

**Submission  
No 155**

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

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## **Impact of Renewable Energy Zones in rural and regional communities and industries in NSW from a farmer's point of view**

**Nat Barton LLB (First Class Honours)**

I agree with the findings and recommendations contained in the First Report, Impact of Renewable Energy Zones (REZ) on regional communities and industries in NSW of Portfolio Committee No 4 that was published on 21 August 2025.<sup>1</sup> I am a retired farmer of over 40 years experience, a recent law graduate and a member of the NSW Farmers Association. In my view the need for REZs has not been satisfactorily established. When peak load occurs in Sydney because of the use of air conditioners on a hot day, it is likely to be even hotter in the REZ. Transformers have to be turned off if it gets too hot (say 90°C to 95°C for oil immersed transformers ) which can cause oil fires or explosions. Overheating is typically caused by overloading, inadequate cooling, high resistance connections, harmonic distortion or ambient temperatures exceeding design parameters.<sup>2</sup> In all the circumstances the risk to farmers is increased substantially because of the establishment of REZs. This submission seeks to underscore some of the findings and recommendations and also to go into further analysis of some of the outstanding issues.

Wellington has 5 state significant size solar farms built or being built, 3 wind farms 2 in the pipeline, 3 batteries, 1 almost completed and 1 in the pipeline and 1 muted, and 1 compressed air facility proposed. All of these projects are on prime agricultural land and many more are proposed but are yet to be submitted for approval.

There is widespread farmer resistance to Net Zero policies by 2050 within Australia.<sup>3</sup> One of the main reasons is because of the long-term irreversible damage caused to soil and water by extreme resistance to environmental degradation caused by PFAS ('Per-and Polyfluoroalkyl Substances') forever chemicals. PFAS are used in renewable energy composites and cooling systems to enhance performance and durability.<sup>4</sup> Broken, degraded or improperly disposed panels, wind turbine blades or batteries form a block of contamination by PFAS that pose a major immediate problem. Fire, hail, lightning and dust can all contribute and developers are reluctant to disclose where they dispose the damaged components. Groundwater contamination from firefighting foam use at an Australian Defence Force base at Oakey in Queensland is just one example of the devastating impact PFAS chemicals can cause. Irrigation

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<sup>1</sup> Legislative Council of NSW, *Impact of Renewable Energy Zones (REZ) on regional communities and industries in NSW* Parl Report No 62 (2025) First Report <[Impact of Renewable Energy Zones \(REZ\) on rural and regional communities and industries in New South Wales](#)>.

<sup>2</sup> Zhengxi, 'Causes and hazards of Transformer Overheats' (online, 22 October 2024) <https://www.zx-ele.com/new/causes-and-hazards-of-transformer-overheating/#::~:~:text=I.,Poor%20Cooling>

<sup>3</sup> Norman, Jane, 'The clean energy super highway has hit a roadblock. Here's why' *ABC News* (online, 17 September 2023) <<https://www.abc.net.au/news/2023-09-17/clean-energy-super-highway-hits-roadblock-farmers-lock-the-gate/102812602>>.

<sup>4</sup> Smith, Anne, 'Submission to Federal Senate Inquiry into PFAS Standards' *Parliament of Australia* (online, 2025) <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/PFAS\\_per\\_and\\_polyfluoroalkyl\\_substances/PFAS/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/PFAS_per_and_polyfluoroalkyl_substances/PFAS/Submissions)>.

and drinking water contaminated, health risks, regulatory gaps with no redress and properties devalued<sup>5</sup>

