

## Coercion and Acquisition Practices

(1) You mention that many landholders were “unwilling hosts” and felt pressured to sign easement agreements. Can you describe specific interactions where coercion, intimidation, or misleading information was used?

One of our members was acquired for a powerline easement. They were not ASKED. They were TOLD.

- a) The maps Energy Co provided at their pop ups were from the Scoping Report and did not go over their land. See Photo 1 & 2

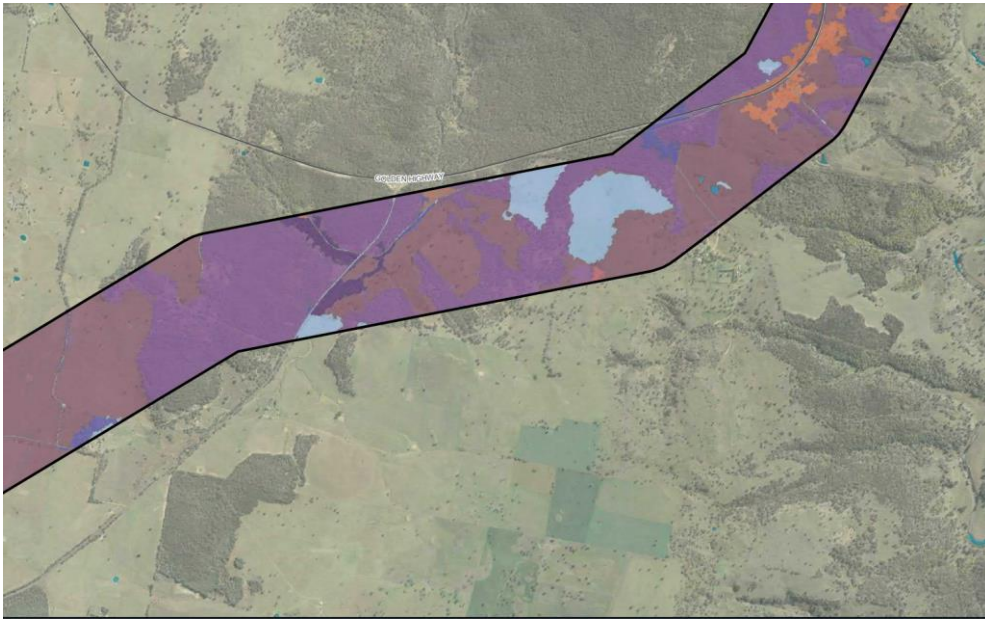


Photo 1

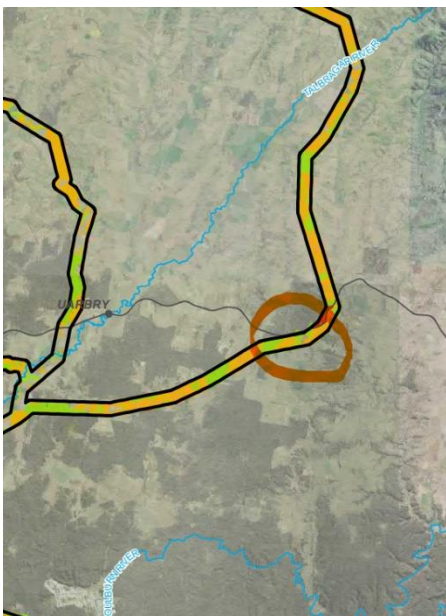


Photo 2 (Larger map with section in above photo circled).

- b) They were informed by another landowner that there was a newer map and they should ask to see it. Upon asking at the pop up, they were shown a map and it DID

go over their land, following in a large portion an earlier Transgrid plan from a few years earlier (that the community had fought off). No copy of this was provided to the landowner and no hardcopy map was sighted. It was only accessible for viewing electronically via the Energy Co Interactive Site. See Photo 3.

