

Our Ref: s18.6.52/09
Your Ref: SSD-8911
Contact: Anthony Alliston, Manager Development Services

3 August 2023

Department of Planning & Environment
ATTENTION – Nestor Tsambos

Dear Nestor Tsambos

SSD-8911 – SUNDOWN SOLAR FARM

Reference is made to the proposed Sundown Solar Farm, SSD-8911 and the exhibition period from 7 July 2023 until 3 August 2023.

A report outlining the project was presented to the Ordinary Meeting of Council on 26 July 2023. It was subsequently resolved (RES:2023/106) that:

“Council make an on-line submission in respect of State Significant Development 8911 – Sundown Solar Farm – Sturmans Road, Spring Mountain in relation to the following matters:

- *After construction, a subsequent report to assess the damage that may have resulted from construction;*
- *On-going and regular measures to restore and reinstate road damage resulting from construction of the project;*
- *The final design of the upgrades to Spring Mountain Road and Sturmans Road being approved by Council;*
- *A detailed waste management plan being prepared for Sundown Soar Farm, in consultation with Council, noting that the Inverell Waste Depot may not be able to accept all waste;*
- *Council support of the commitment by Sundown Solar Farm to provide a community benefits fund;*
- *Council having the opportunity to review the draft approval conditions prior to being finalised; and*
- *Any other matters as deemed relevant by the Director Civil and Environmental Services”.*

The following represents Council's submission to the project which has been made in the context of:

- The resolution of Council;
- The proponents Environmental Impact Statement (June 2023);
- Representations made to Council from landowners / community members;
- Council's inspection of the site, locality, roads and infrastructure; and
- Discussions with Department of Planning and Environment.

ROADS & TRAFFIC

One of the primary areas of focus for Council is to ensure adequate measures are in place during the construction phase of the project so that impacts on Council's local infrastructure, including roads, bridges and causeways will be minimised. Should consent be granted for the project access via Spring Mountain and Sturmans Roads, Council considers that suitable conditions should be included on the Project Approval in relation to:

- The final design of the upgrades to Spring Mountain Road and Sturmans Road being approved by Council;
- Independent road dilapidation reporting prior to construction traffic, for all local and state roads;
- Ongoing and regular measures to restore and reinstate road damage resulting from construction of the project;
- After construction, a subsequent report to assess the damage that may have resulted from construction;
- Council being able to review and provide input into the Traffic Control Plan and the Construction Traffic Management Plan.

WASTE MANAGEMENT

The proposed solar farm has the potential to generate large volumes of waste, in particular construction waste and solar infrastructure waste (panels, batteries) damaged at the time of construction or during operation.

The Environmental Impact Statement (pp231) notes that Sundown Solar Farm reached out to the Inverell Waste Depot in relation to the capacity to accept waste; however, Council has no record of any formal correspondence relating to this matter.

Whilst the Inverell Waste Depot on Burtenshaw Road has limited capacity to accept waste from the Sundown Solar Farm, the acceptance of this waste would be dependent on the type and volume of waste to be disposed. In this regard, the Environmental Impact Statement contains limited information in relation to waste (particularly volume) from Sundown Solar Farm.

Council supports Sundown Solar's commitment to liaise with Council to establish an effective waste management strategy. It is therefore requested that prior to issue of a Construction Certificate a detailed waste management plan be prepared, and approved, for Sundown Solar Farm, in consultation with Council, noting that the Inverell Waste Depot may not be able to accept all waste.

In regard to decommissioning and rehabilitation at the end of the project's life, Council requests that the Department impose adequate conditions to ensure the land is restored to the pre-development land capability and adequate measures are imposed such that the owner of the development (at the time of decommissioning) be responsible for the appropriate removal, recycling or disposal of all infrastructure and waste from the project.

COMMUNITY BENEFIT FUND

Sundown Solar met with Council representatives in March 2022 and October 2022 to discuss the options to establish and manage a Community Benefits Fund.

