

Received CSC
18 MAR 2020

NOYCE SALMON & D'AQUINO
SOLICITORS & CONVEYANCERS
BUSINESS & PROPERTY LAWYERS

Partners

Tony Del Gigante
Vicki Wade
Nick Wordsworth

Level 1, 136-140 Yambil Street
Griffith NSW 2680

ABN:18 631 414 896

PO Box 1022

DX 5902 Griffith

Fax: (02) 6962 7237

Email: nsd@nsdlegal.com.au

Ph: (02) 6969 0000

Consultant

John Eades A M

Associates

Jomandie van der Merwe
James Walsh

Our Ref: VW:RM:319719-1

18 March 2020

The Manager
Carrathool Shire Council
139-145 High Street
HILLSTON NSW 2675

Dear Sir

OBJECTION TO PROPOSED DEVELOPMENT APPLICATION 2020/017 SOLAR DEVELOPMENT.

We act for Ronald Mulcahy.

This letter serves an objection by our client to the above mention development.

Mr Mulchay has examined the plans and knows the site well. Our client wishes to object strongly to the development in this location.

The outskirts of the Hillston township is a dispersed settlement where development proposal should be considered very carefully. While the growth of Hillston is not greatly significant, in-filling it with commercial developments such as solar farms will be detrimental to the amenity of the township and its immediate surrounding area as a whole, not to mention the particular impact it will have on the residents adjacent to the proposed development.

It is critical that Council consider the benefits to the whole of the township and surrounding area and not consider at all the benefit to say one landowner who will benefit and no doubt support the development.

Solar farms are a sign of the times. They are popping up everywhere. Hectares and hectares of them. This does not mean that it is *de rigueur* for every town to have one on its outskirts.

It is not that the township of Hillston is without power. If there was a necessity to provide power to the township and solar was the most suitable energy available, then our client would be supportive of the proposal. However this is not the case and therefore can see no real benefit to the environment to the town and its surrounding residents.

Further, the proposed development appears at odds with the Carrathool Shire Council's (CSC) Community Strategic Plan 2017-2030... which states "CSC and the Community will

work together to protect and deliver quality of life in harmony with economic development and environmental sustainability”.

Our client acknowledges there will be some short term benefits to the township during the construction phase but these benefits are not long lasting.

In relation to specific objections the following is offered:-

Visual amenity and Value

The proposed siting of the development is particularly ill-considered. It is on a site which is prime farmland and is directly opposite our client's residence. The visual amenity was a consideration when our client purchased the property. Had there be plans or zoning for industrial activity at that time, our client would never have purchased in the location.

The visual amenity of farmland and open space is likely to be replaced by row and rows of solar panels which is comprehensively industrial.

The security fence further diminishes the visual amenity for the area. Security is relevant also in so far as the need for it implies that there may be increased antisocial behaviour at and around the site.

Our client has life long experience in property values and is of the view the proposed development is highly likely to reduce the value of his adjoining property by 35-40% due to the industrial nature of the development, the glare and significantly reduced visual amenity which will result if the development proceeds on the proposed site.

Traffic generation

The proponents have taken the “cheap” course by proposing the traffic generated during and the building of the solar development be via Rankins Springs Road and Norwood Lane. It appears the proponents are not prepared to: (1) wait for the necessary approvals from the RMS in respect of Kidman Way entrance; and (2) invest in the installation of turning lanes onto and off Kidman Way(unless CSC spend tax payers money).

The use of Norwood Road:-

- (a) will significantly impact detrimentally to the road surface and possibly require CSC funds be used to either gravel or resurface the road at the expense to the ratepayers.
- (b) The traffic generated during the installation is significant and highway safety is not a sufficient argument to use Norwood Road. Many developments (whether during the installation phase and after) enter and exit from a Highway or major road, and CSC should not be swayed by a “temporary” argument. What benefit to the local community is this development where the proponents whom will benefit degrade the existing road and CSC at the expense of the ratepayer will be required to repair, upgrade and maintain.
- (c) Norwood Road has been used as a flood escape in time of high water. While this is not a regular event, CSC needs to consider such circumstance.

If CSC considers the development should proceed THEN we strongly suggest that the developer be required to seal Norwood Road for the health and well-being of the residents.

Noise, Dust Levels and Glare disturbance

Our client has lived in the location for some 25 years. The noise generated by the vehicles primarily during the construction phase exceeds accepted levels. This is confirmed in the developer's submission. Are the noise levels justified? The question which our client repeatedly asks, what long term benefit to the town of Hillston and its surrounds accrue to justify our client being exposed to excessive noise during the installation phase.