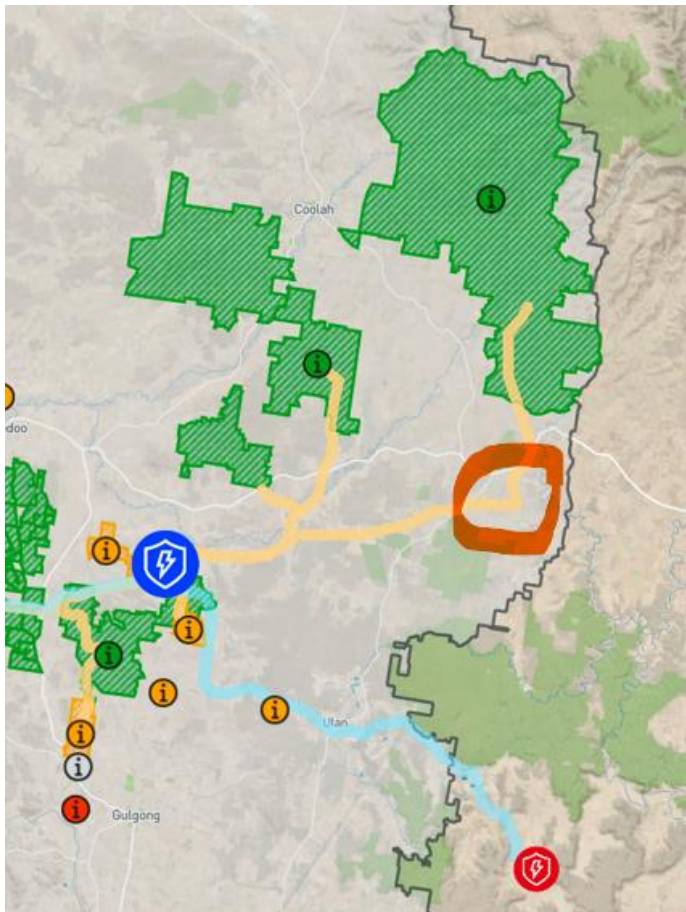


Photo 3 (circle shows the change to the route concerned).

- c) They asked why they weren't contacted as the line went over their land and Energy Co had no answer.
- d) In the EIS, Energy Co changed the route again – they were told this was the final route. See Photo 4

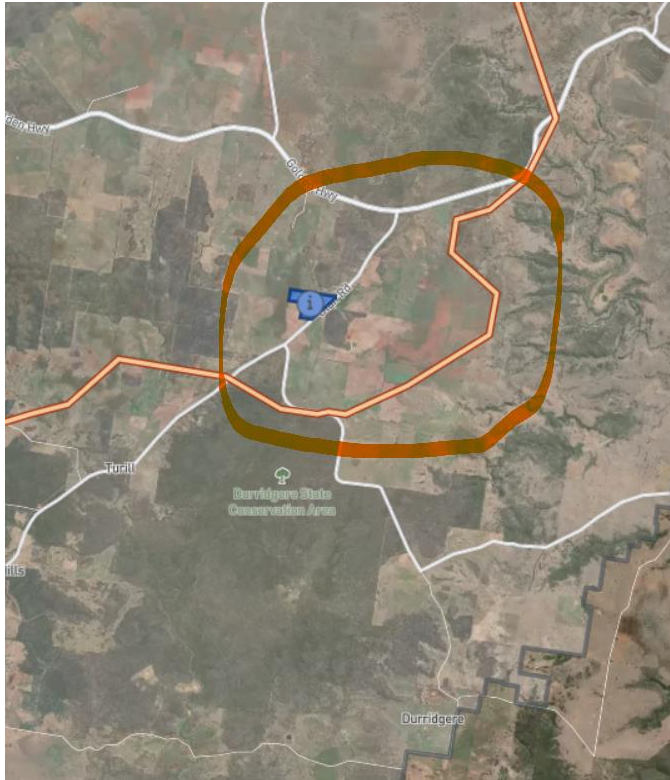


Photo 4. Circle shows route change as it

appeared in EIS.

- e) However the maps provided at Energy Co pop ups remained the initial scoping report map (photos 1 & 2) for over 12 months – misleading anyone attending.
- f) When the landowner asked WHY the line went over their land and not over anyone else's they responded with '*they didn't respond to our letter*'. The landowner was never sent a letter and was apparently penalised for responding when they were concerned enough to attend a pop up – by having the power line put on their farm. Would Energy Co ever have actually contacted them if they hadn't attended that pop-up, found out about the line and met with Energy Co outside their property?
- g) The final route (photo 4 & 5) jinks into their property, requiring an additional corner tower on the line. It would have been cheaper for Energy Co to go in a more direct line which at the most may have meant a small portion of their land having overhead wires (but no tower) on it. Their neighbour would also have been the same – clipping the corner of the property with overhead wires but no tower. They pointed this out to Energy Co and they were informed that is because their neighbour didn't want it. How is it fair that the landowner had no choice but their neighbour did? (see Photo 5).



Photo 5

- h) The person in charge of this person's case was . The landowner stated that "he [ ] made a great show of wanting to come to an "agreement", but that "agreement" did not involve moving the line off my land. Many of my neighbours experienced the same thing with their Energy Co contact. This was being forced on us and so we were better off just coming to a settlement. As the easement covers a corner of my land, I offered Energy Co the purchase of the land in the easement for the same price as the compensation. They initially said yes, then said no. In the end I was compulsorily acquired."
- i) appeared to have access to private (commercial in confidence) information about their property although when confronted, he denied this. He also appeared to be recording conversations (later quoting the landowner word for word) although this was never disclosed/proven.
- j) Meetings in person were never minuted. (and other Energy Co employees/contractors) would attempt to make agreements over the phone and were reluctant to put anything in writing, even when requested.