Section 2.10.2 of the Environmental Impact Statement states that:

“Sundown Solar will establish a community benefits fund which will allocate funds annually for community-based projects. The details of the fund are yet to be determined but will likely be managed through a committee comprising representatives from the project owner, Inverell Shire Council and the local community”.

Council requests that the Department impose an appropriate condition of consent in regard to “community enhancement”. For example, *“prior to commencing construction, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a VPA with Council in accordance with Division 7.1 of Part 7 of the EP&A Act”*. It is acknowledged that Council will need to discuss the terms of the Voluntary Planning Agreement direct with Sundown.

SUBMISSIONS BY LANDOWNERS / COMMUNITY MEMBERS

At the time of preparing this submission Council had received four (4) submissions in relation to the project. Copies of the four (4) submissions have been attached to Council's submission.

The matters raised by landowners / community members include:

- Objection to the project access via Spring Mountain Road and Sturmans Road and a request to consider the alternative route;
- Adverse amenity impacts on dwellings close to Spring Mountain Road (particularly R14 & R15) including dust impacts, noise and vibration (exceedances), and vehicle numbers, sizes and speeds;
- Impacts on farming practices including movement of stock, health of stock and stock/workers safety;
- Hours of operation;
- Bushfire risks;
- Lack of consultation by Sundown Solar with landowners and the limited timeframe to review and respond to the proposal;
- Contamination to waterways, soil profiles and lack of adequate waste management plans;
- The location of the project on prime agricultural land;
- Water consumption during construction and operations;
- Visual impacts inconsistent with the rural outlook.

Council requests that the Department take into consideration the matters raised by landowners / community members and where appropriate include conditions or amendments to the project to adequately mitigate such impacts.

Council notes that Sundown Solar propose a number of mitigation measures relating to traffic and transport (Appendix N – Mitigation Measures). Council also suggests that in making a decision in regard to Spring Mountain Road and Sturmans Roads being the transport route for the project, consideration should be given to added mitigation measures for impacted dwellings, particularly 155 and 489 Spring Mountain Road (R14 & R15). It is noted that the Noise and Vibration Impact Assessment (Appendix H) specifically identifies exceedances for R14 and R15. Consideration should also be given to additional dust abatement for these dwellings including the construction of a sacrificial bitumen seal to serve the construction phase of the project. The seal may also assist with noise and vibration impacts on these dwellings.

After undertaking a site inspection on 2 August 2023, it is also Council's view that the Department should consider the safety impacts associated with unfenced paddocks (which are stocked) along Spring Mountain Road and Sturmans Road. There is an obvious need to consider the conflict between stock, workers, working dogs and the significant increase in construction traffic. Consideration should be given to the proponent adequately managing this risk so as not to unreasonably impact on farming operations or road user safety. This may include the provision of stock proof property fencing as a solution.

DRAFT CONDITIONS

Council wishes to ensure the most appropriate and transparent outcome for all stakeholders including the proponent, Council and the local community. Therefore, it is requested that the opportunity to view the draft conditions of the Project Approval be provided to Council during the same period in which the proponent is given to review them, should the project proceed to this stage.

Should you have any queries or require further clarification please contact me on 0425271633.

Yours faithfully



ANTHONY ALLISTON
MANAGER DEVELOPMENT SERVICES

*Attachments – Landowners submissions

25 July 2023

Anthony Alliston
Manager Development Services
Inverell Shire Council

Anthony.Alliston@inverell.nsw.gov.au

Dear Mr Alliston,

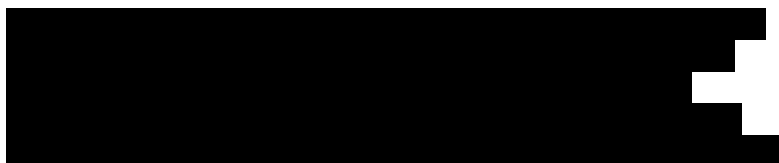
Objection to Application No.SSD-8911 by Sundown Solar Pty Ltd

INTRODUCTION

Swan Vale residents are only now becoming aware of and concerned about the direct impacts to their health and safety and to their lifestyle and livelihoods from proposed dramatic alterations to the current traffic flow on Spring Mountain Road and Sturmans Road. This letter is written on behalf of several Swan Vale residents and property owners.

