

INQUIRY INTO IMPACT OF RENEWABLE ENERGY ZONES (REZ) ON RURAL AND REGIONAL COMMUNITIES AND INDUSTRIES IN NEW SOUTH WALES

Hearing: 16 May 2025 SUPPLEMENTARY QUESTIONS

Uarbry Tongy Lane Alliance Inc

Developer Misconduct

(1) You mentioned fires at Beryl Solar and a lack of information on disposal; can you provide more information on this? Do you suspect attempts to hide these incidents from the public

The solar panels at Beryl Solar are thin film cadmium/tellurium panels. We understand that these panels have the potential to release toxic materials if panels reach 50 degrees Celsius.

There have been 2 fires at/beside Beryl Solar in the last couple of years.

During the first fire (August 2022) beside Beryl solar the grass around the panels was high and dead from frost but the ground was too boggy for the fire trucks to traverse. The weather conditions for this fire were benign as it was slightly drizzly, nevertheless the fire (given the fuel – long dry grass) was fierce and it threatened both the solar project and a nearby house. The fire was immediately across the road from the solar project and given that the ground conditions meant firetrucks were rendered unusable, two water bombing helicopters were brought in to extinguish the fire. This fire was within metres of the substation.

Refer <https://www.abc.net.au/news/2022-08-26/gulgong-grass-fire-water-bombers-called-homes-threatened-nsw/101376986>, accessed 15 June 2025. The video in this news clip shows how close the fire was to Beryl solar and substation.

The second fire, 24 April 2023, was fortunately another damp day. We are not aware of any public report regarding the fire at Beryl Solar on this day. There were community reports that 18 hectares were damaged and the damage bill was reportedly \$7Million. This information was not publicly available but came from a firefighter who was also a councillor at Mid-Western Council at the time.

A community member inquired as to the potential for contamination of soil and water following the fire and the reply from the DPIE (now DPHI) was that as it was not in Beryl Solar conditions of consent to test soil and water for toxic chemicals, therefore they would not be doing so. The community member was concerned about the cadmium/tellurium solar panels which were damaged by the fire.

Community members who inquired about the whereabouts of the damaged panels were initially told (by the team leader of compliance at DPHI) they were sent to Germany for testing (18 ha of panels), then they were told the panels did not melt so there was no problem regarding contamination. This can be provided upon request.

The Community was concerned about the lack of breathing apparatus used by RFS members involved in the firefighting given the damaged solar panels that were thin film cadmium/tellurium. It is our understanding that many solar panels have plastic backing and this would obviously melt during a fire thus releasing toxic smoke.

Reportedly the firefighting water source at Beryl Solar is a dam, a local source indicated that as the soil is sandy the dam does not retain water, thus two water trucks are used daily to cart water from Mudgee to the Beryl Solar dam.

We understand that water is not an effective means of fighting a lithium ion battery fire – particularly on the scale of a BESS. Are these fires simply left to burn out, given that there is no apparent way to extinguish a battery fire on this scale? What implications are there to the community and environment from a BESS fire?

(2) Were conditions breached by Beryl Solar or Stubbo Solar, and if so, how did government regulators respond? Did anyone follow up?

Beryl Solar was commissioned in 2019. In September 2022 the EIS for a modification for the project was displayed on the State Major Projects portal. This modification was to amend the timeframe to plant a vegetation buffer. The development consent for the project included:

Schedule 3 Condition 10(c) of the Development Consent requires that these measures must:

- Be effective at screening views of the solar panels and ancillary infrastructure on site from surrounding residences within 3 years of commencement of construction.

The EIS for the amendment was to increase the timeframe for planting screening. Refer below:

Given construction commencement in 2018, the date to achieve this requirement was 7 August 2021. While additional actions to improve the effectiveness of screening are being investigated and implemented, this condition has not yet been achieved. We request to Modify this condition and are requesting an additional 3 years.

It is requested that the condition be updated to state:

- Be effective at screening views of the solar panels and ancillary infrastructure on site from surrounding residences within 6 years of commencement of construction.

(source:

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-8183-MOD-2%2120220824T231442.759%20GMT>, accessed 15 June 2025)

Please refer to **Attachment 1** for the Mid Western Council's response to the Beryl Solar request for extension to establish vegetation screening.