*(2) To the best of your knowledge, were any landholders told they had to sign “or else” face compulsory acquisition under worse terms? If so, which organisation made that threat?*

- a) One of our members was told by Energy Co that if they didn’t sign they would be compulsorily acquired and the compensation they would receive would likely be less. They still refused and were compulsorily acquired. The amount received was similar to the preferred settlement from Energy Co.
- b) *We are awaiting further information from another landowner regarding Energy Co and will send this through to the Committee as soon as received, under separate cover.*

*(3) Did any landholders receive verbal promises that weren't honoured in writing during the easement acquisition process?*

- a) Yes, one landowner requested Energy Co purchase the easement at the same price as the compensation figure. They were told there '*shouldn't be a problem*' purchasing the easement portion. Energy Co later withdrew this option and said they '*couldn't*' purchase.
- b) Yes, a landowner near Turill had extensive negotiations. It came to the last day before compulsory acquisition and Energy Co said they would move the line if they signed. They signed. Energy Co have now denied agreeing to the move the line. This has been reported to EWON who cannot act, as it was not in writing.

*(4) Are there specific agents or representatives, either from EnergyCo or its contractors, who engaged in high-pressure tactics that you believe crossed the line into misconduct?*

- a) From conversations with many landowners, almost all their Energy Co contacts.*
- b) We are awaiting further information from one landowner and if pertinent will forward when received under separate cover.*

## **Transparency and Consultation Failures**

*(5) You state there was little or no genuine consultation. Were residents ever given the impression that projects were “already approved” before any consultation began?*

Definitely. The fact that the land acquisition was taking place before the REZ transmission line project had even been approved gives this impression.

- a) Valley of the Winds – residents of Uarbry Village were invited to a meeting by the developer, ACEN before release of the EIS. During this meeting it was heavily inferred by ACEN that the project had been approved and they were giving them advance notice of the road that would be going through the village, offering some landscaping etc., to reduce the impacts. The residents were very surprised to learn over a year later when the EIS was released, that the project had not yet been approved.
- b) Every pop up or information session – both Energy Co and wind developers, TELLS attendees WHAT WILL HAPPEN. They do not ask their opinion or for suggestions that might minimise impacts.
- c) Regardless of 'consultation' no transmission route changes were made due to landowner input, despite logic.

*(6) Were consultation sessions ever held at times or locations that made it difficult for working landholders to attend?*

- a) Yes, they are routinely held during a weekday when people working cannot attend unless they take time off work. In summer with daylight saving a 4 or 5pm start is still too early for most farmers to attend.
- b) They have also been held at time when conflict with other events:
  - (i) DPHI scheduled an info session on the Draft Energy Guidelines for 30 November 2023 in Coolah. Publication of this date came after the National Rational Energy Network Inc (NREN) had advertised a protest rally outside NSW Parliament for that date.
  - (ii) Spicer's Creek Wind IPC meeting in Dunedoo was announced for the same day as the 2024 Bush Summit event in Orange, preventing many CWOREZist members attending. The 2023 Bush Summit event in Tamworth had been well attended by CWOREZ residents to protest the REZ announcement, and we planned to do the same in Orange.

(7) Were project documents or impact statements ever withheld, delayed, or presented in ways that were confusing or misleading to the public?

- a) Energy Co - See 1 b, 1d, 1e . Also they only present what they see as the positive “spin” and not the negatives. The on-line Interactive Map does not give a good spatial representation of where all the projects are in the REZ, and their size. Similarly maps given to affected landowners and shown at information events have details greyed out or unreadable (including the town of Coolah itself, surrounded by wind projects!) which negates the whole point of a map to provide an informative, useful and easily interpreted geographic representation.
- b) Developers – EIS’s by their very nature are confusing to the layman if they are not familiar with them. How are the general public supposed to read and understand thousands of pages in an EIS and formulate a response in 28 days (the exhibition period)? You may be fortunate to have someone who can commit the time to reading and interpreting the information and sharing it with others – at both monetary and time cost to them personally. The developer appears to have no time limit when preparing their EIS and to complete their Response to Submissions and answer other questions from the department - yet the public only gets 28 days, once.
- c) ACEN Valley of the Winds – from one of our members: *“as a near neighbour (and someone within 4km of a turbine) I was not informed of the project by the developer. I saw nothing in the local paper and received nothing by mail to make me aware of the project until halfway through the EIS exhibition when I received a letter from the Dept of Planning. Even then I had to call a neighbour and ask them if they knew what it meant. I spent hours speaking to the Dept of Planning contact asking what a lot of terminology meant and how the EIS process worked. I stopped work for the rest of the submission period to try and understand and digest the contents of the EIS to enable a response to be made.”*
- d) ACEN and TILT – both developers skew information to show the positive and minimise the negative. Visual Impact Assessments utilise mostly desktop studies which do not take into account all terrain, actual vegetation etc., and so present a skewed version of impacts. Their photomontages attempt to make the turbines less visible and the use of panoramic views also promote a somewhat fish-eye effect, making the centre of the photo visually recede. These photos are presented in the EIS at no more than A4 size which make it hard to imagine in real life. A 2019 study *“Accuracy of wind farm visualisations - The effect of focal length on perceived accuracy”*