We object in the strongest possible terms to the proposed development and construction by Sundown Solar Pty Ltd (the "applicant"), application No. SSD-8911 (the "proposed development"). In particular, we object to the proposed access via Spring Mountain Road and Sturmans Road to the proposed development.

The area is zoned for primary production. The following properties are directly adversely impacted by the proposed development and the proposed use of Spring Mountain Road and Sturmans Road:



To take "██████" as an example of a property particularly adversely affected, it is the dwelling described as R15 on various maps in the Environmental Impact Statement ("EIS") for the proposed development. "██████" borders and is immediately adjacent to the project area for the proposed development. The site of the proposed development is, at its closest point, approximately 2 kilometres from the "██████" homestead. The "██████" homestead is approximately 45 metres from Spring Mountain Road and its vegetable garden is approximately 4 metres from Spring Mountain Road at its closest point. "██████" is intersected by both Spring Mountain Road and Sturmans Road, the proposed public roads to be used for access to the proposed development.

Spring Mountain Road and Sturmans Road are currently 4-metre-wide unsealed roads. They are both no through roads. On average, approximately 10 vehicles (primarily local residents) drive on these roads daily. Spring Mountain Road and Sturmans Road are our only access point to travel to and from Inverell and Glen Innes. Spring Mountain Road is also used to connect with school buses and the Black and White bus that make daily deliveries to enable us to carry out our daily business operations. Critically, it is the only access road for residents to reach medical services.

Similarly, both Spring Mountain Road and Sturmans Road are used by pedestrians and are critical in the movement of stock between paddocks, stockyards and the loading ramp that is divided by the existing road network. Farm dogs are used to muster stock along both roads.

In summary, we object to the application on the following grounds:

- Health and Safety
- Noise and Vibration
- Loss of amenity
- Adverse business impacts and financial loss
- Use of public access roads

HEALTH AND SAFETY

Traffic

The EIS refers to a proposal by the applicant to widen Spring Mountain Road and Sturmans Road to a width of 8.76 metres and for the roads to be compacted and gravelled. In Appendix I to the EIS, Traffic Impact Statement, Table 3.6 states the Austroads design for rural roads 150-500 design standard is minimum 7.2m wide seal.

At paragraph 3.4.1 the EIS states that the purpose of widening these roads is to accommodate 26-metre B-double trucks. Table 6.37 at page 182 of the EIS states that the daily baseline and development traffic volume is expected to be 478 vehicles per day on Spring Mountain Road. The construction phase, during which there will be the heaviest traffic volumes, is expected to last for 21 months: see paragraph 6.6.3 of the EIS.

As well as the frequent movement of heavy trucks there would also be heavy traffic due to construction and operating workers travelling to and from the proposed development. According to paragraph ES.5.6 of the EIS, construction works are scheduled to occur from 7 am to 6 pm Monday to Friday and from 8 am to 6 pm on Saturday. There would be a peak construction workforce of about 400 people (Appendix H, paragraph 2.1.1). Peak project construction workforce traffic is predicted to consist of 14 shuttle buses and 100 light vehicles each day (Appendix I, table 5.1). If workers are required to start work at 7 am and finish at 6 pm it can be expected that this traffic will commence on the local road network from about 6:30 am and will continue until about 6:30 pm each day. This extends the true period of traffic movement by about 1 hour each day beyond the assumptions in the EIS.

Other assumptions used in the EIS (e.g., in Appendix H, Noise and Vibration Impact Assessment) include that vehicular traffic associated with the proposed development will travel along Spring Mountain Road and Sturmans Road at the default speed limit of 100 kmh.