We believe that there is very little in the way of vegetation screening on this site, today.

Stubbo solar is only newly constructed, apart from the changed transport arrangements due to roll overs (requiring additional trucks on the road given the smaller loads), we are unaware of any breaches of conditions of consent.

We are aware that the TILT, Liverpool Range Wind project, has already attempted to "bend" their conditions of consent by asking the community to host 80 workers to build their temporary workers accommodation. When it was pointed out to TILT that the approved project only allowed for 30 workers to be housed locally to build the temporary workers accommodation (TWA), TILT hastily added that only 30 workers were required to build the TWA the other 50 were for the roads. It must be noted that the town of Coolah already has limited accommodation for visiting health workers, visiting contractors and tourists and the study done by TILT to ascertain accommodation did not at any stage indicate there were as many as 80 beds available.

- (3) *You noted truck rollovers carrying solar panels, did anyone from Transport for NSW or the EPA investigate the accidents or the disposal of damaged panels to your knowledge?*

To our knowledge there were three B double roll overs where the loads were solar panels for the Stubbo solar project. These roll overs all occurred within a 6 week period, all on the Golden Highway and two of the roll overs occurred in the same stretch of road within the same 10-day period.

The transport company involved in all three occasions was believed to be under a court order wind up in Victoria for nonpayment of accounts to a fuel supplier.

The heavy haulage contractor was left to do the clean-up for all three roll overs. One roll over had the load spilt over the edge of the road and into a drain that ran in the neighbouring dairy farm. One rollover load had panels stolen overnight before the load could be cleaned up. The heavy haulage contractor reportedly contacted NSW Transport and the EPA for guidance before cleaning up but they had no procedure nor apparent inclination to assist.

As a result of 3 loads of solar panels being lost due to roll overs Stubbo solar reportedly stopped receiving loads transported by B double and insisted that all

loads be delivered by semi-trailers. (It is our understanding that a semi general carries a freight load of up to 27 tonnes, a B double load is generally 44 tonnes and an A Double load is generally 50 tonnes.)

What happened to the 3 loads of damaged solar panels? Why does the NSW Transport and the EPA have no procedure to clean up such spills?

We understand that no one was injured in the three separate incidents.

We understand that the damaged solar panels ended up at the Kurri Kurri tip.

(4) Have you heard instances where developers or their contractors might have entered private land without consent, or ignoring safety protocols?

In the processing of preparing the CWO REZ transmission EIS for Energy Co two teams opened gates to access the area for the proposed “Uarbry Hub”, they set about surveying the area for the substation and installed surveyor pegs as they worked. These teams were discovered by the landowner and informed they were trespassing, they claimed it was public land and he informed them that as they had opened the gates to access the land this would indicate that the land was not public land. The 2 teams offered to leave directly and the landowner agreed but not before they had removed all the surveyor pegs. He watched and waited while they removed their pegs and left. (The Uarbry energy Hub was deleted from the final EIS).

(5) Have you observed or received reports of developers intimidating or pressuring landholders into agreements or access concessions?

In a meeting between Uarbry village residents and ACEN in February 2021 the ACEN team told the villagers that the main access road to the Girragulang Cluster for all vehicles (OSOM included) would be travelling through the village. They did not say this was the plan, they told the group of villagers that this was **going to happen**. Some of the village houses are 20 metres from the road in question and some were just started on the rebuilding phase since most of the village was wiped out in the Sir Ivan fire in 2019.

At a subsequent meeting with the villagers and ACEN in March 2024 the village residents expressed their anger at being told the road was going through the village as if it had already received planning permission. The village residents vehemently expressed their opposition to their village being used as access to the Girragulang Cluster and their distrust of the developer as they felt they had been lied to in the initial meeting in February 2021. Subsequently in the following months ACEN were forced to find another access point to the Girragulang Cluster.

Was this deliberate obfuscation of the process by ACEN to engender a belief by residents that the project access through their village was already approved therefore nothing could be done to change the access?