<https://www.sciencedirect.com/science/article/abs/pii/S0195925518301823>

showed that the panoramic photomontage is the least believed and least accurate way to present a visual representation with the visual impact underestimated, and

the 75 degree view (normal human field of view) is far more accurate. However, the 75 degree view also shows the turbines as a dominant feature and therefore use of this view is minimised.

- e) ACEN – We have seen two noise reports commissioned from independent acousticians, advising that the ACEN noise report is misleading and uses incorrect methodology. Although these reports were presented to the Dept of Planning, no questions were asked about these reports. Notably, the consultant for the ACEN Valley of the Winds project, Marshall Day, is involved in the case of MELISSA ANN WARE versus PACIFIC HYDRO PORTLAND WINDFARM PTY LTD for, amongst other things, not assessing wind noise compliance to the standards expected and yet still reporting that the project complied with the noise condition.
- f) Draft Guidelines and wind map showing many areas in NSW 'not good for wind'. But this was changed within less than a week of release after someone's, or some organisation's lobbying. MLC Adam Marshall was later identified as one lobbyist. In conversation with Matt Riley, DPHI, we asked what review and submission process was used to alter the Guidelines so quickly and requested to see the submissions which influenced the amendment. Of course no information on the revision process was made public. The Public could never make a submission or expect such rapid changes. See a screenshot commenting on the matter (Screenshot 1 & 2):

> **The Map**

Change as a result from pressure from developers. On the 16th November, the New England REZ was shown clearly as “Less Suitable” on the scale ranging from “Less Suitable” to “Desirable”. This gave confidence to regional communities that restraints and community concerns were being noted.



What followed was a collective tantrum from developers and pro renewable politicians, placing pressure on the Planning Department. After 7 years of finalising and presenting update to the Wind Guidelines, within 2-3 days of this pressure and lobbying, the region was re-rated from “Less Suitable” to “Suitable”

***How have we gone from “Less Suitable” to “Suitable” without consultation?***

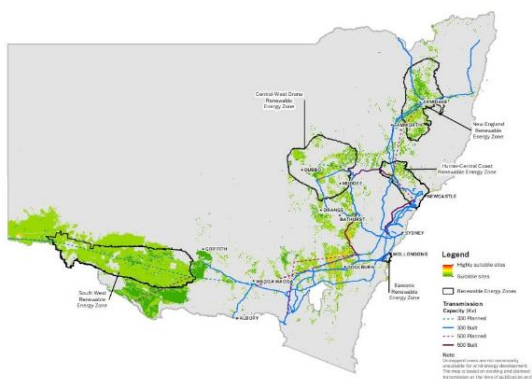
***How can the Planning Department claim to be independent?***

***How can they claim to have maintained their integrity through this developer friendly backflip?***

Screenshot 1

and:

The most controversial aspect of the draft wind guideline was the initial map which was released showed the majority of NSW as “less suitable sites” based on a consideration of key commercial factors and high-level environmental constraints. DPE has since revised and reissued the map which depicts sites ranging from “suitable” to “highly suitable” sites.



Screenshot 2

## **Regulatory and Government Oversight**

*(8) Has the Department of Planning or any other NSW Government body responded dismissively or failed to follow up on serious concerns raised by your organisation or members?*

- a) Yes – aerial firefighting, aerial operations – all projects. The Dept of Planning does not have specialists and as such does not ask the right questions when they seek independent consultation. See (19).
- b) Yes – the Recommended Conditions of Consent for Valley of the Winds, as given to the IPC, are very general in nature and do not provide protection for neighbours or the community at large. They should hold the applicant accountable and be enforceable. (see 24 (e))
- c) ACEN/IPC – numerous heavily impacted neighbours within 4.5km of turbines have only had desktop studies done and been assessed as “low” impact. This was brought to the attention of the IPC but ignored.

