

## Reasons for objecting

1. I am writing to object to the lodged proposed Stubbo Solar Farm in or near Gulgong
2. My reasons for objection are that this development does not comply with Mid-Western Regional Council Local Environmental Planning (LEP) 2012. The proposed site is on RU1 Zoning and the proposed development does not comply with the stated RU1 zone uses. **The LEP stipulations are indicated and black and the non-compliance thereof is indicated in colour;**

### **3. Mid-Western Regional Local Environmental Plan 2012**

4. Current version for 26 April 2019 to date (accessed 25 June 2019 at 11:06)
5. [Land Use Table Zone RU1](#)
6. **Zone RU1 Primary Production**
7. **1 Objectives of zone**
8. • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. **(Not compliant. This is not a farming enterprise but a commercial enterprise meant to financially benefit the people in Canberra & Sydney at the expense of local tourism, surrounding homes and countless driver who will have to content with the glare effects)**
9. • To encourage diversity in primary industry enterprises and systems appropriate for the area. **(Not appropriate for the area. It is an electricity industry with glaring solar panels that tilt and turn, following the sun, causing continuous noise, glare and is not sympathetic to the general use and outlook of the area. It should be rejected on this premise)**
10. • To minimise the fragmentation and alienation of resource lands. **(The development will cause fragmenting on the use of the land around Gulgong area from lifestyle land and small scale farming to planting an industrial electricity generating industry)**
11. • To minimise conflict between land uses within this zone and land uses within adjoining zones. **(This proposal conflicts with land uses within the zone as stated in the extract above. The proposed use does not complement the current use of surrounding land in that Gulgong town is a historic town which thrives on tourism. This is related to its historic buildings, museum, ambiance and vista as well as its rural location. For example the town hosts a popular annual Henry Lawson festival**

which celebrates all things historical. It also hosts a famous museum related to the history of the region. The proposed development is right on the door step of town, close to a caravan park which accommodate the town visitor. The existence of the development will ruin tourism related businesses and wash away all the efforts that locals have put in, over the years to maintain the keep the town's historic nature)

12. •To maintain the visual amenity and landscape quality of Mid-Western Regional by preserving the area's open rural landscapes and environmental and cultural heritage values. **(Gulgong is a historic town reliant on related tourism activities and farming. The cultural heritage values of Gulgong is important to the region and will be ruined forever by the installation of a solar farm on its doorstep. The 2.5 meter high rotating and tilting solar panels, inverter stations and security fence is not compliant with this LEP requirement for RU1 Objectives)**
13. •To promote the unique rural character of Mid-Western Regional and facilitate a variety of tourist land uses. **(This development will completely destroy the unique historical character of Gulgong vista and ambience. This will ruin the tourist outlook, not to mention tourist reliant businesses. Tourists do not travel to visit a small town surrounded by solar panels)**

#### 14.2 Permitted without consent

15. Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems

#### 16.3 Permitted with consent

17. Aquaculture; Building identification signs; Business identification signs; Cellar door premises; Dwelling houses; Extractive industries; Farm buildings; Home industries; Intensive livestock agriculture; Landscaping material supplies; Markets; Open cut mining; Plant nurseries; Restaurants or cafes; Roadside stalls; Any other development not specified in item 2 or 4 **(Electricity generation is not permitted unless Council consents to it. We are pleading the Department to comply with its own LEP and reject this development)**

#### 18.4 Prohibited

19. Amusement centres; Attached dwellings; Backpackers' accommodation; Boarding houses; Boat building and repair facilities; Car parks; Centre-based child care facilities; Commercial premises; Correctional centres; Crematoria; Educational establishments; Exhibition homes; Exhibition villages; Freight transport facilities; Group homes; Health services facilities; Heavy industrial storage establishments; Hostels; Industrial retail outlets; Industries; Marinas; Mortuaries; Multi dwelling

housing; Passenger transport facilities; Places of public worship; Public administration buildings; Pubs; Recreational facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Semi-detached dwellings; Seniors housing; Service stations; Sex services premises; Shops; Shop top housing; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wholesale supplies **(This development falls under industries as it is a development to generate / manufacture electricity. It is a prohibited development under the LEP and should be rejected)**

Further, the following objectives of the LEP were not addressed;

## Mid-Western Regional Local Environmental Plan 2012

Current version for 26 April 2019 to date (accessed 25 June 2019 at 11:56)

[Part 6 Clause 6.4](#)

### 6.4 Groundwater vulnerability

- (1) The objectives of this clause are as follows:
  - (a) to maintain the hydrological functions of key groundwater systems,
  - (b) to protect vulnerable groundwater resources from depletion and contamination as a result of development.
- (2) This clause applies to land identified as “Groundwater vulnerable” on the [Groundwater Vulnerability Map](#).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:
  - (a) the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),
  - (b) any adverse impacts the development may have on groundwater dependent ecosystems,
  - (c) **the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),**
  - (d) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:
  - (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
  - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
  - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The Department should therefore reject the application because the LEP statements were not properly addressed in relation to the availability and sustainability of water.

**There is no definite confirmation on the effects of the sound and noise impacts** to the surrounding residence. The Applicant does not offer any mitigating factors or compensation to affected residents. Exposing residents to the amount of noise to be emitted by the inverters and the forever humming or buzzing sounds for more than 20 years is not acceptable. Please consider that there are existing homestead that are within the immediate vicinity of this proposed operation. There is no confirmation on how the continuous sound impact will be redressed.