This huge volume of heavy vehicle traffic travelling at high speeds and carrying hazardous materials greatly increases the risk of accidents and will expose the local residents and our employees to dangers having an impact on the safety of motorists, pedestrians and graziers mustering stock along these roads. Local residents, including the elderly and school children, have no option but to use Spring Mountain Road and Sturmans Road to purchase supplies, attend school and access services from Inverell and Glen Innes.

We are concerned about the risks to the health from the stress of living and working so close to these extreme traffic movements along the proposed access roads.

Despite these obvious safety and health risks and the profound adverse impact on local residents from this increased traffic, the EIS contains no risk assessment of the impact of this increased traffic on Spring Mountain Road and Sturmans Road. Appendix I (Traffic Impact Assessment) paragraph 4.1 and Table 4.1 asserts that this risk assessment is contained in paragraph 6.4 of Appendix I. However paragraph 6.4 does not address the risks of using these access roads at all but states that the use of these roads is “acceptable to Council as a temporary construction stage road”.

Dust

Another safety implication is the dust which would be generated from the use of Spring Mountain Road and Sturmans Road from such frequent heavy traffic so close to our homes and primary production businesses. Paragraph 6.11.4 of the EIS at page 225 refers to “ reduced rural amenity” due to dust and asserts that “dust generation will be mitigated using standard construction techniques such as the use of water carts and screens”. It is not just a matter of loss of amenity, serious though that is. Increased levels of dust due to the heavy traffic on Spring Mountain Road and Sturmans Road will be dangerous to the health of residents, stock and farm animals. The use of water carts and screens will plainly not eliminate the adverse health effects of dust on these public roads.

Appendix J to the EIS at paragraph ES3 states that during the construction phase of 21 months, it has been estimated that 75 megalitres of water is required, principally for water carts to reduce dust. This seems a relatively small amount of water to ameliorate the effects of dust over the two proposed access roads for such a long period. The distance from the intersection of the Gwydir Highway to the closest access to the proposed development on Sturmans Road is 10.23 kilometres (Appendix I Traffic Impact Study). So far as we can tell, nowhere in the EIS is the basis for the calculation of 75 megalitres provided.

The EIS does not appear to address at all the adverse health impacts to people and stock due to dust and certainly has not attempted to measure these risks. For example, in relation to stock, it is well known that stress and dust cause Bovine respiratory disease (<https://www.mla.com.au/research-and-development/animal-health-welfare-and-biosecurity/diseases/infectious/bovine-respiratory-disease>). However, there is not a word addressing this critical issue in the EIS.

In short, the use of Spring Mountain Road and Sturmans Road as access roads to the proposed development is wholly unsuitable and approving the proposed development access would endanger the lives and well-being of residents and their stock and farm animals.

NOISE AND VIBRATION

Noise

The area of Spring Mountain is an extremely quiet rural environment. To use the language of the Noise Policy for Industry 2017, the properties are in an area with an acoustical environment that is dominated by natural sounds, having little or no traffic noise and generally characterised by low background noise levels.

Table 6.26 at pages 162-163 of the EIS assesses the noise impact of the construction phase of the proposed development at 21 sites, including **Menari** at R15 and **Warrawee** at R14 which are the worst affected by construction noise of all the sites. Predicted construction noise levels for **Menari** are 66dB in Stage 1 of construction and 67 dB in Stage 2 of construction. These levels do not comply with Noise Management Levels set by the Interim Construction Noise Guideline. These breaches of the Guideline are said to be due to the upgrade of the access roads for heavy trucks and machinery.

Using assumptions including that the existing traffic movements on Spring Mountain Road and Sturmans Road are "less than 50" movements per day (it is in fact currently only about 10 movements) and that projected traffic would travel along these roads at the speed limit of 100 kilometres per hour, the EIS at Appendix H predicts traffic noise due to construction to increase from 39 dB at present to 50 dB on Spring Mountain Road and from 20 dB at present to 30 dB on Sturmans Road. These are significant increases but it is unclear to us what the true quantitative impact would be if more realistic assumptions were used.

Table 7.3 of Appendix H to the EIS states that **Menari** and **Warrawee** will suffer "highly intrusive noise".

