, operation or decommissioning?  Will all vehicles associated with the Wallaroo Solar project be fitted with GPS tracking devices, and monitored, to ensure there is no misuse of traffic and transport routes, nor use of roads outside of prescribed hours?  Will all drivers be educated, and have experience, driving on rural roads prior to being employed to work at Wallaroo Solar?</p>
<p>“The Department considers that the project would result in benefits to the State of NSW and the local community and is therefore in the public interest and approvable.”</p>	<p>How many Department staff live and/or own and run a business within the Wallaroo district? How many will be directly affected by the potential negative impacts of the Wallaroo Solar project?  Will the Department staff, and IPCn commissioners and staff, responsible for approval of this project be personally liable for any issues that negatively impact local landowners, residents and business owners as a result of the Wallaroo Solar project?</p> <p>What does the term “in the public interest” really mean? Are the 88 members of the public who have objected to the Wallaroo Solar project considered adequately under the term “public interest”? Are the landowners and farmers who have already had and will have their lives, families, homes, businesses and environment adversely impacted by the project considered adequately under the term “public interest”? Is it really acceptable to place the entire burden of energy generation on rural and regional areas, and have the people who provide the country with food and fibre make all of the sacrifices, to service metropolitan areas and deem it for the “greater good”?</p>
<p>“During the exhibition period of the EIS, the Department received 97 unique submissions from the community, including six special interest groups (88 objections, five support and four comment).”  “Around 67% of submissions were received from residents located within 20km of the site, primarily from the suburbs of Wallaroo, Dunlop and MacGregor.”</p>	<p>It is very important to note the number of objections compared to supporting submissions received from the public during the EIS exhibition. Also, I do not believe there were any community members willing to speak in favour of the project at the IPC meeting held in Murrumbateman. Does Wallaroo Solar project have social license?</p> <p>The Australian Energy Infrastructure Commissioner, throughout the Community Engagement Review consultation, held over 75 meetings with representative stakeholders, landowners and community groups and received 250 online survey responses and over 500 written submissions. It found that 92% of respondents were dissatisfied with the extent to which project developers engaged the local community and 89% of respondents stated that the information they received from project developers was not relevant to the concerns that they raised.</p> <p>The Community Impact Survey, conducted by Property Rights Australia and NREN, collecting 775 responses between Saturday 12th April and Friday 10th May 2024. An overwhelming 93% of respondents believe that the government has not acted in good faith rolling out renewable energy projects – nearly all feel that government departments have failed to conduct open and transparent consultations, and an even larger portion say their concerns have been completely ignored. 76% of respondents reported feeling pressured by energy companies to allow access to their private properties and a tiny 3% believe that the developers have acted with integrity.</p>

	<p>The results from these two consultations highlight the major issues within the renewable energy sector regarding community engagement!</p>
<p>“With a generating capacity of 100MW, the solar farm would generate enough electricity to power about 40,000 homes.”</p>	<p>Will Wallaroo Solar provide power to the advertised 40,000 homes, or equivalent, 24 hours a day, 7 days a week, or only when the sun is shining?</p> <p>New South Wales experiences 4-5 hours peak sun hours per day in summer and 3-4 in winter. According to the Australian Energy Regulator in 2023, the average energy used per day by a household with four people is about 21.355 kWh which is equal to 0.89kW. Peak hours of use are 6-8.30am and 5-9pm; all hours outside the peak sun hours. Is renewable energy going to provide reliable and cost effective power to Australian residents?</p>
<p>“The Department notes that Council has objected to the project on the basis of consistency with the <i>Yass Settlement Strategy 2036</i>. The strategy recommends that land within 5km of the Western Yass Valley – ACT Border, which includes the project site, should be maintained as productive rural land by restricting conflicting land uses and preventing encroachment of intensive rural development. The project would maintain agricultural use of the land through ongoing grazing of the site, while limiting the potential for residential development or other conflicting land uses to occur, in keeping with the <i>Settlement Strategy</i>.”</p>	<p>The ongoing agricultural use of the land hinges on WSF using sheep to graze whilst the solar project is operating, “WHERE APPROPRIATE”. What if there is no part of the project that is deemed appropriate? No condition of consent requiring WSF to use sheep to graze under the solar panels completely negates the need for agricultural use to be ongoing rendering the project inconsistent with the <i>Yass Settlement Strategy 2036</i>.</p> <p>The Settlement Strategy seeks to prevent the encroachment of intensive rural development. How is taking the project site out of agricultural production and installing a large scale solar project any different from building hundreds of homes on the site?</p> <p>Local government areas are in place to protect and represent local communities, like Wallaroo. Yass Valley Council objected to the project to safeguard the local area and the things most important to the shire residents.</p>
<p>“The assessment found that the soils within the site were of generally low fertility and structural integrity.”</p>	<p>Should soils with low “structural integrity” be subject to the disturbance that will be undertaken during construction of a large scale industrial project? Will WSF guarantee there will be no adverse impacts to the site, or any other land within the area due to construction, operation and decommissioning?</p> <p>If there are adverse impacts what measures will the Department take to rectify any damage, and what penalties will apply to the proponent?</p>
<p>“WSF has committed to ....., and to restoring the Land and Soil Capability of lands disturbed through decommissioning to existing land and soil capability.” “Accordingly, the Department has included requirements to maintain the site’s current land capability, where practicable, during the construction and</p>	<p>How long after decommissioning will WSF have to “reinstate the agricultural capability of the land”? Who is responsible for measuring the enforcing such conditions of consent? Will there be baseline testing done prior to the commencement of construction?</p> <p>Is a requirement to maintain the sites current land capability, “WHERE PRACTICABLE” stringent enough to require such maintenance? Who decides what is practicable?</p>