*(9) Have you submitted evidence of community opposition that was never acknowledged or appeared to be omitted from official assessments?*

- a) Energy Co held a meeting in Coolah that did not go well for Energy Co as the audience did not just let them say their spiel (the so-called information session). Energy Co representation was Mike Young and Chris Swann. The audience were not threatening, they just didn't stick to the planned agenda. Two police turned up to monitor the proceedings about an hour into the meeting (about the length of time to drive from Coonabarabran to Coolah where they were stationed) although they denied being called by Energy Co and said they just stopped to see what was on – this is highly unlikely as no police have ever happened in stop in to see what was going on at a planned function in Coolah before. The general community resistance was not acknowledged by Energy Co – yet they did not hold more than a street-based pop up in Coolah again until the project was approved.
- b) Many of the objections to projects are grouped together in the Response to Submissions rather than addressing each separately, even if the objections are subtly different. This results in some items never being addressed by the proponent. In some objections, multiple items are raised, but only some are addressed.

*(10) Did any government officials or EnergyCo representatives discourage you from making submissions, attending meetings, or going public with your concerns?*

- a) No, not personally or to our organisation.
- b) The developers have contacted hosts however to ask for their support. Neighbour agreements, to our knowledge, request those signing to not engage in any public opposition.

*(11) Are you aware of any cases where the Independent Planning Commission appeared to overlook critical local objections in favour of project approvals?*

- a) All wind projects that have been to the IPC have been approved, which raises concerns of their actual independence. Correspondence from the Minister directing the Department and the IPC to get a hurry on is also not confidence building. It appears obvious that the IPC is only independent in name and not nature – being appointed by the Government, paid by the Government and directed to support Government policy.
- b) 'Local' or not, all submissions are equally valid under the Planning rules. Recently there has been a narrative begun by pro-transition people and organisations that non-local (outside 15km or some arbitrary distance) should be discounted or not given equal weighting in consideration. There is no logic for this as ALL proponents are from outside project areas, in fact most of them are foreign-owned and controlled, yet their views and opinions seem to carry weight! This is sheer hypocrisy. Renew Economy is one such serial complainer about 'outside' opposers, its main editor lives in Byron Bay - so what authority should he have outside his LGA? In some cases, there have been clearly organised pro-project submissions made from Northern Sydney areas, and a Sydney educational institution. Why is organised and Climate 200 funded pro-renewable groups given credence when affected citizens from across the country are discriminated against and their concerns discounted?
- c) The IPC approved Valley of the Winds on 11 June 2025. The project had already been awarded a Capacity Investment Agreement with the Federal Govt in 2024 and was awarded connection rights to the transmission line earlier this year. This makes it obvious that the government wanted the project approved.
  - a. The project has 20 hosts and 26 landowners on neighbour agreements within 4.95km of the project. There are 87 neighbours within the 4.95km that have NOT signed an agreement and are in direct opposition to the development, plus hundreds of residents surrounding the project.
  - b. The IPC have justified their decision by saying the public good outweighs the concerns, using the now-admitted-to-be-wrong AEMO and GENCOST numbers and government policy with a push to wind and solar energy.
  - c. They have overly weighted the very few (under 10 total through EIS and IPC processes) supporting submissions vs. the numerous (well over 150) objecting submissions. At the IPC meeting in Coolah there were 33 presentations in opposition to the project, and only 1 supported the projected (a landowner host with his financial gain on the line). The proponents employees are not

generally considered to be nice people and the overall impression of ACEN by the community is negative.

- d. The IPC have admitted our district will be substantially changed with multiple projects and their effects (traffic, noise, reduced visual amenity, reduced property values, influx of workers etc.) but have justified it saying that such is expected for a REZ. (Yet, the REZ was imposed on residents, landowners and business owners with no discussion or consultation in November 2020 after passing through Parliament in just 17 days!).
- e. There was acknowledgement by the IPC of likely cumulative effects but the NSW Govt report on cumulative effects has not yet been completed so this was not considered in detail.
- f. There was no acknowledgement by the IPC of real-life visual impacts to some residents as the proponent had estimated (by desktop study only) that the impact was low and the Dept and the Commissioners believed them.
- g. The IPC did a site visit before the public meeting, visiting hosts, public viewpoints and only two impacted neighbours. They did not meet with any opposing local groups. In visits to both cases impacted neighbours the landowners were not in attendance due to health appointment/illness and so unable to fully voice their concerns in person.
- h. The IPC for the Valley of the Winds project only considered public submissions made up until 17 April 2025. The IPC later received and published information from DPHI and ACEN. Uarbry Tongy Lane Alliance Inc. (UTLA) sent four letters in rebuttal to these DPHI and ACEN documents that were incorrect or misleading and one request for an additional condition of consent. The UTLA letters were published on the IPC website in May, but were not considered by the Commissioners in their decision (as per “Material Considered by the Commission”  
<https://www.ipcn.nsw.gov.au/sites/default/files/2025-06/Statement%20of%20Reasons%20for%20Decision%20Valley%20of%20the%20Winds%20%28SSD10461%29.pdf> – Appendix B.  
How can the IPC disregard relevant information? This cannot result in a optimum outcome. Once again confirming that community input is not considered.

