

Hugh Thomas Piper  
20 Balgownie Drive  
Armidale NSW 2350

20 March 2019

Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Attn: Director – Resources and Energy Assessments

Dear Sir / Madam

**Development Application: New England Solar Farm – Uralla Shire**  
**Applicant: UPC Renewables**  
**Application Number SSD 9255**

The writer refers to the above Development Application and makes the following submissions in respect of the Application.

Statement of Support for the Proposal

The writer supports the proposal subject to the Department's acceptance of the writer's submissions set out herein. The reasons for the writer's conditional support of the proposal are also set out in the submissions.

Declaration of Reportable Political Donations made in the previous two years

The writer has not made any reportable political donations in the previous two years.

**Submission #1: The Need for a Public Meeting directed by the Minister for Planning**

This need should be obvious given the large utility scale and long-term operation (at least 35 years) of the project, which will impact landowners, landowner neighbours and several local communities. Given the project is likely to take at least four to five years for construction from now, and that the project will involve industrial scale operations, it behooves the Minister to direct that a public hearing be held.

**Submission #2: The Department must establish the Boundaries of the New England Solar Farm prior to Approval.**

Given the vast areas and apparent availability of land available for the installation of utility scale solar farm infrastructure in the Uralla and neighbouring shires, there is no reason why the Department cannot determine, and provisionally set, the extreme physical boundaries of the New England Solar Farm, prior to final approval of the Development Application.

These boundaries should be ascertained following the holding of the Public Meeting above, so that all constituents and landowners of the communities impacted by the development can have their say and be fairly heard (which they have not been to date), as to the location of the solar farm insofar as it may impact their own properties and communities.

### **Submission #3: Establishment of the New England Solar Farm Neighbours Compensation Scheme**

In view of the large scale (impacting thousands of acres) , investment (several hundred million dollars or more) and long term nature (40 years at least) of the proposed New England Solar Farm, it is imperative that the Applicant and the Department properly recognise the inevitable negative financial, environmental and social impacts of the project on affected landowners and communities. The positive impacts of the project, such as renewable energy generation and certain landowner payments, go without saying and are the obvious reasons for support of the proposal.

The negative impacts however, merit the establishment of a New England Solar Farm Neighbour Compensation Scheme, based on the various levels of impact felt by neighbouring landowners. Whilst the proposed Community Benefit Scheme provides a modest annuity to the community (perhaps up to \$200,000 per annum at best and noting that the appropriation of such monies will likely require pre-approval from the Applicant), the Development Application does not adequately consider the need for a fair and equitable Neighbour Compensation Scheme.

A New England Solar Farm Neighbour Compensation Scheme should be established initially by the Applicant, as a condition of approval for the project. This New England Solar Farm Neighbour Compensation Scheme should be vetted and approved by the National Wind Farm Commissioner Mr Dyer, who has recently been appointed to “resolve complaints about large scale solar and storage, including batteries.”

Such a compensation scheme is likely to have four tiers of “one-off” compensation: severe impact, high impact, moderate impact and low impact. The compensation will be for disturbance and disruption to the neighbour, diminution of property values, and other meritorious forms of “just terms” compensation. For example, one-off compensation payments may commence at \$200,000.00 for severely impacted neighbours, \$100,000.00 for highly impacted neighbours, \$50,000.00 for moderately impacted neighbours and say \$5,000.00 for low impacted neighbours.

The total payments by the New England Solar Farm Neighbours Compensation Scheme are not likely to exceed \$5million, based on the plans for the project, which is an immaterial amount to the total project funding commitment.

### **Submission #4: Appointment of Mr Andrew Dyer as the New England Solar Farm Commissioner for managing disputes during the planning and constructions phases of the project.**

As referred to above, the large scale, dollar value, term and impacts of the New England Solar Farm project are such that the early appointment of Mr Dyer (at the cost of the Department) to the position of New England Solar Farm Commissioner will likely have great benefits for the conduct of this project (and all other similar projects in the region) and assist in the resolution of current and future disputes arising from the approval and development of the project.

The lack of initiative in this regard by the Applicant to date, is itself an obvious reason for Mr Dyer’s appointment, as in the writer’s view the Applicant has so far shown no genuine inclination to recognize the negative financial, environmental and social impacts of the project on the neighbours of the solar farm, despite the rhetoric in the Development Application and the “public meetings” the Applicant has hosted so far.

## **Conclusions**

The above submissions represent the writer's view of the minimum requirements for the Department's consideration and action, given the nature of the project and the Applicant's conduct towards landowners, neighbours of landowners, advisers to landowners and the community, for the past two years or so to date.

As the Director would be aware, previous utility scale projects for renewable energy and transmission line development and construction in the New England region over the past 20 years to date have often led to calamitous failures on the part of responsible NSW Government Departments and Developers to meet rural landowner and landowner community expectations of respectful consultation, fairness, transparency, compensation, competence and diligence in the planning and construction of such infrastructure.

This Development Application and other renewable energy development applications in progress present the Department, the Developers, the Landowners and Communities with outstanding opportunities to optimise such projects for the benefit of all stakeholders, if done properly.

Yours sincerely .



Hugh Piper