At publication of the Valley of the Winds EIS residence number 284 was listed as associated to the development. This can still be seen in the public documents. Residence 284 was definitely not associated, the ACEN team had neglected to differentiate between two families with similar names. A representative from ACEN contacted the landowners at residence 284 by phone following EIS publication, thinking he was contacting a land host, when he was corrected, he assured the resident that he would deliver them information on the project and turbine locations. Nothing was ever received, no apology was ever received, ACEN merely ignored resident 284. After bringing this to the attention of DPHI, ACEN was instructed to complete a noise study and visual montage at residence 284. The noise study was never completed, DPHI did not follow this up with ACEN. The visual montage was poorly carried out with the contractor indicating that their camera was not working properly. The resident later found substantial errors in the Photomontage – incorrect placement of turbines – which gave a false montage. When ACEN was informed about the error in the montages initially, they denied any error, after substantial efforts by the resident ACEN finally amended the montages.

In the ACEN project Valley of the Winds, residents number 278 were never offered any photomontage but were repeatedly contacted to sign a neighbour agreement. They were offered a noise study, the sound recorder was placed near the clothes line and beside a compressor that ran its motor automatically at intervals during the day. The residents of 278 only agreed to the noise study if they could receive the results. No results have ever been received; ACEN is aware of this as are DPHI and the NSW Independent Planning Commissioners.

Given that no visual montage was ever prepared, ACEN stated the visual impact was low. The visual impact by ACEN was based solely on desktop assessment. The result of ACEN's obfuscation meant that during onsite visits DPHI and the Independent planning commissions ignored this dwelling on their site visits.

Yet in the neighbour agreement, presented to the residents of 278, they were informed that there were 19 turbines in under 5 kilometres from their house with a further 10 that could be micro sited into the area under 5 kilometres. ACEN did a noise study at this residence (albeit with sound monitoring beside a compressor motor) but not a photomontage? ACEN refused to supply the results of the noise study and has been pressuring the resident to sign a neighbour agreement.

The ACEN 'Valley of the Winds' Project is now approved with the Independent Planning Commissioners prioritising the developer over the residents – **because we are situated in a Renewable Energy Zone!**

There is long history of developers associated with the TILT Liverpool Range Wind project pressuring landowners to sign on as land hosts. Originally the project was put together by Epuron and the tactic at the time was to target older landowners and befriend them by dropping in regularly.

It is common for developers to show landowners a map of the turbine development and indicate that all their neighbours are signed up and if they don't sign up, they will be surrounded by turbines or forced to host transmission without the income that their neighbours are going to be paid. Developers draw up a project without any contact with landowners at all, then display the map (desktop study) and indicate that this is all a done deal. When one local resident became aware of the developers designs to divide the community, they implored the local council to get involved and hold a community meeting whereby people could come together and openly discuss the developers plans. The response by council was that this was out of their hands as this was a State Government planning issue and Council had no control.

We are aware of the constant pressure ACEN (Valley of the Winds) are putting on some residents to sign a neighbour agreement. The pressure has increased since the project was approved. Obviously these residents are significantly impacted by the project.

Safety failures and community risk

6) *To your knowledge, have there been any near misses or incidents involving OSOM (oversize/overmass) vehicles that went unreported by authorities.*

Not yet. The Golden Highway has few areas where OSOM vehicles can allow other vehicles to pass. Between Dunedoo and the start of the Hunter Valley Expressway there are only 3 areas where there are overtaking lanes, the remainder is single lanes in each direction.

Warrumbungle Council is also concerned about the near misses and incidents that will arise from the numerous projects in our community. Refer Council submission to IPC for Valley of the Winds attached.

Given that the REZ is in the early stages of project construction, the last time turbine blades were transported along the Golden Highway they would have been for Bodangora wind. Bodangora was commissioned in 2019, there are 33 turbines in this development and the turbine blades are under 64 metres long. The turbine blades heading our way now are between 85 metres and 145 metres long

At last count there were over 1000 wind turbines planned for the CWO REZ.

7) *You noted concerns about the lack of fire management plans, has any government agency acknowledged this risk or committed to improving it?*

No. It is our view that government agencies must comply with government policy and the Minister for the Environment has clearly stated that,

“As the Government doubles down on our efforts to address climate change, I consider those involved in assessment and decision-making processes under the planning system - including the NSW Department of Planning, Infrastructure and Housing (DPHI) and the Independent Planning Commission (IPC) – should have regard to these targets and, to the extent relevant, the Climate Change Act's guiding principles.”