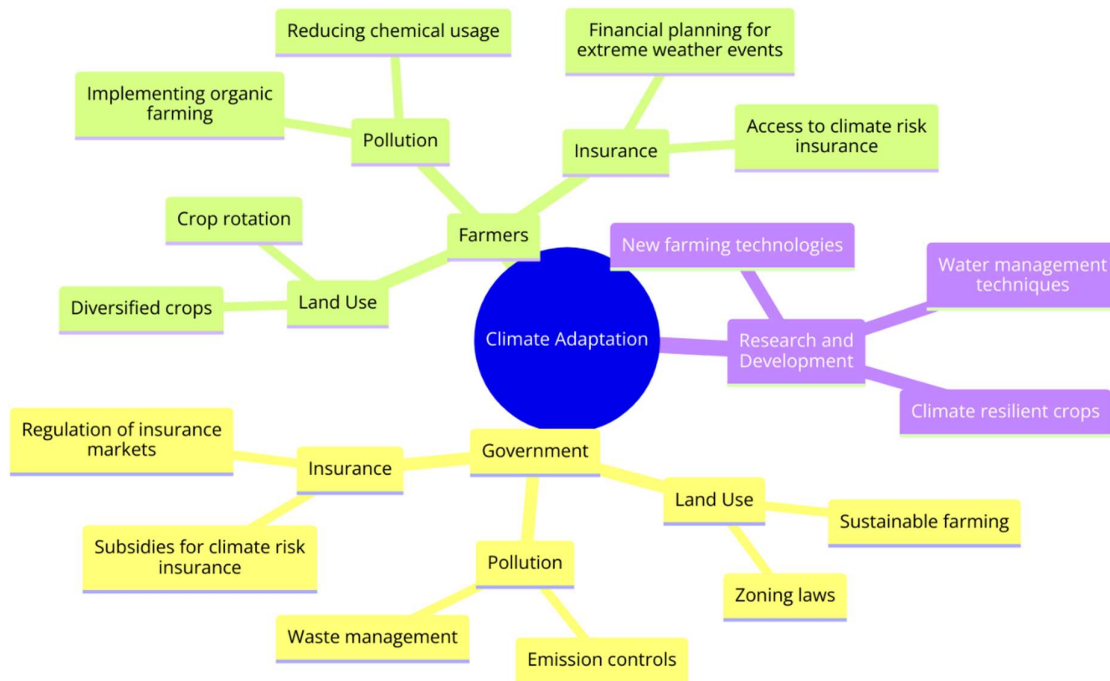
The aim of the recommendations in this paper is to attempt to resolve the conflict between farmers and the energy transition currently occurring in the Central West of NSW.<sup>6</sup> The recommendations address the gap in the literature in Australia with unique legal regulation between local councils, states and both houses of Federal Parliament and unique geographical conditions, including soil erosion, salinity, drought and fire conditions. What unites this research with the international literature is the question of distributive injustice, where the farmers must carry the weight of adjusting for the urban population to benefit from achieving the targets of the energy transition. The ultimate societal impact these recommendations aim to deliver is providing farmer and government organisations with a better understanding of the issues to better deal with the conflict and allow for a more consultative and educated approach.

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<sup>5</sup> Ibid

<sup>6</sup> Central-West Orana Renewable Energy Zone <<https://www.energyco.nsw.gov.au/our-projects/central-west-orana-renewable-energy-zone>>

## Distributional Injustice



### 1.1 Wind turbines cause local and ‘global warming’ and affect the weather

Peer reviewed studies have shown that air circulation increases land temperatures and cancels purported global warming benefits. Terrestrial wind farms can increase or decrease local wind speed, increase ground temperatures by up to 0.7°C, increase water evaporation, dry soils and retard plant growth.<sup>7</sup> A recent literature survey found that offshore wind turbines can affect both onshore and offshore weather patterns and weather event intensity.<sup>8</sup>

### 1.2 Public Liability Insurance for farmers

Insurance companies refuse to give farmers \$250m liability coverage in the event they cause a fire that burns a solar farm down, yet solar farms are currently being approved in the middle of closely settled prime agricultural cropping land. The NSW government has appointed an Agricultural Commissioner who has released two reports to review how agriculture can be better catered for in the NSW Planning system to reduce and manage land use conflict and to review the policy settings around the development of renewable energy facilities and associated infrastructure to ease the growing friction between these developments and agricultural production. Farmers are understandably angry and frustrated at the NSW government’s slow response to the Commissioner’s recommendations. The Commissioner

<sup>7</sup> Miller, Lee M and David W Keith, ‘Climatic impacts of wind power’ *Joule* Vol 2, Issue 12 (online, 19 December 2018) <<https://www.sciencedirect.com/science/article/pii/S254243511830446X>>.