## **Supplier and Developer Conduct**

*(12) Have you observed or received reports of developers failing to follow agreed conditions of consent during early construction phases?*

Mid Western Regional Council put complaints in about dust at the Merotherie Hub (ACEREZ) very shortly after they started “pre-construction works”. A Channel 7 News story at the time stated ACEREZ had breached its conditions of consent.

ACEREZ has multiple “dust” complaints listed in the monthly complaint’s compilation for February (available on their website). The response to each dust complaint was “*ACEREZ advised of the dust mitigation measures it had implemented and its plan to investigate additional dust mitigation measures to ensure ongoing compliance.*” This neither confirms nor denies a breach of conditions of consent and remedial action. “*Investigation*” of further measures is an unacceptable response if conditions were actually breached.

*(13) Have any contractors or subcontractors entered private land without permission, caused damage, or failed to rehabilitate land as promised?*

- a) We have heard of numerous cases of contractors/ surveyors attempting to enter private land without permission.
- b) *We are awaiting details regarding Energy Co and ACEREZ contractors and will forward, when received, under separate cover.*



*(15) Have you been approached by whistleblowers—whether council staff, consultants, or contractors—who revealed misconduct or internal pressure to push projects through?*

No

**Impact on Neighbours and Property Use**

*(16) Are you aware of neighbouring landholders being deliberately excluded from compensation conversations or not informed of their right to negotiate agreements?*

- a) Yes, with regard to ACEN/ Valley of the Winds, many neighbours who have voiced an objection to the project have not been approached by the developer.
- b) Yes, many landowners within the 4.95km set down by the Dept of Planning as having to be considered impacted by the project have never been contacted by the developer.

*(17) Were hosts told they could continue regular farming activities under transmission easements, only to later find that restrictions were much more severe?*

As it has not yet been built, this has not had a chance to be tested locally. We have seen advice from other areas that Transgrid, for example, required that farming underneath the powerlines be only done with a professional spotter in attendance (interfering with the farmer's ability to undertake farming as weather allows) and the tractor must drag a certain length/size of chain for earthing (adding cost and proving evidence of danger or if there is no danger, onerous conditions).

(18) Has there been any retaliation, social, legal, or economic, against members of your group who have spoken out against projects or refused to cooperate with developers?

Yes, there was retaliation in Coolah against a person, aligned with our group at the end of 2023. This person is personally negatively impacted by wind projects in the area and was the postal delivery contractor. At the time of the following incident, he was in a heightened emotional state and was filling in for his good friend's route, who had suicided a few days earlier. One of the stops on the route was the ACEN office. He made a flippant comment on exiting the office. He told us at the time "Yea they made up a big story that didn't happen when I dropped a parcel off there. The chick asked if it was her parcel I said no it's the ACEN parcel." ACEN then made a complaint to Australia Post saying they were threatened by him to the point of needing security. Shortly after they escalated their complaint to the police when he was across the road at the café having a coffee (he was a regular at the coffee shop). He consequently lost his job due to the accusations and has been actively attempting to get it back, with the backing of many in the community. Note that Australia Post is desperately short of contractors in the area. He received this final response last month:

Thank you for your email, I hope you're doing well. I wanted to follow up on your request for clarification regarding your employment viability for the postal position in Coolah. After speaking with my manager, I was informed of an incident that took place in late 2023. During this time, a customer lodged a complaint about repeated abuse while you were delivering mail, and the matter was also escalated to the local authorities.

As a result of this incident, and in accordance with Australia Post's Ethics Policy, which you were bound by as an employee of a contractor of Australia Post, your authority to deliver was permanently revoked. This decision was made by the Territory Manager, and as I understand you also had a conversation with them yesterday regarding the matter.

This is clear retaliation and targeting of this person and as a consequence this person has lost his income and profession. ACEN have, according to Australia Post said he gave them "repeated abuse" when it was a single incident and frankly the developers have been called far worse than a " " by various members of the community! They know they are unwanted by most of the community but instead of trying to be friendly and understanding, they are combative. Note that their Community Liaison person ( ) has had multiple complaints made to ACEN head office about her behaviour, by local residents, but is still employed by them.

## Fire Risk and Safety Misrepresentation

*(19) You mention air operators refusing to fly near wind turbines, has EnergyCo or any agency dismissed this evidence or continued to claim firefighting capacity won't be affected?*

So far no agency has admitted to this negligence. They all refer to the AFAC position paper, based on an article in a pro-renewables publication, as a so-called case study. This referenced fire was a grass fire (not a bush fire) near a small wind project of much smaller turbines in a single row on a low ridge, surrounded by very flat land. This is not representative of the scattered arrays on multiple ridgelines surrounded by undulating land we have here near the Liverpool Range and Valley of the Winds projects. Thus ignoring many factors such as terrain, layout and fire differences which do not match. No matter the position of the turbine blades, large tankers will not fly near these aviation hazards and endanger their crew and aircraft.