(Refer <https://www.ipcn.nsw.gov.au/sites/default/files/2025-02/NSW%20Net%20Zero%20%20Letter%20from%20Penny%20Sharpe%20MLC.pdf>, accessed 19 June 2025)

And the Minister for Planning subsequent letter to the NSW Independent Planning Commission Chair:

“As you will note from Minister Sharpe's letter, the NSW Government has passed legislation enshrining in law NSW emissions reduction targets. The Climate Change (Net Zero Future) Act 2023 establishes interim targets of a 50% reduction on 2005 levels by 2030 and a 70% reduction by 2035. Minister Sharpe has highlighted that the latest projections by the NSW Department of Climate Change, Energy, the Environment and

Water confirms that NSW is not currently on track to meet its 2030 and 2035 targets without further action by government and the private sector. As noted, Minister Sharpe has requested that agencies involved in the assessment and decision-making processes within the planning system have regard for the Government's emissions reduction targets, the Climate Change Act's guiding principles and the new Climate Change Assessment Requirements and Guidelines for high-emitting projects. I ask that you consider the issues that Minister Sharpe has raised as the Independent Planning Commission continues to assess projects currently before it."

(refer <https://www.ipcn.nsw.gov.au/sites/default/files/2025-02/Signed%20%20MIN24572%20%20Letter%20to%20IPC%20Comissioner%20%20NSW%20Net%20Zero%20redacted.pdf>, accessed 19 June 2025)

Thus, only the pilots and agencies that are not publicly funded can speak about the fact that regional areas littered with turbines and transmission on ridges will be no fly zones during a bush fire. The pilots will conduct a risk assessment prior to flying in the area when visibility is reduced by smoke and determine the risks are too great given the poor visibility and the number of turbines, met masts and transmission infrastructure in the area.

A member of our group (a professional pilot) offered to present to the Warrumbungle Shire Council's Emergency Services meeting about aerial firefighting, however the offer was declined by Council.

8) *Are there documented cases of developer ignoring or downplaying site-specific bushfire risk, aviation interference, or other safety hazards?*

Yes.

Refer to the recent Independent Planning Commission case, now approved, Valley of the Winds. Refer specifically to evidence supplied by Grant Piper and Andrew Reynolds. Also attached is a letter from a pilot who contracts to the RFS, this information was supplied to the Hills of Gold Wind IPC, now approved.
(Attachment 2)

Grant Piper's submission to NSW Independent Planning Commission
(attachment 3) <https://www.ipcn.nsw.gov.au/sites/default/files/2025-04/VOW%20IPC%20Submission%20G%20Piper%20Attachment%20B.pdf>

Andrew Reynolds' submission to NSW Independent Planning Commission
(attachment 4) <https://www.ipcn.nsw.gov.au/sites/default/files/2025-04/ipc-submission-ar.pdf>

There are multiple submissions on aerial firefighting. Multiple submissions regarding impediments to local aviation activities by turbines. These

submissions were made via DPHI (and passed onto ACEN through the planning process).

In general, every wind developer attempts to ignore the need for Aviation Hazard lighting on turbines in their EIS as this absolves them from preparing visual montages of such lighting to the general population when objections can be lodged. CASA inevitably stipulate that Aviation Hazard lighting must be incorporated into the plan - they give this advice in their response to the EIS. We see this pattern repeatedly, yet no developer puts hazard lighting on turbines at the EIS. This appears to be a loophole that the developers use to full advantage.

9) *Have any local RFS or air operator warnings been ignored or overruled by planning authorities?*

We are aware that there are two fire management resources on the Castlereagh Pre incident data base that will become unusable once the Valley of the Winds is constructed. We are not aware that anyone in the Castlereagh RFS has specifically been consulted by either ACEN or DPE. Is the RFS head office aware of the location of fire management resources in our area?

We have provided evidence in question 8) that aerial fire fighting pilots will deem the area too dangerous to fly during a bushfire event given the poor visibility from smoke and turbines, met masts and transmission lines on ridges.