<sup>8</sup> Deng, Shaokun et al, ‘Impact of offshore wind farms on a tropical depression through the amplification effect by the downstream mountainous terrain’, *Atmospheric Research* Vol 296 (online, December 2023) <<https://www.sciencedirect.com/science/article/abs/pii/S0169809523004441>>.

recommends that where suitable insurance cannot be obtained the applicant should indemnify the neighbour for reasonable risk and to compensate neighbours for any land use constraints such as requiring no further cropping to reduce the fire risk and/or a potential negative adverse impact on property values.<sup>9</sup>

### 1.3 Soil Erosion and Salinity

Farmers are concerned about the way in which overseas proponents have developed solar farms. For example, at Canadian Solar's Suntop Solar Farm all existing erosion control measures such as contour banks and farm dams have been levelled and massive erosion problems have been created on neighbour's properties. As well, a review of eSpade would have revealed that the site is at risk of salinity and is part of the Suntop/Little River Landcare group. There has been a long history of managing salinity outbreaks in this district. Government funding has been made available so that tree planting occurs,<sup>10</sup> areas have been fenced and rejuvenated,<sup>11</sup> hydrogeological studies and recommendations circulated,<sup>12</sup> and the Little River Dryland Salinity Report published.<sup>13</sup> Salinity outbreaks on adjoining and other properties in the Suntop district are a foreseeable risk once construction works begin especially if established trees are removed. The DPIE did not invite the Little River Landcare Group to make a submission on these issues and the Little River Landcare Group did not make a submission objecting to the removal of trees planted under the landcare program despite receiving landcare funding. The Soil Conservation Service was silent during the assessment period. Former employees of the Soil Conservation Service were threatened with sacking if they made uninvited comments on the proposal. The project has since been sold to CalEnergy Resources, a subsidiary of the United Kingdom based electrical distribution company, Northern Powergrid Holdings which is owned by Berkshire Hathaway.<sup>14</sup> Similar problems have occurred all over NSW.

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<sup>9</sup> Department of Primary Industries, *NSW Government response to the NSW Agriculture Commissioner's Reports* (Final Report, 1 March 2023) 22,23 24 <[https://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0004/1452244/db75af5a68535d9d58f5ed390850c1cac6cc1b7c.pdf](https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0004/1452244/db75af5a68535d9d58f5ed390850c1cac6cc1b7c.pdf)>.

<sup>10</sup> Shirkie, Daniel, 'Suntop property owners raise concerns about salinity due to solar farm development' *Wellington Times* (online 28 November 2018) <<https://www.wellingtontimes.com.au/story/5778762/concerns-raised-over-suntop-solar-farm-soil-salinity-risk/>>.

<sup>11</sup> Little River Landcare Champions, 'Dryland salinity management – Alan & Val Anderson' (You Tube, 27 March 2015) <[https://www.youtube.com/watch?v=BnS\\_conE664](https://www.youtube.com/watch?v=BnS_conE664)>.

<sup>12</sup> HGLS 32, 'Suntop Hydrogeological Landscape System' <[https://www.environment.nsw.gov.au/Salisapp/resources/spade/reports/HGL\\_CW\\_32.pdf](https://www.environment.nsw.gov.au/Salisapp/resources/spade/reports/HGL_CW_32.pdf)>.

<sup>13</sup> Little River Landcare, Dryland Salinity Report – Suntop <[www.littleriverlandcare.com.au/literature\\_81633/Dryland\\_Salinity](http://www.littleriverlandcare.com.au/literature_81633/Dryland_Salinity)>.

<sup>14</sup> Carroll, David, 'Canadian Solar sells two Australian solar farms to US interests' *PV Magazine* (online, 8 July 2022) <<https://www.pv-magazine-australia.com/2022/07/08/canadian-solar-sells-two-australian-solar-farms-to-us-interests/>>.

## 1.4 Submission Reports

Developers fail to deal with all of the issues raised by the public in their Submissions Report. For example, in the Hills of Gold Wind Farm Submission Report the proponents elected not to respond to any of the concerns of Save Our Surroundings, nor did they even acknowledge that Save Our Surroundings objected to the project even though they were mentioned in Appendix G Submissions Register.<sup>15</sup>

## 1.5 Enforcements – Fire Control

There is inadequate enforcement of conditions in Development Consents by the Department of Planning. It is farmers who are notifying the Department of Planning that fire control measures are inadequate. For example, on Suntop Solar Farm there was a fire in January 2023. The only fire control Canadian Solar had on site was a knapsack. Fortunately, the Suntop Rural Fire Brigade arrived promptly and put it out. Grasses and weeds have still not been adequately controlled by the owners and there are real concerns about the amount of vegetative matter around the perimeter fence which is in breach of s 26 of the Development Consent.

