

Mr Mike Young

Director Resources Assessments

Department of Planning and Environment

320 Pitt Street, Sydney NSW 2000

5/4/2017

Dear Mr Young,

Re: Dalton Power Plant (DPP) – Objection to the request by AGL to extend lapse date of the 19th July 2017.

Background of Submitter

- 35 years' experience in large scale grazing and farming enterprises
- 5 years as an agricultural consultant
- Principal / Owner of Yass Real Estate and Murrumbateman Real Estate with 18 years in the industry. We currently have 4 properties for sale within 10km of the DPP.
- Licenced Real Estate Agent, Licenced Stock and Station Agent, Licenced Auctioneer
- Appointee to the section 355 Yass Rural Lands Planning Committee to examine the issue of rural minimum lot sizes and averaging within the Yass LGA
- Committee member of the Rural Chapter REINSW
- Current owner of a rural property 6km from the Dalton Power Plant location. The property is income producing through the production of beef, wool, fat lambs and Lucerne hay for the equestrian market.
- Extensive experience with the sale of properties affected by wind turbine power plants

Reasons for my Objection to the extension of the lapse date by AGL Limited.

1. In January 2017 AGL was fined \$124,000 for failing to declare political donations made to Labour, Liberal and National Parties. The donations were made during the time that AGL was seeking planning approval for the Dalton Power Plant. AGL was found guilty of 11 counts of breaking political disclosure laws from January 2008 to April 2014. This finding by the Land and Environment Court clearly questions the transparency of the original approval but more importantly brings into question the ability of the Local communities affected by the DPP to trust AGL in any further consultation. As such there are very clear grounds that there request for an extension should not be approved.
2. AGL received approval for the Dalton Power Plant on the 19th of July 2012. At this point AGL decide to shelve construction of the project due to economic factors. AGL has had 5 years in which to commence works subject to this approval (Limits of Approval B13). By commencing works AGL would have secured an unlimited expiry date on the original approval and would not require a modification to extend the approval for another 2 years.
3. With any proposed power plant be it wind turbines or gas the effect on a community in relation to uncertainty is dramatic. As a practising real estate agent I can contest to the fact

that this sort of uncertainty affects not only property values within the vicinity of the proposed plant but also affects the saleability of a property. In many case those living close to these sorts of plants will find it almost impossible to re sell as the uncertainty creates a domino effect to buyers. Potential buyers who may not necessarily be overly concerned about a particular plant will still hesitate to purchase due to the effect on re- sale at a later date thus creating an impossible situation for the seller. We ourselves were in the process of building a new home and further infrastructure on our property at Dalton with a spend value of approx.\$600,000. Due to the recent emergence of the DPP we have put this on hold in fear of not being able to recoup our costs in the event we were forced to sell due to ill health etc. The community should not be held to ransom by AGL purely so they can (a) Review the DPP in line with current technology and energy market (b) Consult with the community on even more modifications (c) lodge a more substantive modification. All of which have no socio-economic benefit to the Dalton and Gunning communities.

4. AGL in point (c) of their request to extend their lapse date clearly indicates their intention to lodge a more substantive project approval modification (MOD2). This is a completely unacceptable reason to grant an extension. Any variation to the current approvals should be handled as a separate and new Development Application. Much of the data used by AGL in the original application is now 12 years old and environmental factors would have greatly shifted since then. The population of the surrounding areas have also dramatically increased by residents who were not made aware of the approved DPP before purchasing now leaving them in a terrible financial situation. The communities of Dalton and Gunning should not be left hanging for another two years just so AGL can investigate further modifications to their project all of which benefit only AGL.
5. AGL themselves in their submission acknowledges that by granting the 2 year extension will result in ongoing uncertainty for the local community, particularly in view of AGL' previous suspension of the DPP. Even if AGL is granted a further two year extension there is no guarantee that AGL will commence construction of the DPP. The main aim by AGL in seeking this extension is clearly to conduct further research for a further modification (MOD2) at a later date. This shows AGL has no interest in the uncertainty created and financial hardship to the local community were their request approved.
6. AGL in their justification for extending the lapse date make constant reference to improved community consultation. AGL over the past 8 years has greatly failed the local communities in regard to consultation and trust. In the past 4.5 years the local community has had no further consultation with AGL. AGL states that they wish to" focus on understanding key issues of concern and rebuilding relationship in the community". AGL are fully aware of the very strong concerns of the community and what their issues are. This statement by them clearly shows the lack of transparency in their submission and that they do wish to provide the actual facts relating to the local community outrage at this proposed extension and overall project. The community does not want this project in their area for numerous reason outlined in the previous and current submissions. AGL is not a trusted member of the community. AGL seeks to establish community engagement for support for a further modification (MOD2). The community has no interest in supporting any further modification by AGL and as such would not participate in any form of a community committee as AGL would have you believe.

Summary

In the last 12 months there is evidence of under-utilisation of existing gas generators of up to 15%. Given such low utilisation why should the local community be put through yet another harrowing 2 years of uncertainty especially when AGL's intentions towards further modifications are the overriding factor for the request of an extension. It is not the responsibility of local communities or the State Government Planning Department to provide extensions to developers merely on the basis that the previous economic factors were not suitable to commence a project. The viability of any development is the sole responsibility of the developer and AGL is no different in this case.

Despite strong community opposition to this project, poor community consultation and non-disclosure of political donations, AGL were still given approval for the original Dalton Power Plant project (DPP) and have had 5 years to commence construction. This has been ample time for AGL to move forward with the project and secure their development approval prior to the consent lapsing.

As such I strongly object to AGL's request for a further two year extension to their original approval.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Michael Gray', with a long, sweeping horizontal line extending to the right.

Michael Gray JP
"Homeleigh"
1361 & 1381 Jerrewa Road
Dalton NSW 2582