We are also aware that the RFS is a government funded agency thus, refer to question 7), under instructions by Minister Sharpe to focus on the NSW Governments emissions reduction targets above all else.

Environmental Breaches and Offsets

10) *You mention native habitat being clearing and replace by pine plantations, can you elaborate more on this?*

ACEN “Valley of the Winds” project is using a property by the name of Tomahawk to offset the Box Gum Woodland that they are clearing for turbines, BESS, transmission infrastructure and roads. We believe the property Tomahawk is pine country not Box Gum Woodland.

11) *Have you seen environmental assessments that are flawed, misleading or base on outdated or desktop only data?*

Tilt “Liverpool Range Project” has taken no account of the recently discovered Koala population in the Coolah Tops National Park. Research from Queensland (Dr Roger Martin, wildlife biologist) has shown that koalas are impacted by turbine noise, particularly during their mating season.

Other contemporary research shows koalas are noise adverse in general, and with turbines on the boundary to the Coolah Tops National Park, they are likely to migrate out of the safety of the park boundaries, particularly during construction activities.

Note that Tilt turbines are adjacent to the Coolah Tops National Park. How many Koalas will be destroyed in this project because they live in the land adjacent to the park (ie the Tilt wind project) not within the park boundaries?

Tilt in their response to submissions following EIS stated that there were no Koalas in the Liverpool range Wind project as “their” study did not find any.

5.5.5 Koala

There are nine known records of the species within 10 km of the RTS Development Corridor (DPIE 2021a), of which four occur within the Wind Farm component and five occur within the External Transmission Line component of the RTS Development Corridor (DPIE 2021a).

Spotlighting surveys were undertaken in October 2012, October 2013, March 2015, May 2020 and May 2021. Additionally, Koala Spot Assessment Technique searches were undertaken in May 2020, June 2020, October 2020, January 2021 and May 2021.

Habitat assessments and opportunistic surveys were conducted during all surveys, which occurred during October 2012, October 2013, March 2015, October 2016, April 2020, May 2020, June 2020, August 2020, October 2020, January 2021, May 2021 and September 2021.

The species was not recorded despite extensive surveys since 2012.

(refer to:

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getC>

[ontent?AttachRef=EXH-48360214%2120230914T005926.754%20GMT](#), page 225, accessed 16 June 2025)

12) Have developers provided environmental offset or rehabilitation plans that were later abandoned, altered or never enforced?

Not yet, apart from the ongoing debacle with vegetative screening ongoing at Beryl Solar. (**attachment 1**)

We do find it interesting that both TILT and ACEN, foreign controlled entities, are permitted to purchase significant amounts of New South Wales land to lock up for the purpose of offsetting their damage to land held privately by NSW farmers.

It appears to us that the NSW Government is facilitating environmental and agriculture destruction while facilitating the control and outright ownership of NSW land to foreign owned and controlled companies.

We note that developers request that land hosts lease their entire property to the development (wind/solar/BESS) not just the area that is directly part of the footprint. Does the NSW Government even know how much agricultural land in NSW is under the direct control of these developers?

Community deception and consultation failures

13) Were landholders or nearby residents ever misled about the scale or number of projects being planned or approved?

Many Coolah residents likely still think there is only one wind project in the area. Few are aware as to the number of turbines that will be built between the two projects. Everyone was misled about the community being in a renewable energy zone. The CWO REZ was created under the cover of COVID in October 2021, it appears to have been carefully designed to avoid explanation to the community or the canvassing of community views. Yet it is consuming our way of life, our businesses and our homes as we now apparently live in a modern-day power station (an expression coined by Energy Co).

To discover the scale and number of projects being planned is impossible. We can see what has been given SEARS via the State Major Project portal but we have little knowledge of how many developers are in our community attempting to sign up landowners. We will hear rumours of new projects being designed but given the 'commercial in confidence' arrangements with landowners it is difficult to know where the developer 'plague' is headed next. AEMO's ISP gives us some idea as to the location of the next planned transmission, the developers follow.

It seems we are expected to check numerous websites (many of them unknown) to check that our land is not in someone's project or research for potential project (be it pumped hydro, transmission, mine, solar, wind, BESS, etc etc).