The cause of a grass fire on Wellington North Solar Farm remains a mystery. The fire burnt more than 92 hectares in the north east corner of the solar farm<sup>16</sup> and threatened the old Soil Conservation Station as well as affecting inmates at the Wellington Correctional Centre.<sup>17</sup> It is understood this is the second fire on the site and started among the solar panels. The smell was horrific and impact on electricity output was unclear but the plant has been operating on 90% capacity.<sup>18</sup> Neither Lightsource or the new owners, Aula Energy<sup>19</sup>, have disclosed where or if, disposal of the burnt panels has occurred despite repeated requests to do so. Rumour suggests that the burnt panels will be left where they are and not be removed from the site thereby leaching toxic chemicals into the soil.<sup>20</sup>

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<sup>15</sup> Hills of Gold Wind Farm, *Submissions Report* (10 December 2021) <<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-11484970%2120220110T072318.050%20GMT>>.

<sup>16</sup> Middleton, Emily and Alex James, 'Wellington North Solar Farm grass fire burns almost 100ha' *ABC News* (online, 9 December 2025) <<https://www.abc.net.au/news/2025-12-09/wellington-solar-farm-fire/106113846>>.

<sup>17</sup> Anonymous participant, Facebook Post (online 6 December 2025) <<https://www.facebook.com/groups/1181634050354627/posts/1373564537828243/>>.

<sup>18</sup> Middleton, Emily and Alex James, 'Wellington North Solar Farm grass fire burns almost 100ha' *ABC News* (online, 9 December 2025) <<https://www.abc.net.au/news/2025-12-09/wellington-solar-farm-fire/106113846>>.

<sup>19</sup> Vorrath, Sophie 'Investment giant snaps up 1 GW solar and battery portfolio of retreating oil supermajor' *Renew Economy* (online, 23 February 2026) <<https://reneweconomy.com.au/oil-giant-offloads-gigascale-australian-solar-and-battery-portfolio-to-macquarie-offshoot/>>.

<sup>20</sup> Kennedy, Ivan Robert, 'Muswellbrook Solar Electricity Generating + BESS – Independent Planning Commission' *IPC* (online 18 February 2025) <<https://www.ipcn.nsw.gov.au/sites/default/files/pac/projects/2024/12/muswellbrook-solar-farm/public-submission-rounds/website-submissions/ivan-robert-kennedy-id-240002-redacted.pdf>>.

### 1.5 Unsafe Working Conditions

Electricians and backpackers have raised concerns about unsafe workplace conditions on many solar farms. At one site electricians identified dangerous cables that could have been an electrocution risk to workers. Cables were plugged into another set of cables which were live as they were plugged into solar panels. The *Workers and Electrical Trades Union* ('ETU') have investigated a number of solar farms and found that people without qualifications were performing electrical work. The line between the jobs of an electrician and those of a trade assistant were blurred with many trade assistants performing electrical work. Some electricians have resigned from solar farm projects because their expertise and safety advice were ignored. They felt they were regarded as an expendable bit of labour and were only employed because the developers were legally obliged to employ them.<sup>21</sup>

On 25 April 2024 it is understood that a worker fell 20m to his death when a meteorological mast collapsed on the site of the proposed Proserpine Wind farm in Queensland's Whitsunday region. The 900MW project is in the early stages of development. The man was a contractor.<sup>22</sup>

On 11 November 2024 a man was crushed to death by a wind turbine blade during the wind turbine assembly process at Golden Plains Wind Farm in Victoria. The Australian Workers Union ('AWU') understands that the incident was caused by a pin that had not been correctly inserted into one of the scaffolding towers and a worker had climbed underneath to knock the pin in and the stand came down on the worker. The AWU maintains that the load should have been suspended to a point that it could not fail with a crane and then safely held.<sup>23</sup>

This incident is the latest and most serious at the Golden Plains Wind Farm. During September small blade parts fell from turbines. No injuries or damage were reported but workers were advised to wear protective head gear when they approached the turbines. The AWU says that construction delays had caused increased costs and workers were inadequately supervised with non-union subcontractors.<sup>24</sup>

### 1.6 End of Life

Decommissioning and Rehabilitation of wind and solar farm sites. Whilst there are often orders in Development Consents that rural land is to be restored to pre-existing agricultural use, there are no orders contained within the Development Consent for developers to provide a bank guarantee, bond or trust fund so that the costs of restoration can be met. Landowners

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<sup>21</sup> Herbert, Bronwyn, 'Electricians and backpackers sound alarm about unsafe conditions on solar farms' *ABC News* (online, 11 April 2024) <<https://www.abc.net.au/news/2024-04-11/solar-farm-workers-union-report-safety-issues-at-work-sites/103685196>>.

