

Sutton & District Community Association Inc.

PO Box 7404
SUTTON NSW 2620

Wendy Tuckerman MP
Member for Goulburn
167-173 Auburn Street
GOULBURN NSW 2580

Via goulburn@parliament.nsw.gov.au

Cc Ms Jasmin Jones – Mayor, Yass Valley Council
Ms Gayleen Burley – CEO, Yass Valley Council

JJones@yass.nsw.gov.au

GBurley@yass.nsw.gov.au

SPRINGDALE SOLAR DEVELOPMENT SD 8703

Dear Wendy

I write in relation to the above development.

As you would be aware Development Consent (attached) was given to the above solar project by the Independent Planning Commission 19 February 2021. You would also be aware of the challenges the community faced in the lead up to this determination when the previous developer, Renew Estate, trashed any potential social license they may have gained from the community due to their lack of serious community consultation, lack of information and mis-information, provided during the EIS DA process. Eventually the development was passed on to the current developers RES Australia Pty Ltd and the IPC granted them development consent. We have no idea whether RES still owns the development?

Since 2021 RES has made no attempt to liaise with the local community and in particular those holders who will be most affected, some of whom will need to drive through the development to enter and exit their own homes. Any social license this developer might have expected to generate within the community since being granted development consent, does not exist. Perhaps they believed that once consent had been given there was no need for them to liaise or work with the local community.

We are conscious that the Development Consent lapses on 19 February 2026.

We have recently been advised that someone appears to be planning to commence road works on the site. We do not know if that is RES, a contractor working on their behalf, or a new entity who has taken over the development. Because there has been no communication from the developer with the local community, we can only surmise that these roadworks are consistent with the road upgrades referred to in the Development Consent at Table 1 on page 23. If that is the case, we believe that constitutes the “commencement of construction of the project”, which is constantly referred to in the Development Consent document. If this is correct and there is to be roadworks undertaken, then the developer has failed to meet the following numerous conditions of the Development Consent.

- A **Voluntary Planning Agreement** with Yass Valley Council as outlined in point 12, page 6 and Appendix 4, page 21;
- The preparation of a **Community Consultation Strategy** in point 13, page 6, which particularly identifies not only consultation with the broader community but specifically identified adjoining landholders;
- Undertaking an **independent dilapidation survey** to assess the existing condition of Sutton Road, Bywong Street, Victoria Street, Camp Street, East Tallagandra Lane, Mulligans Flat Road and Tallagandra Lane and the east-west crossing of Tintinhull Road as outlined in point 8, page 7;
- The preparation of a **Traffic Management Plan** as outlined in point 10, page 8 (see further comments below on Road Safety, Transport, Access Route and Traffic Management);
- The establishment of a **Vegetation Buffer** as outlined in point 11, page 8;
- The preparation of a detailed **Landscaping Plan** as outlined in point 12, page 9;
- The preparation of a **Biodiversity Management Plan** as outlined in point 16, page 10;
- The protection of **Aboriginal Heritage** Items and a **Heritage Management Plan** as outlined in points, 22, 23 and 24, pages 11 and 12 (see further comments below);
- The preparation of a program designed to ensure safety around the **High Pressure Gas Pipeline** running through the site as outlined in points 28 and 29, page 12;
- The development and implementation of a comprehensive **Emergency Plan** as outlined in point 32, page 13;
- The preparation of an **Environmental Management Strategy** as outlined in Schedule 4, point 1, page 15;
- **Notification to the Department** in writing via the Major Projects website portal regarding the commencement of the road upgrades as outlined in Schedule 4, point 4, page 15;
- **Details of the Final Layout Plans** as outlined in Schedule 4 point 5, page 16, and
- **Public Access to information** i.e there should be a website for the project with all the relevant information as outlined in Schedule 4, point 17, page 17;

To the community's knowledge, none of the above has been undertaken and if any of it has, it supports our concerns about the overall lack of consultation by this developer, the same as we experienced with the original developer, where they both appear to completely disregard the local community.