An example of this was displayed in the ACEN "Valley of the Winds" EIS where they claimed that they were reducing the size of the project in consideration of cumulative impact and mentioned two mythical clusters. The Mundroola Cluster and the Eastern Cluster. Neither of these clusters ever existed and the landowners in these clusters knew nothing about their inclusion in the ACEN scoping report and EIS. They certainly had not been contacted by ACEN at any point. So, it appears that as landowners it is somehow up to us to scour unknown plans by unknown developers who have designs over our land. The pipe dream of some unknown "pencil pusher" somehow became an example of reducing the project in the face of community objections. Yet another desktop study where the landowner is the last person to learn about the plans someone else has for their land.

14) *Have you documented any examples where community feedback was altered, omitted or downplayed in official reports or EIS summaries?*

The community feedback has consistently referred to the loss of visual amenity. Yet developers consistently downplay the changes to the landscape as does DPHI.

Yet EnergyCo in their Central-West Orana Renewable Energy Zone Transmission Project - Technical Paper 3: Landscape Character and Visual Impact (pg.5-34), state:

‘Potential future landscape character: The approved Liverpool Range wind farm will strongly influence the character of the Cassilis to Coolah undulating rural hills landscape character zone (URH-5) in the future. It would be located on the hilltops and ridgelines extending north and northwest of Cassilis towards the Liverpool Range. Including new large-scale wind turbines, and supporting infrastructure such as inverters, battery storage facilities, substations, and facility buildings into the landscape.

The TILT Liverpool Range wind project has 185 turbines approved at 215 m tip height. Given the clear and unambiguous statement by EnergyCo, an additional 131 turbines by ACEN ‘Valley of the Winds’ project that are even higher at 250 m can only inflict much larger adverse visual impacts on the Coolah district.

Yet the DPHI state in their recommendation of consent for ACEN’s “Valley of the Winds” project *“The Department is satisfied that the project would not fundamentally change the broader landscape characteristics of the area or result in any significant visual impacts on the surrounding non-associated residences.”* (refer to page iii in the Executive Summary “Assessment Report – recommendation to IPC <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10461%2120250318T225606.557%20GMT>, accessed 16/6/25)

In the NSW Independent Planning Commission’s statement of reasons for approving the ACEN “Valley of the Winds” project, the Commissioners acknowledge:

3.2 Visual impact

13. The visual impact of the wind turbines for the surrounding landscape and individual receivers was raised as a major issue for members of the community, particularly those that provided submissions by way of objection. Key concerns were that the turbines will alter the landscape, dominate the skyline and create an industrial feel to what is currently a rural and scenic area, described as “...*fundamentally change[ing] the broader landscape characteristics of the Coolah area in general and Turee and Talbragar valleys*”. Some submissions did not consider the Applicant’s visual renderings, or the land for which visual screening was offered, to be adequate.

(refer to:

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10461%2120250611T062057.445%20GMT> accessed 16/6/25)

However in conclusion the Independent Planning Commissioners, who approved the Valley of the Winds project on 11 June 2025, thus confirming that town of Coolah and it’s community will be hosting 316 turbines (until the developers elect to expand their projects), state:

27. The Commission acknowledges that the Project, like others occurring throughout the CWO REZ, would result in a broad change to the local landscape character and its visual amenity. Visual impacts to individual residences will be reduced by the requirements within the conditions of consent. Further requirements for turbine reductions would place an unreasonable burden on the development that is not justified by its potential impact. The visual change that will result after the conditions of consent are complied with are an inevitable outcome of a Project of this nature. The Commission finds that these do not outweigh the public interest in delivering on the Government’s policy to provide a secure renewable energy resource for the State.

(refer to:

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10461%2120250611T062057.445%20GMT>, page 7, accessed 16/6/25)

We read into this that because we been forced into this rezoning called the Central West Orana Renewable Energy Zone this is OK and we are doing this for the benefit of NSW in its quest to look after foreign developers to provide us with weather dependent energy.

The method employed by proponents in their “response to submissions” is to lump community objections together. This results in concerns only being partially addressed or potentially ignored. We assume that a software program is used to lump the objections together and no person reads the objections. Why would they bother? Everything gets approved.