The dust generated by the level of traffic during the construction stage is likely to be horrendous. The word "horrendous" is used not to be emotive but to describe the dust which will be generated. Every person who lives in the Hillston community understands dust. To exacerbate the levels of dust to such a level during (and to a lesser extent after the proposed development is completed) cannot be underestimated. Dust levels are detrimental to everyone's health, but more so to the older generation and those with compromised health.

The proponents glint and glare assessment indicates that the residential area will not experience any. Our client disagrees. The height of the observation point is 1.65m (the height of an average female). Our client is much taller. Again any person who has lived in the Hillston area, and who is used to the significant hours of sunlight and the experience of glare from anything that is shiny will note that glare is not something you are able to withstand for ANY time.

Conclusion

Fundamentally, CSC needs to assess whether this development will have long term benefits to the town, the shire and outlying community. It is our client's view that this must be a resounding NO. Short term gains cannot ever justify the lack of long term benefits to a community as a whole.

Further, has the Council undertaken a cost/benefit analysis? What is CSC required to contribute to enable this development to progress. Notwithstanding the objections contained herein, what will be the financial cost to CSC. Any financial contribution required by CSC will reduce the funds for CSC to use on its ratepayers. What is the long term benefit to Hillston and its community? What exactly are the short term benefits and do they outweigh the long term benefits. Given in the long term only the proponents and the landowner will receive the benefits of the development (noting that NSW generally will benefit) there is nothing in the proposal which provides long term benefits to Hillston and the community, but rather impacts detrimentally during and after the development on part of Hillston community.

If this proposed development was further away and did not impact on any person, our client would support it but in its present location, our client opposes the development and submits that CSC must reject it on the grounds enclosed herein.

Yours truly

NOYCE SALMON & D'AQUINO

Per:



Received CSC

9 MAR 2020

Jaysen & Helen Underwood
157 Norwood Lane
HILLSTON NSW 2675

6th March 2020.

The General Manager
Carrathool Shire Council
P.O. Box 12
GOOLGOWI NSW 2675

RE: Notice of Proposed Development: Development Application 2020/017 Solar Farm

Dear Rick

We would like to state our objection to the development application for Electricity Generating Works Construction of 2 x 5MW Solar Farm by ITP Development Pty Ltd.

The Hillston Solar Farm Traffic Impact Assessment Report is based on using access to the Solar Farm site via the east of the property from Norwood Lane Hillston. We own 2 properties 157(house) & 159 on Norwood Lane. Any traffic accessing the solar farm must past the front entry driveway to both of these properties.

The description of Norwood lane in the developers Traffic Report on page 6, section 2.2 states that ***"Norwood Lane is a gravel TRACK which turns to DIRT just south of the neighbouring house. The western access which crosses over the rail will not be used due to safety issues"***. Part 2.4 of the report goes on to state ***"the intersection with Norwood Lane which is gravel is a typical rural low traffic intersection arrangement"***. The report includes the amount of expected traffic that will use Norwood Lane during the development;

1 – 4 Week

- Graders, Rollers and Water carts constant
- 8 light vehicle trips (16 trips if return trip is noted)
- 15 loads of gravel (30 trips if return trip is noted)

4-24 Week (6 months)

- 50 Constructions workers going to and from work per day. 100 stated in other documentation.
- 90 Semi trailers (180 trips if return trip is noted)

10-12 week

- Specialist electrical contractors will commission the site through light or heavy rigid trucks 12m operating 9 hours per day

The report also states that during the 24 weeks (6 Months) there will be 4 semi trailers per day (8 trips if return trip is noted). There will be 20 vehicles entering the site between 6.30am to 8.00am and leaving the site between 4pm and 5pm. (40 trips per day for 6 months by these vehicles during peak hours).

The ITP Renewables Water Assessment document states under the heading Project Description that "During construction there is expected to be 100 personnel on site working from 7am to 4pm Monday to Friday. The construction is expected to take 3 months". I have ended up confused to how many workers and how many months this construction is supposed to take. Is it 50 workers taking six months or 100 workers taking 3 months. If there are 100 workers is this double the traffic on the road. Which is the accurate report? The traffic report or the water assessment report?

Norwood Lane is currently used daily by residents going into town, going to work, school bus, garbage truck and the less frequent one off vehicle trips from harvest trucks, contractors and visitors. Traffic generated from our residence alone is usually 16 trips to and from per week day.