<p>operation of the project. WSF would also be required to fully reinstate the agricultural capability of the land following decommissioning of the project, including the requirement to return the development footprint to pre-existing productive capacity.”</p>	<p>How does WSF plan to return the development to pre-existing productive capacity? What measures are in place to ensure that it is done to an appropriate standard? Who decides if the land is restored correctly and adequately?</p>
<p>“Several creeks and alluvial plains containing riparian corridors surround and intersect the site, as well as limited areas of remnant patchy woodlands on undulating hillsides.”</p>	<p>How will WSF guarantee no pollution of water sources or alluvial plains as a result of the Wallaroo Solar project? Will WSF be liable for any impacts caused to downstream properties or livestock and environment in the event of pollution attributed to the solar project? Has the Department conducted base line water and soil testing prior to construction of the solar project?</p>
<p>“Landscape planting would be provided at locations around the perimeter of the solar array to soften and fragment views of the project.”</p>	<p>When will landscape planting take place? When will landscape planting be considered effective screening? Will WSF be planting mature trees and shrubs or tubestock?</p>
<p>“The Department recognises that the introduction of the proposed solar farm to a rural area would result in a change to the local landscape, but considers the development would have a limited impact beyond the project’s immediate vicinity. Accordingly, the Department considers the project would have a limited impact on the broader landscape character of the region as a whole.”</p>	<p>How many metres or kilometres is classed as the “immediate vicinity”? The Wallaroo Solar EIS states on page 108 that “there are 336 identified dwellings within 1km of the Development Site and over 4000 non-associated dwellings within 2km.” Does this suggest those within the “immediate vicinity” would have less than a limited impact?  The IPCn meeting heard multiple speakers who aspired to live in the Wallaroo area, due to its landscape character, and worked hard to make that a reality. I do not believe any of them would have had the same aspirations had there been an industrial sized solar factory built where it is now proposed. Has the Department taken the local communities views into account adequately when making this statement?</p>
<p>“The project would not be visible from any major transport routes.”</p>	<p>Does this suggest that as long as the project is not visible to the general public it is permissible? What about the population that will see it from their kitchen or bedroom windows, or from their front or back verandah; why does that not carry as much weight as being visible to the general public passing through?</p>
<p>“The Department has recommended conditions of consent requiring the development ensure the solar panels and ancillary infrastructure do not cause any increased water being diverted off the site or alter hydrology off site.”</p>	<p>As a general rule, one millimetre of rain over one square metre is equal to one litre of water. Wallaroo Solar is proposing to use 165.45ha for solar panels. If you consider that 55ha might actually be solar panels, a non-porous surface, 20mm of rain would mean 11 megalitres of water not able to disperse evenly into the soil (550,000m<sup>2</sup> x 20 = 11,000,000 litres). Granted, even without solar panels 20mm of rain in a short amount of time would create surface runoff but water sheets off non-porous surfaces with much more velocity creating potential erosion and sediment issues. How will WSF guarantee that there is no increase in water diverted or alteration in hydrology off site?</p>

