

PROPOSED AGENDA

Wednesday 1 April 2020
teleconference
3.00pm




Springdale Solar development SSD 8703

Meeting with Hon. Rob Stokes MP
Minister for Planning and Public Spaces
and Ms Wendy Tuckerman, Member for Goulburn
Springdale Solar Action Group members
Dianne Burgess
Mark Burgess
Jacqui Hassall

- **Weighted heavily in favour of developers, local communities often overawed by the process and feel powerless**

Renew Estate's Springdale EIS



- ☛ 8 parts totalling **678 pages**
- ☛ Took **295 days** or approx. 10 months to prepare
- ☛ At least **19 paid employees** of varying qualifications to compile



Sutton community

- ☛ **28 days to digest 678 pages**, (the DPE did grant a 14-day extension)
- ☛ **NO paid employees**, responses compiled in spare time, relied on skills of community members

- **Poor community engagement and lack of transparency**



'Community participation is an essential part of the assessment of all State significant projects and is integral to improving the design of projects, facilitating ecologically sustainable development, informing decision-making and building confidence in the planning system.'

<https://www.planningportal.nsw.gov.au/major-projects/community/community-participation-plan>

- ☛ Both the DPIE and Renew Estate make a **mockery of the Community Participation Plan**
- ☛ **NO penalty** for developer for lack of effective and/or genuine community engagement.
- ☛ **Ineffective and/or lack of community engagement** ie. in the case of the Springdale project **should PREVENT approval of projects. Cannot expect communities to welcome developers who have not engaged with them.**

All contact with DPE/DPIE has been initiated by the SSAG,

SSAG emailed DPE/DPIE on the following dates
asking when does the DPE/DPIE expect the
Response to Submissions (RTS) to be submitted

DPE/DPIE responded by email/phone

5/12/18 – 98 days post close of submissions	DPE responded by phone DPE indicated that Renew Estate would respond by end of Jan 2019 – as they were waiting on additional archaeological studies
24/1/19 – 148 days post close of submissions	29/1/19 DPE responded by email and stated that Renew Estate was still preparing RTS
11/4/19 – 225 days post close of submissions	DPE responded by phone and stated that DPE would not be contacting Renew Estate as they were still working on additional archaeological studies. DPE also stated that the SSAG could contact Renew Estate if they wanted to.
	24/10/19 DPIE responded by email and stated that the DPIE had contacted Renew Estate and that Renew Estate was still waiting on additional archaeological studies. Renew Estate advised the DPIE that the RTS would be lodged by the end of November 2019. DPIE requested Renew Estate provide an update to the community.
4/12/19 – 462 days post close of submissions - asking if RTS had been lodged?	19/12/19 DPIE responded by email DPIE stated that Renew Estate had not lodged RTS. DPIE intimated a possible solution in new year, incl. finalisation of the assessment of the project in the absence of any RTS or any material updates on project. DPIE again requested Renew Estate provide an update to the community.
20/12/19 – 478 days post close of submissions SSAG acknowledged that what DPIE proposed would be welcomed. SSAG also informed the DPIE that we would be meeting with Ms Tuckerman early in the New Year.	To date no response

On 10 February 2020, members of the SSAG met with our local member Ms Wendy Tuckerman, MP member for Goulburn, to express the dissatisfaction and frustration our group feels dealing with the DPIE. We keep getting the run around and we feel that we are not important and nothing more than a hinderance or a nuisance that won't go away.

➤ **Grossly understated environmental impacts, not enough rigour in preparation of the BDAR/EIS or determining if Significant Impacts are likely....**

This development has been determined to be a controlled action. The <u>southern edge of the site</u> is within 5kms of the largest remaining area of White Box Yellow Box- Red Gum grassy woodland which is a Critically Endangered Ecologically Endangered Community (EEC).	BDAR DOES NOT MENTION THIS
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The CE EEC mentioned above is connected to NSW regionally significant biodiversity corridors (refer NSW OEH comments for YVSS) that border the site to the west and east . There is also a biodiversity corridor less than 10kms to the north of the site	NOT MENTIONED
Impacts on Golden Sun Moth (GSM) i.e destruction of habitat area, buffers around habitat and shading and structures is not consistent with Cth Significant Impact Guidelines for GSM Recovery Plan for Superb parrot states both breeding and foraging habitat is critical to the survival . This means hollow bearing trees with holes should remain. NSW OEH's comment on the EIS gives proponents choices about removal of trees.	BDAR DOES NOT MATCH COMMONWEALTH AND/OR NSW GUIDELINES FOR THE RELEVANT SPECIES
NSW Test of Significance Guidelines state: <i>'Only mitigation measures that have been successfully implemented for target species in similar situations can be considered.'</i> and <i>'... Where detailed information is not available to conclusively determine that there will not be a significant impact on a threatened species or ecological community, or its habitat then it should be assumed that a significant impact is likely...'</i> NSW Threatened Species Test of Significance Guidelines Page 2.	NO EVIDENCE PROVIDED i.e nest boxes NOT EFFECTIVE NO EVIDENCE TO PROVE 'UNLIKELY'
NSW flagship threatened species conservation program Saving our Species (SoS) objectives are: <ul style="list-style-type: none">to drive actions needed to secure our threatened plants and animals in the wild for the next 100 yearsto control key threats facing our threatened plants and animals.	BDAR/EIS FAILS TO MEET these OBJECTIVES
Key threatening processes (KTP's) are a focus point for the NSW SoS program <ul style="list-style-type: none">Alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands, (the whole site is a series of streams)Clearing of native vegetation (GSM habitat)Loss of hollow-bearing trees (at least 14 of them)Removal of dead wood and dead trees (habitat for many species)	THIS DEVELOPMENT WILL CONTRAVENE ALL THESE KTP's
The number of observed and predicted threatened species is 28 however only three are eligible for credits, they are: - the GSM, Superb Parrot and the Striped legless lizard	25 remaining Threatened species NOT CONSIDERED FOR CONSERVATION
The number of native animals (not listed) impacted is 39, which means a	NOT CONSIDERED FOR CONSERVATION