The road is rough and very hazardous. There is the constant risk of a head on collision from not being able to see in the dust when passing. Windscreens get damaged from rocks thrown up from vehicles. Due to the roughness of the road residents have made use of side tracks. When there is oncoming traffic vehicles must negotiate the rocky edges and slow almost to a standstill for safety. One must travel in the middle of the road from the top end of the lane as the gravel on either side is very loose and rocky. It takes not much traffic after the road is graded for it to return to its original rough state.

Where will the water be accessed from to be used for this development? The only existing water source that I am aware of on the property comes from a stock and domestic bore that is not located on this property. Water is piped under the road from the landowners other property further up the road. The report says water will be sourced off the property. This means there will be even more traffic travelling the road to access a town water source to fill the water carts.

We believe that the flood impact study used by the developer does not fully describe the situation that arises with Norwood Lane flooding.

During the 1990 flood water came from 2 directions and flowed down both sides of the Lane – the Hillston town levy and east from the Springs Road. The water from the Springs Road flowed along the eastern side of the lane crossed the road near the Telstra phone tower. It then followed a natural water course across that property to the Kidman Way. We have attached 4 photos from this flood. The photos show that in a flood, the water will follow the course we have described and flood Norwood Lane. (see Appendix A: Photos flooding Norwood Lane and surrounds)

When building our residence Council's building code stipulated that our property was in a flood zone and we had to build the house a certain distance up from the ground level. The area is zoned flood and this includes the road. Levy banks are in place along the east side of the road to prevent flooding into properties at the top end of the road. Also, in periods of heavy rain Norwood Lane has been flooded over, cutting the road.

The dust problem on Norwood Lane is ever present, with incidents over time regarding dust over homes and washing. Any risk assessment on Norwood Lane must surely indicate a high risk of a head on collision and likely fatality from the dust hazard.

The developer also proposes to locate the main access gate to the solar farm opposite the home of the Mulcahy family. There will be a huge amount of traffic accessing a dusty driveway and proceeding to travel along a track some distance to the site. Not only will it be cars, it will be semi trailers, rigid trucks, graders, and water carts. The Mulcahy's have contributed tirelessly to fundraising activities in the Hillston district and do not deserve to have to experience a distressing 6 months of construction so close to their home. The dust, noise and traffic will surely affect their physical and mental health.

We believe the development is not compliant or compatible with Carrathool Shire Council's Community Strategic Plan 2017-2030 "Towards 2030". The vision statement in this plan states

"Carrathool Shire Council and the Community will work together to protect and deliver quality of life in harmony with economic development and environmental sustainability"

One of the key themes identified to Council through extensive community consultation was the
"Promotion of Community Health and Wellbeing"

The dust and noise during the construction of the development (6 months) will have both physical and mental implications, as well, the unsafe road conditions are in direct contrast to the vision and themes identified in Council's Strategic Plan. This development will impact negatively on the lifestyle and health of all the residents who live along the lane. We have an asthmatic child and the amount of dust from the increased use of Norwood Lane will likely cause an increase in asthmatic episodes for my family.

Why has the Daisy Hill developer made no provision to bitumen Norwood Lane before this development commences?

Why could the Daisy Hill developer not use an entry from the Kidman Way and construct at their expense bitumen turning lanes at a main entrance?

Any traffic to the Solar Farm must pass right past the existing entrance to the Daisy Hill property on the Kidman Way. If a new Kidman Way entry was established heavy traffic would not be required to use the main railway crossing intersection coming into Hillston. Trucks have difficulty turning into Cowper Street from the Springs Road. At this intersection it is often that you see damage to the power pole on the corner as there is little room for trucks to turn. Another problem is the entry to Western Grains where there is often a semi trailer or road train entering the business. It is illogical to take the longer unsafe route via Norwood Lane to access the Solar Farm site.

There is also the issue of noise. The DA includes a Noise Report and included in this report is a statement that reads *"existing residents will be affected by additional traffic on existing local roads generated by land developments"*. In part 7.1 it is stated that *"the construction noise emissions are expected to exceed the recommended NML's"*. Part 7.2 talks about the operational noise levels being predictions only. Hence, one can only interpret this to mean there is a significant probability that the noise levels will be higher than predicted. We fully agree with the statement in the

developer's Noise Assessment document for Daisy Hill Solar Farm Hillston NSW November 2019, there are to be "noise related issues related to the development".