The Tilt “Liverpool Range Project” was substantially changed from the 2018 approved project – this included changing turbine height and layout. The community and the Warrumbungle Council believed that the extensive changes warranted a whole new application, but the proponents were allowed to lodge this as a modification. Was this because the project had overrun it’s time period between approval and

starting construction, therefore at risk of losing department approval? Thus, a quick modification kept the project alive.

There is no clear record employed for community feedback at developer drop-in sessions. We have attended numerous sessions and have not seen staff recording specific feedback that should be reported in their EIS/Social Impact Assessment. Thus, any mention of community feedback from these 'drop in sessions' appears to be ad hoc and thus not a true reflection of the community's response.

15) Do you believe the scale of the project was intentionally underrepresented during early consultation to avoid backlash?

Yes. Unless you have experience with a similar development, a community member has no idea as to the scale of the project.

Photomontage locations appear to be selected that afford vegetation screening opportunities – hiding turbines behind trees for example or against cloudy skies.

Panoramic photomontages give a false representation of the view as perceived by the human eye, but these are the type of images presented in the EIS and provided to landowners. The nature of these photomontages appears to have a fish eye effect, pushing turbines in the centre of the view into the distance. A 75-degree full frame view is more realistic. Whilst smaller degree views are also included in the EIS, more emphasis is placed on the panoramic view.

This study:

<https://www.sciencedirect.com/science/article/abs/pii/S0195925518301823> states "*panoramic visualisation technique, which has been used for decades to predict the scale of wind turbines in VIAs, is ineffective in predicting accurately the visual impact of wind farms*" and "*visualisations are generally accurate in positioning the turbines, however, on the whole they underestimate the size of the turbines and thus suggest a much reduced visual impact than is experienced post-construction.*"

So why are they still being used extensively?

Financial and Economic Manipulation

16) Has there been any suggestion of rigged tendering, sweetheart deals or preferential treatment for specific contractors or consultants?

The same “consultants” appear in all the wind projects in our area: Umwelt, Marshall Day and Moir Landscapes. These three appear to have a pretty good gig doing all the work for wind developments. Do they have a monopoly?

What about individuals who have held powerful positions deciding on transmission and energy projects then show up as the Chair of the company building the transmission project? Or roll into a job where they are even more powerful in terms of government direction regarding renewable energy and also invest in renewable energy?

17) Have you spoken to local business that were promised procurement opportunities but later cut out of the process?

We are not aware of any at this stage. The ACEN and TILT projects in our district have not started yet.

18) Do you suspect any effort to suppress evidence of land value decline or conceal data around property devaluation near REZ infrastructure?

Yes.

We are aware of a number of properties where sales have fallen over when the buyer discovers the planned wind projects in the area. We know of property auctions where there are no bids as result of the existing and planned projects. There are many properties that are unsaleable given their location in the CWO REZ, homes with wonderful views that will be littered with dual 500 kv transmission, switching station plus a 330 kv transmission **are not saleable**. For example please refer to the attached photomontages from the Energy Co EIS for CWO REZ transmission. Undoubtedly Energy Co now refer to the residents of 399 and 717 as “hosts”, did they have choice? **(Attachment 5a, 5b and 5c)**

Energy Co refer to the residents of 399 and 717 as hosts. The term hosts is an example of the NSW Government’s double speak, what they mean is these residents had to come to an agreement with the NSW government or be compulsorily acquired.

Land valuers have likely never had so much work. They are inundated with clients wanting land valued for compulsory acquisition in new transmission lines areas. When asked if land neighbouring

wind/solar/BESS/transmission decreases in value the standard answer they provide is there have not been enough sales yet to determine this. Do land valuers not want to say anything controversial at this stage that might lose them some business? Widespread knowledge of property values declining in the REZ will directly impact on real estate agents, property valuers, landowners and banks. There is an increasing amount of evidence that land hosting wind turbines and transmission lines is difficult to sell. There is increasing evidence that land neighbouring wind/solar/BESS/Transmission is difficult to sell.

Reliance from the Department of Planning (DPHI) on the Urbis report which was limited in nature, scale and time periods - basically it is unfit for purpose. Nigel Woods extended the work of the Urbis report which showed a decline in property prices, but his work was ignored.