The BDAR/EIS's failure to comply with state and commonwealth legislation, strategies, guidelines and failure to show how it will not have significant impacts on threatened species means this development cannot be considered as ecological sustainable development.

A TOTAL OF 67 AUSTRALIAN NATIVE SPECIES WILL BE IMPACTED, NOT ONLY TWO AS THE BDAR/EIS INDICATES

A now couple of notable quotes:

25 March 2011, interview on ABC Radio National, Mark Burgman Professor of Environmental Science at University of Melbourne described assessments as *"death by a thousand cuts."* *We lose little bits of things, each one of which by itself, is not referable to the minister, because it's not of national significance," he says. "but if you add them up, they become very significant impact."*

Darren Grover, WWF Australia's head of living ecosystems, said this of NSW, *"it is the worst place to live in Australia if you are a wild animal that needs a tree to survive."* Canberra Times Wednesday 7 November 2018

➤ **Inconsistent and incompatible with local, regional and state legislation, policies, guidelines and plans**

The proposed Springdale solar development

is NOT a permitted activity <ul style="list-style-type: none"> in RU1 zoning of the Yass Valley LEP 2013 	
Is INCONSISTENT with the: <ul style="list-style-type: none"> Aims of the Yass Valley LEP 2013 Objectives of the RU1 zoning in Yass Valley LEP 2013 Yass Valley Settlement Strategy (YVSS) 2016-2036 South East and Tablelands Regional Plan Proposed 5km RU6 'buffer zone' around ACT/NSW border NSW renewable energy zones (REZ's) priority zone is for New England region NSW OEH assessment of this area (in YVSS) being critical in maintaining biodiversity corridors for the remainder of the state. Is ONLY ALLOWED because <ul style="list-style-type: none"> State Environmental Planning Policy (SEPP) Infrastructure 2007 – prevails over all of the above. Basically, it says anything can be built on any land in NSW, even those areas with high environmental value. 	Is INCOMPATIBLE with the: <ul style="list-style-type: none"> existing, approved and likely preferred land uses in the following ways: <ul style="list-style-type: none"> Will have an adverse impact on the rural character of land in the vicinity. Will have an adverse impact on the residential and rural-residential uses in the vicinity. Will have adverse impacts on the agricultural uses in the vicinity; and Will have adverse impacts on tourism uses in the vicinity, <p>The measures proposed by Renew Estate will not avoid or minimise the incompatibility of the proposed Springdale development with the rural character and the residential, rural-residential, agricultural and tourism uses in the vicinity of the proposed large-scale solar electricity generation facility (does not meet the SEARS requirement under 'Land') refer also (<i>GRL v minister LEC 2019 7, 58-82</i>)</p>
Is NOT SUPPORTED by: <ul style="list-style-type: none"> Sutton residents (78 objected, 3 supported) Yass Valley Council 	

NOT in or even near a REZ

The three preferred NSW Renewable Energy Zones (REZ's) are the New England, Central West and South West regions of NSW and have been known since 2010 as seen in the AECOM 2010 report to NSW government.

- 2010** the NSW Government commissioned a study to find suitable locations for large-scale solar- **This region rated the lowest for electricity generation out of the 15 areas selected. AECOM prepared the 2010 study** and told the NSW government this region wasn't suitable, **YET in 2018 the Springdale EIS also prepared by AECOM, says it has some of the best resources in the world!!! How can you trust this company!**
- 2015** – Transgrid held the NSW large-scale solar workshop. In conjunction with NSW government the New England region was highlighted as a prime area for developing renewable energy generation.
- 2017**– Finkel Report highlighted potential areas for REZ's, again reflect the 2010 and 2015 areas.
- 2018 (March)** – NSW Government submission to AEMO's Integrated System Plan, again highlighted the same areas as 2010, 2015 and Finkel Report.
- NSW Infrastructure Strategy – 2018** included same REZ's as previous years
- March 2020** – NSW Net Zero Plan Stage 1, 2020-2030 Priority 1 – fast track REZ's

Given that **all this knowledge was available to all developers especially AECOM, why would any developer choose this location?** Certainly, it is not because of its potential, it is nothing more than a business decision between two parties, the developer and the landowner, at the cost of his neighbours.