The Glint and Glare Assessment mentions that because our property (no 157) is surrounded by trees and we should not be affected by glint or glare. Our second property (no 159) has no trees surrounding it so perhaps it is likely that glint and glare may be an issue at this location.

Carrathool Shire Council has recently called for public comment regarding the Local strategic Planning Statement "Carrathool 2040". On page 21 it is stated that Council will encourage and facilitate development of wind and solar farms in identified areas shown on the structure plan map. The structure map shows the planned future Renewable Energy Corridor as being located on the west side of the Kidman Way. Carrathool Shire Council has developed the LSPS in consultation with the community and all stakeholders. We believe that it will be the correct decision made by Council and the community to locate all renewable energy infrastructure in the selected Renewable Energy Corridor. (See Appendix B- LGA Structure Map)

In short, our objections to the DA application are based on;

1. Personal experiences of ;
 - flood events
 - heavy rainfall events cutting the road
 - dust from the road
 - travelling the rough, narrow, rocky road daily
2. Data from the Daisy Hill Solar Farm Development Application supporting documentation;
 - Noise Assessment
 - Traffic Report
 - Water Assessment
 - Glint and Glare Assessment
3. Carrathool Shire Council Community Strategic Plan 2017-2030 "Towards 2030"
4. Carrathool Shire Council's Local Strategic Planning Statement "Carrathool 2040"

SUMMARY OF OBJECTIONS:

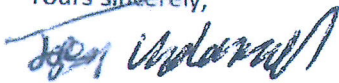
1. The developers Traffic Report clearly describes Norwood Lane as a ***gravel TRACK which turns to DIRT just south of the neighbouring house***. Statements put forward in the traffic report do not alert the reader to the reality of the situation. The road infrastructure on Norwood lane is not suitable for an access road for the developer due to reasons of dust, safety and flood standard issues, and will not hold up to the level of traffic use stated in the developers Solar Farm Traffic Report.
2. The application does not comply with Carrathool Shire Councils Carrathool Shire Council's Community Strategic Plan 2017-2030 "Towards 2030". "*Carrathool Shire Council and the Community will work together to protect and deliver quality of life in harmony with economic development and environmental sustainability*". The proposed use of Norwood Lane as the access road to the Daisy Hill Solar Farm will have a negative impact on the health and

wellbeing of residents and will not succeed in promoting "Community Health and Wellbeing" to the Norwood Lane residents.

3. Noise levels are only predictions and by the developers own admission will exceed accepted levels.
4. Glint and Glare will likely be a problem in regards to our 2nd property as it does not have trees surrounding it.
5. The site selected for the Daisy Hill Solar Farm is outside of the Renewable Energy Corridor that has been identified by the local community and Council as being the suitable location for Renewable Energy developments.

Thankyou for considering our objection to the Daisy Hill Solar Farm development. We hope we have been able to convey to you that the location chosen for this development is not suitable. The developer has not considered the negative impacts of the development to the residents of Norwood Lane. We agree that Council should be open for business for such developments, however, it should not be at the price of community health and wellbeing and be located where there is the road infrastructure to support the construction. We support the LSPS in the future planning and vision to establish a Renewable Energy Corridor for Carrathool Shire Council.

Yours sincerely,



Jaysen Underwood



Helen Underwood

APPENDIX A: PHOTOS FLOODING NORWOOD LANE AND SURROUNDS



1990 Flood. Water is directed still today to Norwood Lane. The water flows down Norwood Lane making the road impassable and flows across to the Griffith Road. Flood works since the flood has made the causeway at Norwood Lane to take a larger volume of water during floods



Flood water being directed by the Hillston Town Levy to Norwood Lane



The build up of water at the entrance to Norwood Lane. Causeway has been improved since 1990 to deliver this water to Norwood Lane.



Water coming down the Rankins Springs Road. Some of this water passes by the house on the corner of Norwood Lane and flows down the Norwood Lane on the east side.



Photo taken at 8.45am on March 5th 2020.

Rainfall recorded at 59mm overnight.