**Solar farms are not to be constructed on high value agricultural land**. As such this development should be rejected as it is proposed to go on land classified good agricultural land by MWRC in their LEP.

I urge the Department to reject the application on grounds explained above and condensed as follows;

- **Serious potential land use conflicts;**
- **High , unacceptable and unreasonable interference with the comfort or response of adjoining land users;**
- **High impacts on agricultural land, businesses and tourism**
- **Development application has not ensured road access, visual impacts, noise, health, waste, construction management and environmental constraints are identified and sufficient / truthful information is included with this development application to enable proper assessment and ramifications for such impacts;**

The fact that Solar energy is renewable should not be used to harm rural communities by companies and owners located so far away in in the cities. The complete disregard to the community's wellbeing is alarming. The following actions shows their contempt of regional property owners and Gulgong society in general;

- No contact was made to discuss impacts with surrounding landowners and business owners
- No compensation or reasonable mitigation measures were offered to residents and or to Council
- No correct / truthful identification of visually affected homesteads.

Applicant in this DA can find a location that is on a larger farm, screened from public roads and away from unrelated households instead on squeezing this development between surrounding properties. If solar energy and not lining their own pockets is that important,

they should be able to cover costs for installing panels in less contentious areas and connecting the electricity to the grid.

Why should residents, business owners, drivers, visitors and stock around the area have to suffer environmental and economic effects of this development when the beneficiaries of same reside far away from the area?

Further reasons for objecting to the development are explained below;

**Greenhouse Gas Emissions:** UPC did not state how much CO<sub>2</sub> and other emissions their project has created before starting operation. However, studies show and panel manufacturers state, that it takes many years of electricity generation by a solar works to offset the emissions created from the mining, processing, transport, manufacturing and construction of a solar works. In addition, decommissioning, land rehabilitation and materials recycling and disposal should be added.

- **Biodiversity:** The entire 18km<sup>2</sup> site will be fully closed off by a 2.4 metre high meshed fence. This will remove habitat and access for larger native animals, such as kangaroos and wombats, so driving them onto nearby properties and onto nearby roads in greater numbers, increasing road accidents.

- **Land use:** The project site is classed as RU1 land, which the Council Local Environment Plan (LEP 2012) does not permit electricity generation plants. The 1,722 hectare (18km<sup>2</sup>) site will remove this agricultural land for 30 or more years. The NSW Government passed legislation last November mandating our region as a pilot renewable energy zone. In the next few years this will require the equivalent of at least **seven** more Stubbo size solar projects near Mudgee and Gulgong, that will follow the soon to be upgraded transmission lines from Wollar to Wellington. The area near Gulgong racecourse is apparently being targeted by developers right now.

- **Noise:** The CSIRO studies and several other studies show that, because of their acute hearing, loud and frequent noises such as driving thousand and thousands of steel pilings into the ground, cause cattle to become agitated and meat is quality affected. Likewise, native animals behaviour is affected e.g. (aggressiveness, fleeing the surroundings).

- **Transport:** UPC states that 460 light vehicle trips a day will occur over the peak 12 months of construction (mainly panel assembly). UPC state that 90% of the trips will be from Mudgee via Herbert and Medley Streets and so through their intersection with Mayne Street. Consider the traffic congestion and safety issues that such a huge increase in vehicle traffic would cause, especially the afternoon traffic flow when shoppers and school children frequent the shopping area.

- **Transport:** The proposed increased morning traffic around 6:30 a.m. will pose a much higher risk to the many walkers, joggers and cyclists and their dogs who use the local roads to exercise. Many of the roads used do not have footpaths. People regularly exercising range from the young to people in their 70s.

- **Transport:** UPC states that about 60 heavy vehicles a day, including B-Double vehicles will pass through Ulan. This may have safety issues for those people from Mudgee, Gulgong, etc that work in the Ulan mines.

- **Water:** Solar panels contain semi-conductor materials, some of which are toxic and have been shown to contaminate soil and water. The Victorian Environment Protection Authority, the European Union and many jurisdictions in other countries have declared solar panels as e-waste and so has to be treated and disposed of as hazardous materials. Although raised with UPC they chose not to address these risks at all.

- **Hazards and Risks:** The usual risks of grass fires; public liability if fire starts carelessly on neighbouring properties; contamination from solar panels, batteries and associated equipment; company bankruptcy; technology obsolescence making the solar works economically unviable; responsibility of land owners/Council for decommissioning, land rehabilitation and disposal of the solar works; frequent changing of ownership; lack of ongoing benefit to the community (only 'up to 10 staff 'once project is operational) etc, etc.

- **General – Who benefits?** UPC Renewables Australia Pty Ltd, a private company registered on 1 April 2017 and is currently joint owned by two foreign entities. UPC was requested to advise the percentage of Australian content in their Stubbo project. No answer was provided. Given that virtually all the equipment, batteries, solar panels and perhaps the steel pilings are imported and that profits and possibly management fees go to the overseas owners it is doubtful that the Australian content is significant. Certainly post commissioning employment of up to 10 people is minor for the size and cost of the project. The agricultural contractors who invested in farming machinery to assist the community will lose work if viable farmland is used for solar projects.

I submit that the Development Application should be rejected for the above-mentioned reasons.

Yours faithfully

Resident and farmer in Gulgong