<sup>22</sup> Vorrath, Sophie, 'Man dies in met-mast accident at site of massive Queensland wind project' *Renew Economy* (online, 13 November 2024) <<https://reneweconomy.com.au/man-dies-in-met-mast-accident-at-site-of-massive-queensland-wind-project/>>.

<sup>23</sup> Williamson, Rachel, 'Man dies after being crushed by turbine blade at Australia's biggest wind project' *Renew Economy* (online, 11 November 2024) <<https://reneweconomy.com.au/man-dies-after-being-crushed-by-turbine-blade-at-australias-biggest-wind-project/>>.

<sup>24</sup> Ibid.

are expected to be conversant with all of the issues involved and obtain independent legal, financial and insurance advice before entering into any contract with the developer.<sup>25</sup> Unlike the Mining industry this advice is not automatically paid for by the developer. It is the landowner who must meet these costs.

An abandoned solar farm near Jemalong near Forbes is a classic example of a site left in disrepair after the owners, Vast Renewables, entered into administration in November 2025. On 18 December 2025 a fire occurred on the site. KPMG are the administrators and the site is partially dismantled creating fire risks, contaminated materials and hazardous substances like liquid sodium and other long-term environmental concerns.<sup>26</sup> NSW Premier Minns says it is the landowner's responsibility to clean up the site.<sup>27</sup>

These issues highlight the need for better policy settings and management of renewable energy facilities to ease the growing friction between these developments and agricultural production. A proper due diligence should be conducted by the Department of Planning before any Development Consent is issued.

## 2. Environmental and Ethical Concerns

### 2.1 Vegetation Clearance

For solar farms all shade trees are cleared from the site and the ground levelled. This can lead to major erosion problems on the solar farm and for neighbours as well as causing habitat loss for threatened wildlife and loss of threatened tree species. The fact that biodiversity credits are purchased is little or any compensation for the losses incurred.

### 2.2 Soil Contamination

Wind Farm blades and solar panels disintegrate when they are exposed to the weather. Blade and Panel Rot occurs through rain, hail, insects, birds and dust hitting the blades and panels. The disintegrated components settle on the ground and contaminate the soil with cadmium, lead, zinc and arsenic. Farmers are required to disclose when applying for a Livestock

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<sup>25</sup> Australian Energy Infrastructure Commissioner, *Considerations for Landholders before entering into Commercial Agreements* (October 2021) <[https://www.aeic.gov.au/sites/default/files/documents/2022-06/landowners\\_agreement\\_matters\\_to\\_consider\\_-\\_australian\\_energy\\_infrastructure\\_commissioner.pdf](https://www.aeic.gov.au/sites/default/files/documents/2022-06/landowners_agreement_matters_to_consider_-_australian_energy_infrastructure_commissioner.pdf)>.

<sup>26</sup> Sky News, 'Abandoned Solar Farm leaves locals up in arms', *The Kenny Report*, 18 February 2026 (Chris Kenny) <<https://www.skynews.com.au/opinion/chris-kenny/green-dream-in-ruins-abandoned-solar-farm-leaves-locals-up-in-arms/video/0e6d7c939ac4f4f637854e1144fec55>>.

<sup>27</sup> 2GB, 'Farmers to pay – Premier's confession on abandoned renewables projects', *Ben Fordham Live*, 3 March 2026 (Ben Fordham) <['Farmers to pay' - Premier's confession on abandoned renewables projects](#) 🗣️ - Ben Fordham Live - Omny.fm>.

Production Assurance ('LPA') accreditation<sup>28</sup> whether or not livestock 'have access to leaking electrical transformers, capacitors, hydraulic equipment, solar panels, wind turbines, coal seam gas structures or coal mine wastes.'<sup>29</sup> Questions arise as to whether or not farmers can honestly make the LPA declaration, the level of contamination in livestock, any restrictions that are to be applied and the impact on Australia's food production.