Road Safety, Transport, Access Route and Traffic Management –

As our local member, you are well aware of the current road safety, traffic and road maintenance issues facing our local community. You would also be aware that the access route identified by the IPC has some of the highest traffic movements in the Yass Valley outside of the Barton Highway and the Hume Freeway. The proposed route also entails development vehicles, including heavy vehicles, traversing small narrow village streets of Sutton with three (3) right angle bends in approximately 700 metres past the primary school, pre-school and other businesses, as well the narrow causeway over McLaughlins Creek, where larger vehicles, not to mention heavy vehicles identified in the Development Consent, need the whole of the roadway to cross the causeway safely. This condition, placed on the development by the IPC, was poorly thought through and remains a major issue of concern to local residents and road users.

In the determination by the IPC in its Statement of Reasons for Decision (attached), under Section 4 The Commission's Consideration, at point 4.8.5 Traffic and Transport, page 18, the words 'road safety' are not used once - instead the IPC talk of 'traffic impacts', two very different concepts. Whereas the community's focus has always been on the safety of road users and the prevention of injuries to vehicular and pedestrian traffic, the IPC's focus appears to be on issues such as traffic flow and road capacity. A totally inappropriate, shallow and lazy way to assess the concerns raised by the local community, in their submissions on the proposed route and traffic management issues for this development.

Aboriginal Heritage and Heritage Management Plan –

In July 2018, in their submission to the Environmental Impact Statement (EIS) to the then proposed Springdale solar development, the Ngunawal and Ngambri Elders stated that they *"...reject the Aboriginal Heritage Report and its Recommendations..."*. They go on to say that *"The Report does not take into account our knowledge and views of our sites and heritage values in the immediate are"*. They further state, *"We will be contacting all authorities to ensure our heritage values are addressed and recorded. The Solar Farm Heritage Report is therefore rejected by us until all our Aboriginal Heritage values are identified, recorded and managed"*.

We specifically draw your attention to Appendix 6: ABORIGINAL HERITAGE ITEMS in the Development Consent, at pages 24, 25 and 26.

In August 2018 the Office of the Department & Heritage (OEH) provided their response to the 'Review of Environmental Impact Statement'. In their correspondence they stated that, *"The Aboriginal cultural heritage assessment did not include test excavation and as a result there is currently insufficient understanding of the value that may be impacted by the*

project. The accepted standard for assessing areas of archaeological sensitivity is to undertake test excavation as part of the project design". It is our understanding that the OEH expected that such work would be carried out prior to any approval for the development was given.

We have subsequently been advised that the developers engaged lawyers to argue this point with the Department of Planning & Environment (DPE), wanting approval for the development to be given and any archaeological survey work to be conducted after the DA had been approved. The final Development Consent indicates that the developers' lawyers won that argument, contrary to the views of local Aboriginal elders and the OEH and the DPE agreed that such aboriginal heritage work could be carried out after approval had been given. So much for ensuring the protection of our Aboriginal cultural heritage!

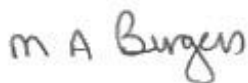
Again, due to lack of communication by the developers, the local community is unaware, if any such work has been undertaken. We note that some of the Aboriginal archaeological sensitive areas mapped on page 26 of the Development Consent are adjacent to proposed roadways on the site. And again, we are not aware if any of these roadways, are those scheduled for work that the developer is currently planning.

This issue once again gives our community little faith in the processes used by the DPE and the IPC in assessing such important projects and whether the DPE has the capacity or ability to ensure that the developer adheres to the conditions outlined in the Development Consent.

I ask that you take this matter up with the relevant Minister and Department as a matter of urgency as our community fears we will once again be ignored by the developers and the NSW Government in respect to our concerns about this project – in particular the IPC's own Development Consent pre-conditions not being enforced, the Aboriginal heritage aspects glossed over and the road safety issues not addressed.

As always, I'd be happy to elaborate on any of the issues raised above and if necessary, meet with you to further discuss.

Your faithfully

A handwritten signature in blue ink that reads "m A Burgess". The signature is written in a cursive, slightly slanted style.

Mark Burgess
President
Sutton and District Community Association

0438 179 151

29 September 2025