Vibration

Menari homestead (R15) and **Warrawee** homestead (R14) are the worst affected sites assessed in the EIS for adverse impacts from vibration. At paragraph 6.6.3 on page 164, the EIS states that vibration levels at **Menari** (R15) and **Warrawee** (R14) during Stage 1 of construction "may exceed the levels for human comfort if the size of the vibrator roller used to construct the access road is greater than six tonnes".

Appendix H to the EIS (Noise and Vibration Impact Assessment) at Table 5.2 on page 26 identifies that 5 vibratory rollers over 18 tonnes will be used during Stage 1 and Stage 2 of construction (a predicted period of 17 months). They are far heavier than 6 tonnes. This means that the level of vibration during construction will be intolerable for certain residents.

The mitigation measures suggested in paragraph 7.3 of Appendix H (notification, verification i.e., measurement and respite offers) are cosmetic and will not eliminate the adverse impacts of vibration if the current access roads for the proposed development are approved.

Generally

Noise and vibration assessments in the EIS are based on proximity to residences. A number of local properties border the project area for the proposed development. The EIS does not acknowledge potentially sensitive land uses of neighbouring properties. Typically, farmers/graziers and their staff spend large amounts of their working time in their paddocks, including those that are adjacent to the site. Noise and vibration impacts on us and our stock when in neighbouring paddocks are not considered by the EIS.

LOSS OF AMENITY

The loss of amenities for the community from the proposed development, and in particular from the use of Spring Mountain Road and Sturmans Road as access roads, will be profound. It involves no overstatement to say that it will destroy the quality of life on our rural properties.

Our properties are zoned RU1 Primary Production within the Inverell Local Environmental Plan 2012 (Inverell LEP). The objectives of this zone as stated by the Inverell LEP are:

- 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.

In relation to our properties, each of these objectives will be thwarted by the proposed development, and in particular by the use of the public access roads to the proposed development.

Instead of quiet country laneways (which are no through roads) intersecting our properties being used by local residents and their staff, during the construction phase Spring Mountain Road and Sturmans Road would be used by many hundreds of vehicles per day, including hundreds of daily movements of 26-metre B-double trucks. This traffic would commence from very early in the morning until evening six days a week just a few metres from homes and farming lands.

It is obvious that the proposed development would fundamentally adversely affect our lives both personally and as farmers and graziers.

ADVERSE BUSINESS IMPACTS AND FINANCIAL LOSS

Mustering stock

The huge volume of heavy vehicle traffic travelling at high speeds and carrying hazardous materials along the proposed access roads of Spring Mountain Road and Sturmans Road will make these roads impossibly unsafe to use as a means of mustering and transporting stock.

Impact on health of stock

We are concerned about the health impacts on stock on our properties from the stress of noise, dust and traffic from the use of the two proposed access roads to the development.

Risk of fire

Appendix K to the EIS (Preliminary Hazard Analysis) contains a completely superficial analysis of the consequences of fire from the proposed development to neighbouring properties. Table 5.4 identifies fire hazards due to electrical conversion systems, the battery energy storage system, substation fire and bushfire but in each case in relation to the consequences of fire makes the facile statement that "as there is a large separation distance ... to the nearest non-project related residential dwelling, the effects are not expected to have an off-site impact"

A number of our properties border the project area. We have all lived through threatening bushfire events in this area. The likelihood of a fire having a devastating consequence for us, our stock, animals and vegetation is entirely foreseeable yet has been completely dismissed in the EIS.

Use of public access roads

Many of the more extreme adverse consequences of the proposed development would be avoided if Spring Mountain Road and Sturmans Road, which are public roads, were not used as access roads for the proposed development.

Yet the EIS itself identifies an alternative option which is a shorter and more direct route to the proposed development, which does not pass by any homes and which would avoid many of the adverse consequences to local residents and their primary production enterprises.

Moreover, the reasons why the applicant has stated in the EIS why it chose to prefer the extensive disruption which would be caused by using the public roads over this more direct alternative route do not withstand critical scrutiny.