### 2.3 Biodiversity Offsets

Biodiversity offsets are failing to protect some of New South Wales's most endangered species and ecosystems and are riddled with integrity and transparency concerns. An audit by the NSW Auditor General found the NSW Planning Department and Environment Department ('DPE') had failed to properly design core elements of the scheme, and had no strategy for developing a biodiversity market or making sure it delivered the environmental outcomes required.<sup>30</sup>

### 2.3 Slave Labour

Concerns are also raised about solar panels being made by slave-labour in China where Uyghurs are being used as part of their re-education program, yet those same panels are imported into Australia. This is contrary to the *Modern Slavery Act 2018* (Cth) which requires entities based, or operating, in Australia, which have an annual consolidated revenue of more than \$100 million, to report annually on the risks of modern slavery in their operations and supply chains, and actions to address those risks. Other entities based, or operating, in Australia may report voluntarily.<sup>31</sup>

### 2.4 Spray Drift

Both farmers and solar farm operators have a responsibility to minimise off target crop damage and spray drift onto solar panels. Information on pesticide user responsibilities, training requirements, compulsory spray records and avoiding spray drift is available on the [NSW EPA](#) website. Essentially, weather conditions should be monitored before, during and after spraying and a fully qualified operator should be employed. Spraying should be avoided when there is a hazardous surface temperature inversion and neighbours should be notified prior to spraying.<sup>32</sup>

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<sup>28</sup> Integrity Systems, 'LPA accreditation' (Web Page, November 2024)  
<<https://www.integritysystems.com.au/on-farm-assurance/accreditation/>>.

<sup>29</sup> LPA Accreditation, 'Food Safety on your property' Question 2.8

<sup>30</sup> NSW Auditor General, "*Effectiveness of the Biodiversity Offsets Scheme*" (Final Report, 30 August 2022)  
<<https://www.audit.nsw.gov.au/sites/default/files/documents/FINAL%20-%20Effectiveness%20of%20the%20Biodiversity%20Offsets%20Scheme.PDF>>.

<sup>31</sup> *Modern Slavery Act 2018* (Cth) s 3 <<https://www.legislation.gov.au/Details/C2018A00153>>.

<sup>32</sup> Environment Protection Authority, 'Avoiding pesticide spray drift' (website)  
<<https://www.epa.nsw.gov.au/your-environment/pesticides/preventing-pesticide-misuse/reducing-conflict->

These issues highlight the need for better regulation and transparency in the development and supply chain of renewable energy technologies.

## Infrastructure and Compensation

### 3.1 Agricultural Advice

Farmers are expected to pay for agricultural advice that was in the past freely given. Management through droughts, floods and fire has been a real challenge over recent years. The use of carbon sinks in Australia and fluctuations caused by climate variability and disturbances such as fire and land use changes should also be examined in more depth from an agricultural perspective.<sup>33</sup>

Unfortunately, there have been incidents where the impact of climate change has been overstated and information released by reputable organisations that has cost farmers dearly and has proven to be incorrect. The Bureau of Meteorology ('BOM') declared an El Nino event in September 2023. The announcement created expectations of hotter and drier weather in the near future. By November 2023 prices for sheep and cattle had fallen dramatically due to increased yardings caused by a sell-off because many farmers feared they would not have sufficient feed to feed them through a drought or be able to afford to buy any feed. Reports from Dubbo saleyards during November 2023 showed that some sheep were selling for as little as \$1/head and the main cattle indicator value had fallen by at least 20%. In fact, there was heavy rain in December 2023 and producers were enjoying one of the best seasons ever. Many regretted selling their stock at such low prices based on the BOM forecast.<sup>34</sup>

### 3.2 Road Maintenance/Usage

Roads during the construction period of Wind and Solar Farms have been allowed to slip into a serious state of disrepair making it dangerous for the school bus, the mailman and local residents. On Twelve Mile Road there is a genuine concern that farmers may not be able to get stock to market unless orders are made to limit the times wind turbine components are transported along it.<sup>35</sup>

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[avoiding-spray-drift?utm\\_source=NSWFA+Members&utm\\_campaign=75d00bdcf7-EMAIL\\_CAMPAIGN\\_2018\\_12\\_11\\_11\\_58\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_3f0ecfb726-75d00bdcf7-109232969](https://www.nswfa.com.au/avoiding-spray-drift?utm_source=NSWFA+Members&utm_campaign=75d00bdcf7-EMAIL_CAMPAIGN_2018_12_11_11_58_COPY_01&utm_medium=email&utm_term=0_3f0ecfb726-75d00bdcf7-109232969).