The IPC basically has said due to the Project being in a REZ, property value loss is expected but the public benefit as per Government policy is more important.

Item 27 from IPC Statement of Reasons for Decision of Valley of the Winds - *"The Commission acknowledges that the Project, like others occurring throughout the CWO REZ, would result in a broad change to the local landscape character and its visual amenity.... Further requirements for turbine reductions would place an unreasonable burden on the development that is not justified by its potential impact. The visual change that will result are an inevitable outcome of a Project of this nature. The Commission finds that these do not outweigh the public interest in delivering on the Government's policy*

Item 28 The Commission finds that although there will be visual change within the locality, the Project's benefits balance the change and such impacts do not constitute grounds for refusal of the application".

Item 85 "Pursuant to the EP&A Act, property values are not a matter for consideration"

Section 3.8 Property Values : "The Project is located within the CWO REZ, is permissible with consent and would apply with amenity criteria established by the NSW Government for wind farms....The Commission accepts the Department's assessment of potential property value impacts and agrees that the assessment of individual property value impacts is not a relevant consideration for the Project."

Will the land hosts in our community realise their homes have become unliveable and move away becoming absentee landowners? We see post construction abandonment and decommissioning risk contributing to a decline in land values in this community.

Advertising of land in our area uses words such as “breathtaking views”, “scenic landscape”, “dream home”, “peaceful”, usually picture with rolling timbered hills. You don’t see ads for properties with views of hundreds of wind turbines, boasting how close the turbines are to your home. Nor do you see ads for properties with a switching station within 200 metres of the house, a 330 kv line running down one side of the garden and dual 500 kv lines at the bottom of the garden (**refer attachment 5C**). As for a home that gazes on thousands of solar panels – we have not seen an ad for that yet!

19) Have developers clearly disclosed decommissioning responsibilities to landowners? Are you aware of landowners left unaware of future liability?

These are commercial in confidence agreements, the neighbours to these developments are not privy to any details.

We guess that many of the land hosts are unaware that as per Premier Minns, the landowner is ultimately responsible for decommissioning no matter what is in their contract.

Given the recommendations by the previous Australian Energy Infrastructure Commissioner (AEIC), it would appear that in the past landowners were NOT aware of potential decommissioning responsibilities therefore it is reasonable to assume that at least a percentage of current hosts are unaware as well.

One of our members found legal advice wanting with regard to developer contracts, being advised "it's a standard commercial contract" - hardly an informative experience.

Having heard of developers attempting to sign up hosts, they impart the minimum amount of information and use strong sales techniques. Developers reportedly refer to landowners as NAGGs (Naive Apathetic Gullible Greedy) it seems highly likely that decommissioning responsibilities are in the fine print and will amount to too little and be too late.

Additional information

Cumulative Impact

This quote is from the recent ACEN Valley of the Winds approval by the NSW Independent Planning Commission:

In the absence of a specific NSW Government position, policy or plan on cumulative impacts within the CWO REZ, the Commission is satisfied that the impacts of this Project – together with existing and approved projects in the CWO REZ – will not overwhelm key regional infrastructure (including roads, housing, and social services) and that appropriate upgrades and augmentations are, or will be, undertaken in a timely manner. The Commission is also satisfied that there are no other unacceptable cumulative impacts, including visual impacts and impacts to biodiversity.

(refer <https://www.ipcn.nsw.gov.au/sites/default/files/2025-06/Statement%20of%20Reasons%20for%20Decision%20Valley%20of%20the%20Winds%2028SSD10461%29.pdf>, accessed 19 June 2025)

Attachment 6 shows that not only is the community deeply concerned about cumulative impacts but the Warrumbungle Council is as well.

Yet as per the comments by the Independent Commission quoted above, all cumulative impact concerns have been dismissed and there is no intention by the NSW Government to assess or manage the cumulative impacts of these large scale projects in a, what they have termed, “renewable energy zone”.

The only ‘renewable’ aspect of this “renewable energy zone” is that all this wind/solar/BESS infrastructure will have to be “renewed” every 10 to 20 years along with the regular “renewing” of subsidies.