Norwood Lane at property number 157. Water is encroaching onto the road

LGA STRUCTURE MAP

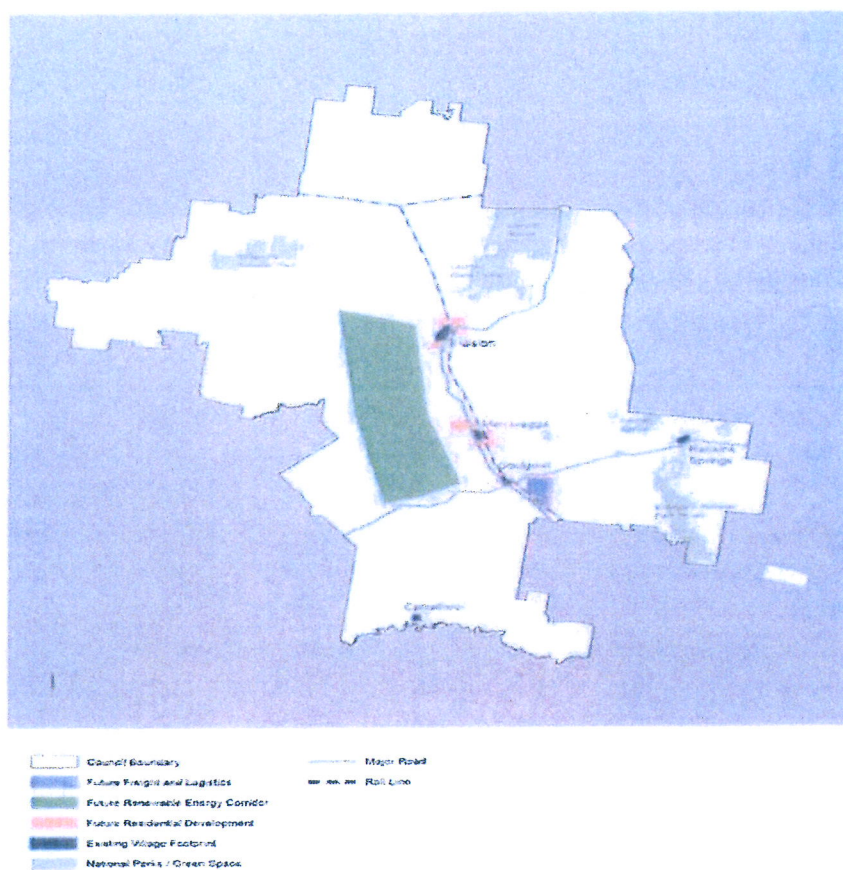


Figure 5: LGA Structure Map

Mrs Belinda Mulcahy

PO Box 136

Hillston NSW 2675

Private and Confidential

Mr Jason Nicholson

Acting Building and Regulatory Service Manager

PO Box 12

Goolgowi NSW 2652

VIA EMAIL

28th February 2020

Dear Jason,

RE: Notice of Proposed Development – Development Application 2020/017

I am writing to ask that the council consider several major factors when considering this proposal.

Whilst I believe that solar farms are a great for the Hillston Community, I feel we need to ensure it does not create detriment to the residents and rate payers.

As you may or may not be aware, Lola Mulcahy (my mother in law) as been very unwell for several years. She and Ron live only metres from Norwood lane which creates dust whenever a vehicle drives past. I believe that Norwood lane SHOULD be sealed before the development even begins. Lola will become a prisoner in her own home if this is not done, and there will be constant traffic using the road. The speed limit needs to be restricted to 50kms past their home as my children constantly visit their home.

Secondly, I would request that the solar panels are not placed in a manner that will cause Ron and Lola's property to be devalued in anyway. As a council you need to ensure the development does not create an eye sore from their front door, create noise or cause further health detriment.

Even though the development letter dated 17 February 2020 addressed to Ron and Lola states that "Kidman Way" is the address, common sense would expect that Norwood Lane be the entry point for the property. Therefore, I ask you to please consider my requests above but please keep my name as confidential. I have children attending the same school as the applicant's child and Ron and Lola need to remain as happy neighbours.

Yours Sincerely

Belinda Mulcahy

Mrs Rosemarie Ghirxi
10851 Kidman Highway
HILLSTON NSW 2675

18th March 2020

The Manager
Carrathool Shire Council
139-145 High Street
HILLSTON NSW 2675

Received In Tin

20 MAR 2020

Dear Sir

OBJECTION TO PROPOSED DEVELOPMENT APPLICATION 2020/017 SOLAR FARM

I wish to lodge my objection to the proposed development – Development Application 2020/017, Lot 103 DP755189 Kidman Way Hillston.