See submission to IPC on aerial firefighting (see Appendix 1) and a follow up letter to the IPC (see Appendix 2).

The closest to admission that aerial firefighting might be impeded is the IPC in their most recent approval of a wind project (Valley of the Winds) 11 June 2025, imposed this condition in response to a lengthy submission.

### Aviation Management Plan

- B46. Prior to commencement of construction, an Aviation Management Plan must be developed by an appropriately qualified expert in aviation safety in consultation with the Aerial Application Association of Australia, NSW Rural Fire Service and the operators of the Tongy Aerodrome and Turee Aerodrome as identified in the EIS, also taking into account any prior advice provided by CASA and Air Services Australia on the development. The Plan must include:
- (a) details of how the construction and operation of wind turbines and wind monitoring masts may impact on aerodrome operations;
  - (b) identification of turbines and wind monitoring masts with the potential to cause a hazard or impact on aerodrome operations, including final coordinates and height details;
  - (c) ongoing consultation with potentially impacted operators;
  - (d) procedures to ensure the continued ability to undertake aerial agriculture and aerial firefighting operations within the locality;
  - (e) procedures to ensure safe operations of aerodrome runways; and
  - (f) mitigation measures for the management of impacts and hazards to aircraft and aerodrome operations including any recommended restrictions on or variation to standard operating procedures for take-off, landing and flight circuits.

Following the Planning Secretary's approval, the Applicant must implement the Aviation Management Plan.

B46 (d) infers there may be a problem undertaking aerial firefighting, however no amount of consultation or any management plan will magically enable large aerial tankers to fly in and around turbines at low altitude in reduced visibility conditions from bushfire smoke.

Martine Holbertson, at the time an employee of TILT Liverpool Range Wind project, started circulating a statement that tankers could drop from above the 250m/825ft turbines. This appeared as a response to counter public submissions on the impossibility of Large Aerial Tankers fighting fires in or near large turbines. See Appendix 3 regarding aerial firefighting and associated letters from aerial operators.

RFS leadership has so far avoided making any negative comments or directives acknowledging the problems regarding aerial firefighting around turbines. They avoid the issue, negligently in our opinion, by stating that it is up to the aerial operators to do their own Risk Assessment.

*(20) Do you have reason to believe any fire risk assessments were altered, downplayed, or selectively quoted to make projects appear safer than they are?*

- a) The developers select data that are the most favourable to them or downplay fire risks, particularly with reference to solar and BESS projects. They ignore all evidence of solar/BESS fires and the toxic smoke and soil contamination implications. If confronted they say they hardly ever happen or that they have a fire plan and do not elaborate.
- b) Developers never talk or quote the Aerial Agriculture Association, only AFAC advice and the one 'case study'.
- c) They do not acknowledge that Large Aerial Tankers will be inhibited from working in or around turbine areas.
- d) Proponent EIS' contain Fire Risk sections but they usually only focus on fire risk to the proponent's infrastructure and what will be done to protect it, not the fire risk to landowner property and neighbours from fires caused by, or starting within, the project area. See Appendix 3 regarding recent turbine-initiated fires in Australia.
- e) Lithium batteries and large BESS are a well-known fire hazard and are impossible to extinguish. Additionally, they spread toxic fumes as they burn (eg. Geelong 2021). There have been fires in the Beryl and Stubbo solar projects near Gulgong. RFS crews will not enter the solar panel area due to toxic fumes and lack of manoeuvring room for vehicles.

## **Financial Influence and Conflicts of Interest**

*(21) Have you identified any contractors, consultants, or council officers with conflicts of interest who were involved in REZ decision-making?*

- a) Richard Ivey from Tremain Ivey Advisory in Wellington is a Dubbo Councillor whose business offers environmental consulting and was reportedly contracted as consultants for an EIS for a renewable project within the CWO REZ.
- b) Conflicts of interest are rife in the industry. Adam Marshall, former National MLA for Northern Tablelands resigned and went to work for Origin, after being openly pro-renewable and lobbying for changes to the draft wind guidelines. Dugald Saunders, MLA Dubbo, is openly pro-renewable and is seen with Twiggy Forest who has wind, solar and gas turbine projects in the CWOREZ. Matt Kean, former MLA Hornsby and Treasurer and Energy and Environment Minister, is now at the Climate Change Authority, advising and implementing plans he expounded while in Parliament. Mr Kean is also a member of the UN Global Compact Network - how is this not a conflict of interest?
- c) Mr Kean took the job previously held by Grant King at the CCA. Mr King then moved to Chair of Transgrid. While at the CCA Mr King was instrumental in getting Federal Government approval for the Humelink transmission and then took a job with Transgrid to build said project.