The shorter and more direct route to the proposed development is a private road west of Spring Mountain Road identified on the maps between pages 82 and 94 of the EIS. There are no homes near the route of that road. There is a reference to "private land access constraints" at page 19 of the EIS but the only elaboration of the consideration of the alternative routes is at pages 21 and 80 of the EIS. At page 21 of the EIS, the following statement is made in Table 2.3:

"Two site access options were considered, namely:

- a private road from Gwydir Highway to the north of the site
- Spring Mountain Road and Sturmans Road.

The private road option was found not to be feasible as it would have required construction of a new highway intersection and would have potentially resulted in a greater amount of high biodiversity value vegetation being cleared in comparison to the selected access route. The proposed access road was selected as it only requires minor upgrades to the existing Gwydir Highway/Spring Mountain Road intersection. The upgrade will result in improved safety for users of the highway. Similarly, the upgrade of Spring Mountain Road and Sturmans Road will improve public safety and accessibility for residents using that route."

A somewhat different slant on the options is stated on page 80 in Table 6.6 as follows:

"Two access road options were considered at early design phase:

- Spring Mountain/Sturmans Road
- an alternate route via a private road west of Spring Mountain Road.

The Spring Mountain Road/Sturmans Road option was selected over the alternative private road access for several reasons, including:

- less disturbance required to upgrade Spring Mountain Road/Sturmans Road
- avoidance of better-quality roadside grassland vegetation
- avoidance of over 62 Bluegrass plants and 1098 Austral Toadflax plants occurring along the private access road.

That is, the access route option selected requires less road upgrades and supports fewer threatened flora records in roadside vegetation."

Neither of these sections of the EIS contain any real analysis of the options. They merely assert conclusions based on two asserted factors:

1. A lower cost to the applicant in upgrading the intersection of Gwydir Highway with Spring Mountain Road instead of the intersection of Gwydir Highway with the private road; and
2. less impact on vegetation in using Spring Mountain Road and Sturmans Road.

Neither of these reasons make using the private road not "feasible" as asserted on page 21 of the EIS. In relation to the upgrade to the intersection, if the intersection to the private road does involve more cost (the amount of which is not stated, let alone explained), that cost to the applicant is clearly outweighed by the major impacts to the health and safety of local residents due to high volume heavy vehicle traffic, noise, vibration, dust and the other impacts which I have outlined in this letter.

In terms of impact on vegetation, there would be negative impacts to vegetation due to the proposed widening of the public access roads from 4 metres to 8.7 metres over a distance of 10.23 kilometres (see Appendix I at paragraphs 3.3 and 3.4). The direct and indirect impacts on vegetation and biodiversity of the project as a whole are not insubstantial in any event. They are set out in section 6.1.4 of the EIS at page 95. Even if there were greater impacts on vegetation from using the private road, again this is clearly outweighed by the human costs and the costs to the livelihood of residents from the proposed use of these access roads. To suggest, as the EIS does at page 21 that the "upgrade" of the public access roads and the associated increased construction traffic of hundreds of vehicles including heavy-duty trucks six days a week will improve public safety is obviously false.

CONCLUSION

For all of the above reasons we believe it is clear that the proposed development, particularly in its current form which proposes using the public roads Spring Mountain Road and Sturmans Road for access, will adversely affect the businesses, place of residence, health and future generations of families farming in the Swan Vale community. A further degrading of rural communities. Application No. SSD -8911 should be rejected specifically in relation to access.

We ask that you as our local Council listen to and heed our objections. We specifically request you to support us in our objections to and withdraw your support to the applicant for the use of Spring Mountain Road and Sturmans Road for access to the proposed development.

Will Council be responsible for the continued safe access of residents and landholders to their properties and the maintenance of Spring Mountain and Sturmans Road for the life of this project? The risks to us are just too great. This is particularly the case in circumstances where an alternative "Western Road" access is proposed in the EIS but is rejected for stated reasons which do not withstand scrutiny. This alternative means of access would mitigate the most severe of the adverse impacts on Swan Vale residents, e.g. safety, noise, dust, and loss of amenity. There are no residents who reside anywhere near this road and it is a direct and shorter access road to the Sundown Solar project from the Gwydir Highway.