The proposed development is alongside the dwelling I occupy on my mothers' property (Lot 363 DP724580) with my family.
I currently have a scenic, relaxing view from my dining room table of the wheat fields and surrounds. To have this replaced by solar panels is abhorrent.
I am extremely concerned about the continual glare that will be reflected from the solar panels to the southern side of my home and the resultant health/eye problems that myself and family will be forced to endure.

My other concern is in the event that we experience any major storms or flooding.
Firstly, if a hail or major storm event occurs and damages the solar panels what processes are in place to avoid cadmium (carcinogenic) or lead leaching from the damaged panels into the ground. As every time we have a major rain event from the south and any storm event the water from Lot 103 DP755189 flows north from this property into the natural floodplain which flows through my house yard.
I am extremely concerned for my children and grand-children whom all regularly visit my home and have value family time in the house yard.
What sort of contaminants could flow from the solar farm into my house yard, in particular toxic materials like lead and carcinogenic cadmium?
I feel my family is being exposed to a very unhealthy environment from the proposed development.

Therefore, I totally oppose the development and hope CSC rejects the said development on the grounds I have detailed above.

Kindest Regards

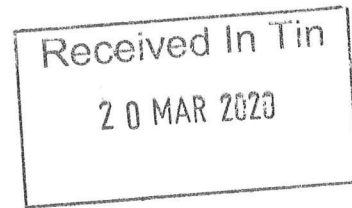
Mrs Rosemarie Ghirxi



Mrs Katherina Beller
128 Cowper Street
HILLSTON NSW 2675

18th March 2020

The Manager
Carrathool Shire Council
139-145 High Street
HILLSTON NSW 2675



Dear Sir

OBJECTION TO PROPOSED DEVELOPMENT APPLICATION 2020/017 SOLAR FARM

I wish to lodge my objection to the proposed development – Development Application 2020/017, Lot 103 DP755189 Kidman Way Hillston.

My concerns are not only for my own adjoining property but for the local resident ratepayers of the shire.

My reasons for objection to the development are:-

- Visual Amenity
- Value
- Storms/Flooding
- Decommissioning

Visual Amenity

The proposed development is alongside the dwelling located on my (Lot 363 DP724580) property which my daughter and her family reside in. And of particular concern to me is Stage 2 being the most obtrusive.

The visual amenity from the southern side of the house will be rows and rows of solar panels and the continual glare. At present the open farmland and trees provide a very relaxing & therapeutic visual amenity.

Value

I have spoken to and researched that my property will lose significant value as it will be bordering the solar farm.

The sheer industrialisation of the area through the development, the huge loss of visual amenity will all attribute to the loss in value.

Also, of major concern is the large security fences that will be erected around the solar farm, which would indicate the developers are expecting theft or other anti-social behaviour around the solar farm. At present all the neighbouring properties experience a very harmonious environment which of course adds to the value of my property.

Storms/Flooding

Even though it has been sometime since Hillston has experienced any major storms or flooding, such occurrences do happen.

Firstly, if a hail or major storm event occurs and damages the solar panels what processes are in place to avoid cadmium (carcinogenic) or lead leaching from the damaged panels into the ground.

Secondly, and most importantly every time we have a major rain event from the south and any storm event the water from Lot 103 DP755189 flows north from this property into the natural floodplain on my property which flows through the house yard.

So obviously, with children, grand-children & great grand-children all regularly enjoying the house yard – What carcinogenic, lead and other poisons could they be exposed too?

Decommissioning

The objection I raise here, is what steps has the Carrathool Shire Council (CSC) taken to ensure that the developer of this site will in fact dispose of the materials environmentally at the end of the solar farms' life.

It is a fact that the cost of recycling PV/Solar is becoming a worldwide problem as the costs rapidly escalate, as they can no longer be dumped in local landfills due to the cadmium, lead and other toxic materials leaching from the disused panels.

The developer (company) then only needs to declare bankruptcy and hence the residents/ratepayers are then left with the hefty clean-up bill. Admittedly this is some 20-25 years down the track but, CSC would need to take an absolute minimum \$1.5/m security deposit for the future decommissioning of the site to protect the local community.

Conclusion

I believe that as the Hillston area is a thriving food bowl, the CSC needs to carefully assess the future impacts of such a development on the local area and any possible leaching of lead and other toxic materials into the local waterways.

I do not object to solar farms, but I do believe they don't belong in such close proximity to the town and to what benefit does the local residents / ratepayers obtain from such a development.

Therefore I totally oppose the development and hope CSC rejects the said development on the grounds I have detailed above.

Kindest Regards

Mrs Katherina Beller

Katherina Beller