*(22) Do you believe funding, lobbying, or promises of future investment have influenced council positions or government decisions in your region?*

Dubbo received substantial grants and promises of infrastructure improvements from both Energy Co and Squadron Energy. Dugald Saunders (local member) and Matthew Dickerson (previous Mayor Dubbo) were both openly very supportive of the REZ developments.

*(23) You described the current rollout as an “overbuild.” Based on existing infrastructure, what would be a more balanced or sustainable scale for renewable energy development in the region?*

There is no balanced or sustainable scale if something is counterproductive and actually causes more harm. It should not be done even in a small scale once recognised as such.

The Paris Agreement 2015 states that low emissions should be achieved in a manner that does not threaten food production. This proviso was omitted from the NSW Climate Change Net Zero Act 2023, which would appear to be in violation of the Federal Government ratification of this treaty. Any project which negatively impacts productive farmland should not be permitted.

In general, the community may accept an occasional development in isolation - but the community does not accept the current stacking of multiple developments into a so-called REZ, turning a rural farming area into an industrial zone.

(24) *To support long-term accountability, what legal or policy measures would you suggest to ensure that project proponents — including those who on-sell projects — remain responsible for delivery and community engagement?*

- a) Decommissioning bonds up front, as per the mining industry.
- b) Public display and notification of Exploration notices before wind and solar prospectors can enter a region and talk to, or sign up, any hosts. Similar to Mining Exploration Notices.
- c) Exploration Licences for wind and solar prospectors.
- d) No non-disclosure clauses in options contracts with hosts.
- e) Detailed and enforceable conditions of consent that hold the proponents accountable with effective penalties for breaches.
- f) Real time data (eg. noise monitoring, dust, blasting) that is publicly monitorable and freely available. Open and transparent data/information/dialogue that the community can access.
- g) The fact that the Department of Planning stated, *“the approach to Conditions is generally outcome based”* and they provide almost identical Recommended Conditions of Consent for each project, is not sufficient protection for communities.
- h) See Appendix 4, requesting extensive conditions of consent to the IPC in its consideration of the Valley of the Winds project. Almost none of these requested conditions were granted. With little accountability it will be difficult for a general community member to call them to account.

*(25) You called for greater transparency around landholder agreements. What might a fair and workable model look like to ensure land access arrangements are publicly disclosed, while also respecting landholder rights?*

- a) Open publication of agreements with various property lots/landowners/maps. Just as for when a DA is lodged with Council, the particulars are published for comment and for the information of neighbours and other Shire residents.
- b) Landowners not bound by non-disclosure agreements.
- c) Potentially, open publication of neighbour agreements with various property lots.
- d) Compulsory Acquisition Act 1991 be repealed for transmission projects. The rest of the power industry in NSW has been 'privatised', so why are landowners further discriminated against, the power imbalance amplified, by retaining CA rights?
- e) The CA Act sections 55a-f should be better explained regarding what they encompass and which are 'income' for tax purposes and which are 'compensation' or 'damages' or should be treated as 'capital loss' due to Diminution of Freehold. It is inequitable for the State Government to pay compensation, calculated primarily on the assessed loss in capital value of land, to then have most of it taxed as income by the Federal Government.

**55 Relevant matters to be considered in determining amount of compensation**

In determining the amount of compensation to which a person is entitled, regard must be had to the following matters only (as assessed in accordance with this Division)—

- (a) the market value of the land on the date of its acquisition,
  - (b) any special value of the land to the person on the date of its acquisition,
  - (c) any loss attributable to severance,
  - (d) any loss attributable to disturbance,
  - (e) the disadvantage resulting from relocation,
  - (f) any increase or decrease in the value of any other land of the person at the date of acquisition which adjoins or is severed from the acquired land by reason of the carrying out of, or the proposal to carry out, the public purpose for which the land was acquired.
- f) CA Act 1991 does not cater well for acquisition of an easement over part of a working commercial farm. The negative effects on farming operations, and thus farm income, during construction and for the life of the infrastructure/easement, is not recognised nor compensated. The Act appears designed for suburban situations and the complete purchase of a domestic dwelling or business building on a suburban Lot. This is quite different to the impact on a working farm business, and 55d 'disturbance' does not include this sort of impact.
- g) A further issue is that when a suburban property is compulsorily acquired, the owner can leave and purchase another property in the same market as they have been paid

out on. Whereas a farmer, after acquisition of an easement on their property, is left with a diminished asset forever.