

Submission in Response to the EIS Proposed Middlebrook Solar Farm

Application No:	SSD-10455
Location	666 Middlebrook Road, Loomberah
Applicant	Middlebrook Solar Farm Pty Ltd
Council	Area Tamworth Regional
Consent Authority	Minister for Planning and Public Spaces or Independent Planning Commission

Person Making the Submission: Mr Josh Crowe
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Notes

- I object to the development and provide reasons for this objection overleaf.
- I have not made any reportable political donations in the last two years
- I acknowledge and accept the disclaimer and declaration of the Department of Planning and Environment.

This page is a cover sheet containing personal details only.

End of cover sheet.

Submission in Response to the EIS

Proposed Middlebrook Solar Farm

This submission is in response to the *Environmental Impact Statement Middlebrook Solar Farm Final V1.2* and associated documents including Appendices as prepared by NGH Pty Ltd on behalf of the proponents for the development, Total Eren.

Points of this Submission

1. The Project Does Not Meet the Objectives of the Local Environment Plan for the RU1 Primary Production Zone

The site is zoned RU1 Primary Production under the *Tamworth Regional Council Local Environment Plan 2010* (the LEP). Whilst the project type is permissible with consent within this land use zone, the project does not meet the primary objectives of this zone. The LEP identifies the objectives of this zone in Part 2 (the land use table) as:

To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

The project does not encourage sustainable primary industry production, nor does the project enhance the natural resource base which would support sustainable primary production. The project places arable agricultural land under steel solar PV array tables. Doing so precludes the land's use for cropping and any other meaningful extensive or intensive agricultural uses.

NGH claims that the area under the solar PV tables will be maintained with a cover of vegetation to preserve soil quality. This statement bears examination based on the operational state of any number of solar PV arrays in NSW. Tables and modules prevent sunlight and rainfall from reaching the soil under the tables. Over 1-2 years this will lead to devegetation under panels and exposure of the soil surface. Where cross fall is steep, erosion can subsequently occur along the pile rows. An excellent example of this can be seen at the operational 3 MW solar farm at the University of New England (UNE) in Armidale, where the operator of the solar farm reports that it is *'impossible to get grass to grow'* under the module tables.

To minimise the fragmentation and alienation of resource lands.

The project fragments agricultural resource lands by placing a large-scale solar PV array covering 520 Ha in the middle of a mixed grazing/cropping landscape. The project alienates lands from their current agricultural use of cropping and extensive grazing for the medium to long term. The use of agrivoltaic systems involving small stock grazing (if actually implemented by the proponent in practice) does not represent the establishment of an agricultural system with comparable agricultural productivity to that existing. Any claim to the contrary is demonstrably wrong.

2. The Project results in medium-term Loss of arable land and productive capacity

The project would take a significant amount of arable agricultural land out of production for the medium to long term. In assessing the application, the determining authority needs to carefully consider whether the project footprint is appropriately located, being on arable land, and whether the proponent has adequately considered alternate locations which do not include arable land with high productivity values. The EIS page *xxvii* states:

‘...loss of agricultural land which indicated the requirement for coordinated and robust engagement with local community members during the project lifecycle would be important to increase benefits and reduce negative impacts from the project’.

The author is unclear how community consultation would reduce the loss of agricultural land. Regardless of what level of consultation is undertaken, approval and subsequent development of the project would result in loss of arable area for the medium to long term and a consequent loss in agricultural productivity for the state.

The author notes that there are numerous potential sites located in the REZ or along the HV transmission lines outside the REZ that are not arable and would not result in a significant reduction in production capability, however consideration of these sites is limited in scope.

3. Almost total lack of local community support

Based on the surveys conducted by the consultant NGH on behalf of the proponent Total Eres, there is a clear lack of community and local resident support for the project. From the EIS page xxii:

‘The survey results also implied there was currently a lack of support for renewable energy projects in the region, with 67% of respondents (26 responses) identifying that they ‘reject renewable energy development in the region’ whereas only 8% of participants identified they ‘embrace it’ or ‘approve of it’. The most prominent amenity and social, economic, and environmental factors identified by participants were ‘visual impacts for near neighbours’ (100% of respondents), ‘potential impacts to property values’ (84%), ‘disruption to community cohesion’ (74%), and ‘use of agricultural land’ (92%)’.

The survey results demonstrate clearly that there is little to no support for this type and scale of development in this location. *Section 4.15 Evaluation (1) Matters for Consideration* from the *Environmental Planning and Assessment Act 1979* No 203 states as a matter for consideration *‘the public interest’*. The local Loomberah community does not feel that their interests are served by this development. Claims in the EIS that the power will be utilised in local communities is absurd. Power generated will be transmitted on HV network, and used primarily in metropolitan areas. The impacts of the development will be borne by the Loomberah community and residents, and the benefits of the development will accrue elsewhere.

NGH’s implication in in the summary of the EIS the results of community surveys were a result of ‘confusion’ about which solar PV project the Middlebrook solar farm condescending and incorrect. The Loomberah community is clear on the nature, scope, location, and operation of the Middlebrook Solar Farm and do not support the development. The suggestion that the community survey results are a result of confusion are an attempt to reduce the bearing these results may have on deliberations by the determining authority in determining the development.

4. The Project is ‘Better’ than Acacia Solar Farm

NGH seem determined to use a comparison between Middlebrook Solar Farm to another solar development in the area (Acacia Solar Farm), in order to demonstrate the merits of this proposal, on the basis that it is *‘better’* than the Acacia development. Whether or not a development is *‘better than’* another poorly considered development is not a matter for consideration by the determining authority under the Act, nor does it offer any reasonable measure of the merits of the development.

5. Visual Impact

NGH claim on behalf of the proponent that the project will '*protect amenity values*' because it has '*no greater than low visual impact for any residence*'. The determining authority, when weighing these statements, should carefully consider their basis. The visual impact rating scheme from which these ratings are determined was formulated by NGH, is arbitrary, and is semi-quantitative (it contains elements requiring a high level of subjective assessment).

The visual amenity of the author will be impacted with construction soil disturbance, security fencing soil disturbance for excavation, security fence construction, solar panel table piling and construction including machinery operation, solar module mounting, and operation of the solar farm, within clear line of site from the authors front balcony.

6. Noise Impacts

NGH presents noise impact assessment on page 105 of the EIS. The author requests that the determining authority satisfy themselves of the construction methodology for the solar PV tables and that equipment noise has been correctly modelled. The EIS indicates that '*pile drilling rigs*' have been modelled, suggesting a construction methodology using augured holes with posts concreted into place (which is used for some PV arrays). It is understood by the author, both from elsewhere in this EIS and from similar large scale solar PV developments, that driven piles will be used for support of solar PV tables. A pile driving rig is a different piece of equipment than a pile drilling rig and uses a hydraulic ram to bash the piles into the subsoil. This can be extremely noisy, in particular where the driven depth puts the pile in contact with shallow underlying rock, which is present in areas in Loomberah.

Please let me know if you have any questions or require further information.

Regards,

Josh Crowe

3rd August 2023.