Over the past 12-18 months the location of these developments has become even more relevant due to emerging deficiencies in the transmission system. Noting, of course that **Transgrid's only obligation is to connect facilities to the electricity network, nothing more. Whether a facility participates in producing output isn't their concern.**

It has been stated by Transgrid, the NSW Energy Minister and even the DPIE's Executive Director of Resources Assessments and Business Decisions, **that only one in 20 projects can be connected to the grid**. Transgrid themselves talk about some of these renewable energy developments becoming 'stranded assets' due to the inability to participate in the NEM, **WE DO NOT WANT A WHITE ELEPHANT SITTING IN OUR VALLEY**.

As recent as September 2019, many large scale solar facilities have had the **generation output slashed by AEMO** <https://reneweconomy.com.au/aemo-slashes-output-of-five-big-solar-farms-by-half-due-to-voltage-issues-42232/> and again, in January 2020, with the **falling profitability of solar facilities** there is a major risk that this development could prove to be a 'lame duck'.
<https://www.abc.net.au/news/2020-01-28/solar-profits-threatened-by-nem-rules-killing-investment/11903706>

Site NOT suitable due to:

- High visibility – mature vegetation doesn't hide the area now, what would seedlings do?
- At the bottom of a 3,500 ha (approx.) floodplain – flooded 4 times in 11 years, last time 10 Feb 2020
- 40+ residences within 2kms of the site the majority which overlook the site
- Highly erodible soils on slopes and valley floor
- Site will be engineered to suit the development
- 50 – 60m elevation difference across site location

Fails to meet the objectives of the *Environmental Planning and Assessment Act 1979 203*

Part 1, Section 1.3 Objects of the Act
(a), (b), (c), (e), (f), (g), (i) and (j)

Timeframes

Assessment Timeframes for State Significant Development

NSW Department of Planning, Industry and Environment - Annual Report 2018-19, page 9

*'In March 2019, the Department met the **State Priority of halving the time taken to assess and determine state significant proposals**. By June 2019, it recorded an average time of 144 days, a marked improvement from the November 2014 baseline of 298 days. **The Department achieved this while maintaining robust processes and meaningful community engagement.***

Number of days for DPIE to review submissions and issue a request for a Response to Submissions

State Significant Development	LGA	Number of public submissions	Public exhibition closed	Number of days for DPIE to review submissions	DPIE Response to Submission (RTS) request dated	Applicant to respond by:	Days for applicant to respond to DPIE RTS request
Springdale solar SSD-8703 EPBC ID Number 2018/8173	Yass Valley	215	29/8/18	?	Not requested	?	Days since exhibition ended = 581 days and counting (as at 1 April 2020)
Silverleaf solar SSD-9358	Narrabri Shire	5	1/10/19	2 days	3/10/19	21/10/19	18 days
Quorn Solar SSD-9097	Parkes Shire	41	3/12/19	6 days	9/12/19	20/1/20	42 days
Bonshaw Solar SSD-9438	Inverell Shire	2	4/12/19	2 days	6/12/19	20/1/20	45 days
Jinderra Solar SSD-9549	Greater Hume	106	13/11/19	9 days	22/11/19	13/1/20	52 days
Walla Walla SSD-9874	Greater Hume	145	2/12/19	7 days	9/12/19	20/1/20	42 days

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Wollar SSD-9254	Mid Western	16	7/5/19	3 days	10/5/19	11/6/19	32 days
Culcairn SSD-10288	Greater Hume	198	27/2/20	5 days	3/3/20	14/4/20	42 days
Maxwell SSD-9820	Muswellbrook	2	3/2/20	7 days	10/2/20	4/3/20	23 days
Tamworth SSD-9264	Tamworth	5	26/2/20	1 day	27/2/20	26/3/20	28 days
Yanco SSD-9515	Leeton	20	22/5/19	6 day	28/5/19	25/6/19	28 days

If DPIE's best is 144 days to make a decision, then the Springdale project which **as of 1 April is 581 days** and still no RTS has been submitted, means **it is already 437 days over DPIE's average!!!!** **What is going on with the project?**

The completion of **additional archaeological studies** was used as the reason for the **delay of the RTS in December 2018, April 2019 and again in October 2019**. While the SSAG encourages thorough assessment practices, surely if an additional 19 months has not helped finalise these studies then **Renew Estate should be explaining to DPIE what the hold up is.**

Bearing in mind that the additional archaeological studies is only one issue that required a response, what about the numerous other issues that also require responses? What is the status of those?

Having said that, the SSAG doesn't know what all the issues are? We expect that as part of the assessment process a summary of all issues raised in submissions would have been collated by the DPIE, otherwise how would they know if Renew Estate has addressed all the issues raised?

➤ **We ask why is the DPIE giving Renew Estate such preferential treatment?**