<p>“The site is mapped as bushfire prone land.”</p> <p>“Subject to recommended conditions, the Department, FRNSW and RFS are satisfied that risks associated with the project would be minimal.”</p>	<p>The EIS states that “water storage tanks would be installed within the Development footprint for fire-fighting and other non-potable water uses, with a 65mm Storz outlet, a metal valve and a minimum of 20,000 litres reserved for fire-fighting purposes.” NSW regulations state a home built on bushfire prone land must have water storage of 10,000 litres (for a landholding of 1 hectare) or 20,000 litres (for a landholding of more than 1 hectare). Is 20,000 litres an adequate water supply to protect an industrial sized energy generation development from fire?</p> <p>A 38mm fire fighting nozzle is capable of pumping 280L/minute meaning 20,000L of water would be used in 71 minutes. During most grass or bushfires there are numerous fire fighting trucks and trailers used in an attempt to put the fire out in a timely manner for the obvious reasons of there being less damage done. An average call out for RFS members would see half a dozen vehicles/trucks attend – six 38mm nozzles would use 20,000L in just over 10 minutes. It would be nice to think you could have a fire blacked out in that time but it is simply not reality. 20,000L is not enough water to adequately fight even the smallest of fires in rural NSW.</p> <p>What strategy will Wallaroo Solar Farm (WSF) Pty Ltd implement to assist the local community and RFS in future fire fighting efforts in the region? Will RFS and FRNSW be granted access to the project site at all times? Will WSF pay for the training and time needed for RFS volunteers to be educated in fighting fires within and surrounding a solar project? Where would construction workers be evacuated to in the event of a fire during the construction period? Can WSF guarantee that the evacuation of construction workers will not impede, and therefore risk the safety of, local community members and their livestock?</p>
<p>“The Department considers that the project would not result in any significant or widespread reduction in land values in areas surrounding the project.”</p>	<p>Has the Department conducted a thorough investigation into land values throughout NSW with a focus on areas with proposed, under construction and operating solar factories to come to this conclusion? How was this investigation carried out?</p> <p>I note that two experienced real estate agents have both given the opinion that land values will decrease significantly in an area well regarded for its scenic landscapes.</p> <p>Will WSF, the Department and IPCn guarantee there will be no adverse impacts to land values in the Wallaroo district, and reimburse any landowner for the loss of income from the sale of their property?</p>
<p>“The Department notes that the Insurance Council of Australia is not aware of any instances where Insurance Council members have been unable to provide insurance or have increased premiums as a result of a farm (or a neighbouring property) hosting energy infrastructure.”</p>	<p>I do not imagine the Insurance Council of Australia has had any members unable to provide insurance or has offered increased premiums as a result of a renewable energy infrastructure project. The issue is in fact around public liability insurance, not general insurance. The majority of farm businesses would have a \$20 million public liability insurance policy to cover accidental incidents due to the risks involved with farm machinery, infrastructure and livestock. Landowners being forced to neighbour large scale renewable energy infrastructure projects find themselves adjacent to projects worth hundreds of millions, if not billions of dollars. What if there is a fire, where a landowner is found negligent (a burn off not adequately blacked out, a pile burn that sneaks away, or a fire ignited by machinery – we have all seen them!) and there is \$100 million of damage done to the neighbouring project infrastructure? Will landowners lose their business, family home and</p>

	<p>heritage all because their neighbour, or someone in the district, made the decision to host renewable energy infrastructure?</p> <p>Will WSF indemnify all landowners in the district against damage to solar project infrastructure, or reimburse landowners for the cost of adequate public liability insurance to protect their businesses and homes?</p>
<p>“The <i>Large-Scale Solar Energy Guideline</i> identifies four key decommissioning and rehabilitation principles for circumstances where an applicant ceases operating a project, which are the removal of project infrastructure, returning the land to its pre-existing use, including rehabilitating and restoring the pre-existing LSC Class where previously used for agricultural purposes, and the owner/operator of the project should be responsible for the decommissioning and rehabilitation and this should be reflected in an agreement with the host landowner(s).”</p>	<p>What protection will WSF offer the host landowner in the case that the owner/operator defaults at the time of decommissioning?</p> <p>How can the local community be assured decommissioning will be undertaken in a timely manner (especially if the owner defaults and the landowner does not have the required funding)?</p>
<p>“The Department considers that the project achieves an appropriate balance between maximising the efficiency of the solar resource development and minimising the potential impacts on surrounding land users and the environment.”</p>	<p>What is an “appropriate balance”?</p> <p>A relatively small number of landowners having to endure the negative impacts of the project to appease those who believe renewable energy is the most reliable and efficient way to power the nation? Would this situation look different if solar factories were being proposed on every football field and park in metropolitan areas?</p>

### **Conclusion**

“The Department considers the project would not result in any significant impacts on the local community or the environment, and any residual impacts can be managed through the implementation of recommended conditions.” What constitutes significant, and to whom? Is it significant that one landowner is worried for the safety of paying clients and the welfare of valuable animals located on their property? Is it significant that there are 336 dwellings within 1km and more than 4,000 located within 2km from the proposed installation without their consent? Is it significant that a quiet, rural locality will become a bustling construction zone for 12-18 months, and then turn into an industrial wasteland?

Concerned local landowners and community members have been raising many of the issues I have outlined above, and more, since members of the public first learned about the proposed Wallaroo Solar project. The directly affected and broader community believe a lot of these issues have been glossed over, dismissed or inadequately addressed by the proponent and DPHI. The guidelines allow so many crucial details to be finalised post development consent, without community consideration or input –

leaving the proponent with various options that members of the public do not get a chance to comment on and potential major impacts to the community unaddressed.

“The Department considers that the project ... is therefore in the public interest..” I wonder if ‘the public’ is considered to be local and directly impacted communities or the public on the eastern side of the Blue Mountains? It seems that rural and regional NSW is bearing the brunt of impacts due to the “rapid transition to renewable energy” and benefitting the least.

I urge the Independent Planning Commissioners tasked with determining the Wallaroo Solar project to NOT grant consent.

Yours Sincerely,  
Emma Bowman