Yours sincerely,

[Redacted signature]

FOR AND ON BEHALF OF: [A number of concerned landholders and residents are identified]

[Redacted list of names]

Anthony C. Alliston

From: Jennifer Whelan <j.whelan@p5p.com.au>
Sent: Friday, 28 July 2023 2:19 PM
To: Council
Subject: Sundown Solar Farm

Good afternoon

While I am aware that a submission was made to council for its attention regarding the above before the council meeting, it appears this submission was not noted or discussed before council accepted the recommendations regarding the above from its subcommittee.

In that regard, and because I am aware that the community being impacted by the above development is very small I wish council to be aware of the lack of consultation from this company and disregard for the local residents and farms.

I will be objecting to a number of serious issues arising from the development and its impact on my residence and cattle business. Council should be aware that while our business is located on Spring Mountain Road and we have cattle which graze the area that the road traverses no one from our family or business was aware of the proposal until we received a letter regarding it approximately three weeks ago. We have had no correspondence from Sundown Solar Farm or their representatives regarding the proposal so the information which they are distributing regarding their interaction with the community and the acceptance and welcoming of their proposal into our rural district is not entirely correct and I find it extremely insulting that the first I became aware of the proposal was this letter giving us a very limited response time. I am also insulted that media reports being produced by the company are indicating locals have no issues with the development. I would suggest that locals have no issues because locals were not aware of the proposal until very recently.

I would like council's support in a full and complete review of the Sundown proposal and the very serious impacts it will have on the safety of the residents, staff and animals on the roads proposed as access and being used by up to 500 vehicles, including B Doubles each day travelling at apparently, 100km per hour on the gravel road with cattle grazing on and across the road verges and businesses and staff attempting to conduct business on both sides of the land through which the road in question runs.

Kind regards

Jenny Whelan
Jenfield Pty Ltd
Owner of Warrawee
155 Spring Mountain Rd, Swan Vale

Mobile 0410 444 616 **Email** j.whelan@p5p.com.au

Anthony C. Alliston

From: Robert Mepham <riam4140@gmail.com>
Sent: Tuesday, 1 August 2023 3:00 PM
To: Anthony C. Alliston
Subject: HPE CM: Submission Re: Sundown Solar Farm.

Record Number: 2023/25321

Dear Mr. Alliston,

Re: Application Number SSD- 8911 By Sundown Solar Pty. Ltd.

We object most vehemently to the proposed Sundown Solar Farm near Swan Vale, on several grounds as follows:

1. The proposed site is on prime agricultural land that contains some of the best soil in the district, and is also formerly part of the historic "Newstead Station". The solar array will also only be used for a short span of up to 35 years, meaning a huge disruption to the area for relatively little gain.
2. Huge volumes of water are going to be used during construction, for road dust reduction measures, and in an ongoing manner for washing the significant number of solar panels. We rely heavily on Kings Creek for stock water and we don't believe the volumes of water required are available without impacting substantially on the creek. We are also very concerned about the ever-present danger of water contamination, and the site is also highly unsuitable as it is close to a creek. Contamination could occur from various sources at the site, for example, leakage from batteries, and run-off from herbicides and weedicides used in weed control, which could cause severe environmental damage. The 75 megalitres of water proposed to be used during construction alone, would water approximately 2,400 steers per month. The ongoing amount of 475 kilolitres proposed to be used annually, will also result in a much reduced amount of water available for stock.
3. Large volumes of traffic on the Spring Mountain and Sturman's Roads will seriously impact the residents on those roads and two residents in particular, with dust contamination of their farms. Large amounts of dust on paddocks and the grass will render the area useless for grazing and make it impossible to effectively spray weeds, as the weedicide cannot penetrate the leaves etc. which would be covered in dust. It will also be extremely difficult or impossible to safely move livestock along or across roads, because of the high volume of traffic.
4. If the development were to proceed, an alternate private road to the west of the proposed site is available and should be used as it is much shorter, with no residences.
5. Solar farms should only be built in the far west of the state, if at all, where properties are large and only have minimal stock carrying capacity.
6. Many similar projects are also planned along the 330kw transmission line which runs through the Sundown Solar Farm and beyond, so it would seem impossible that this line will have sufficient capacity to accommodate all these solar farms.
7. It appears we will also have a visual impact of the proposed solar array from near our house, which would greatly affect the amenity of the area, and is quite inconsistent with the rural outlook.

Yours faithfully,

(Mr. and Mrs.) Robert and Adrienne Mepham

1792 Elsmore Road,

Anthony C. Alliston

From: banchorynsw@gmail.com
Sent: Tuesday, 1 August 2023 6:57 AM
To: Council
Cc: susan@whispering-brook.com; Barnaby Joyce ; Northerntableans Parliament; John Peatfield ; Mark Fogarty ; lynette lablack
Subject: Who is Responsible for Soil - Water Contamination & Waste Management
Attachments: RORW - OUT - Letter - Response to Ms Lynette Leblack - Bomen Solar Farm - Eunony Valley Region - CIRAM No I03787-2021.pdf

Paul Henry
General Manager
Inverell Shire Council
144 Otho Street
Inverell NSW 2360

Dear Paul,

Contamination to waterways, soil profiles and waste management arising from wind and solar components is acknowledged worldwide as a ticking time-bomb.

Please find attached correspondence 6th April 2021 from the NSW Environmental Protection Authority (EPA) confirming that under Schedule 1 of the POEO Act 1997, electricity works that generate electricity through the use of solar are not scheduled. That means that the EPA is absolved from any responsibility regarding contamination caused or waste management arising from solar generation. Furthermore, the EPA note that the Local Government Authority (LGA) is the appropriate regulative authority regarding these matters.

This was further confirmed by discussions I had only late last year with a representative of the DPE at a formal meeting at Armidale when I asked what waste management plan the DPE has for wind and solar components. The reply was that the DPIE has no plan. Once again that answer would suggest that the responsibility will lay with any LGA.

Can you please advise what measures or plan Inverell Shire Council has in place to manage these looming environmental issues, particularly in respect to the proposed Sundown Solar Farm at Spring Mountain, which application has been recently lodged with the NSW DPE.

Sincerely,
Ian McDonald
Banchory
458 Lakes Road
Walcha NSW 2354
0419993822



DOC21/215927

Ms Lynette Lablack
Eunony Valley
WAGGA WAGGA NSW 2650

By email: lynettelablack@live.com

Dear Ms Lablack

I refer to your email dated 18 March 2021 to the NSW Environment Protection Authority (EPA) raising concerns about land contamination associated with the Bomen Solar Farm.

The EPA has responsibilities for pollution control and environmental management for scheduled activities under the *Protection of the Environment Operations Act 1997* (the POEO Act). Under Schedule 1 of the POEO Act 1997, electricity works that generate electricity through the use of solar or wind are not scheduled. This means that the EPA is not the appropriate regulatory authority for solar farms in NSW.

In accordance with the POEO Act 1997 the Local Government Authority is the appropriate regulatory authority for activities that are not scheduled under the Act. In this instance, the appropriate regulatory authority is Wagga Wagga City Council.

As discussed with you on 1 April 2021, we note your email is raising concerns about damaged solar farms in general and that you are not aware of any direct damage or contamination at the Bomen Solar Farm. We note you have previously spoken to the Department of Planning, Infrastructure and Environment (DPIE) as the consent authority for the Bomen Solar Farm. We recommend you continue consulting with DPIE about any concerns you have relating to the development approval granted for the site or with Wagga Wagga City Council about operational impacts from the farm.

If you have any further enquiries about this matter please contact me by telephoning 02 6969 0700 or by electronic mail at riverina.farwest@epa.nsw.gov.au.

Yours sincerely

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6 April 2021

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