<sup>33</sup> Moore, Caitlin, et al, 'In 20 years of studying how ecosystems absorb carbon, here's why we are worried about a tipping point of collapse' *The Conversation* (online, 25 March 2022) <<https://theconversation.com/in-20-years-of-studying-how-ecosystems-absorb-carbon-heres-why-were-worried-about-a-tipping-point-of-collapse-179554>>.

<sup>34</sup> Verley, Angus and Jane McNaughton, 'Farmers frustrated after destocking following BOM's incorrect El Nino forecast' *ABC Rural* (online, 22 January 2024) <<https://www.abc.net.au/listen/programs/australia-wide/australia-wide/103022974>>.

<sup>35</sup> Ungula Wind Farm, *Submissions Report, NSW Farmers Association Wellington Branch* (Report, November 2020) s 5.2.7

The approval for Uungula Wind Farm states that the ‘applicant must undertake an independent dilapidation survey to assess the existing condition of Twelve Mile Road....’and ‘repair Twelve Mile Road .....if dilapidation surveys identify that the road has been damaged during construction, upgrading or decommissioning works.’<sup>36</sup> DRC has taken the view that they will not repair Twelve Mile Road after the flooding events of 2022 but will leave it to the proponents of Uungula Wind Farm under the conditions of the negotiated Voluntary Planning Agreement (‘VPA’)<sup>37</sup> Whilst road repair funding is available under the NSW Government’s Regional and Local Road Program, repairs to Twelve Mile Road were not included.<sup>38</sup> No flood repair work on Twelve Mile Road was conducted by anyone for over 2 years.

### 3.3 Property Devaluation

Neighbours are not compensated for any devaluation of their property as a consequence of a wind or solar approval next door. If compensation is offered it is often tied to any nuisance such as transformer noise, blade flicker or glare and the landowner is expected to continue to live on the affected property. An Irish High Court judge has found that levels of noise generated at certain times of the day by a wind farm constitutes a nuisance to the occupants of neighbouring properties.<sup>39</sup> A similar finding was made in the Victorian Supreme Court when intermittent noise at night kept neighbours awake and damages, aggravated damages and an injunction were awarded.<sup>40</sup>

### 3.4 Host Landowners

The NSW Premier, Chris Minns MP, confirmed that the cost of removal of wind turbines and solar panels at end of life remained the responsibility of landowners. In Budget Estimates during questioning by Robert Borsak MP, leader of the Shooters, Fishers and Farmers Party, Premier Minns said “*the colossal cost of decommissioning wind turbines and solar panels always and everywhere rests with the landholder foolish enough to enter the agreements to host them in the first place.*”<sup>41</sup> The Premier confirmed this statement on 3 March 2026 on

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<<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-6687%2120201109T222313.273%20GMT>>.

<sup>36</sup> Uungula Wind Farm, *Development Consent* s B31(a)&(b) (online, 7 May 2021)

<<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-6687%2120210511T000101.106%20GMT>>.

<sup>37</sup> Ibid – Appendix 3.

<sup>38</sup> Dubbo Regional Council, *Council making road repair progress* (online, 13 September 2023)

<<https://www.dubbo.nsw.gov.au/news-and-media/news-and-resources/council-news/2023/council-making-road-repair-progress>>.

<sup>39</sup> *Margaret Webster and Keith Rollo v Meenacloughspar (Wind) Limited* [2024] IEHC 136

<<https://www.pressreader.com/ireland/irish-daily-mail/20240309/281689734777487>>.

<sup>40</sup> *Uren v Bald Hills Wind Farm Pty Ltd* [2022] VSC 145 <<https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/vic/VSC/2022/145.html>>.

<sup>41</sup> ‘No deal: More panicked farmers join rush to rip-up contracts to host wind turbines’ *Stop These Things* (online, 17 August 2024) <<https://stophesethings.com/2024/08/17/no-deal-more-panicked-farmers-join-rush-to-rip-up-contracts-to-host-wind-turbines/>>.

Prime TV when he issued a statement regarding the clean-up of the Vast Renewables site at Jemalong.<sup>42</sup>

### 3.5 Advanced Compressed Air Energy Storage ('A-CAES')

The building of transmission lines through private property can act as a magnet for renewable energy developments such as wind and solar farms, batteries and long duration energy storage of 8 hours or more by using compressed air and water to store energy. It is alleged Hydrostor's Advanced Compressed Air Energy Storage ('A-CAES') technology allows wind and solar farm energy to be distributed into the grid when the sun doesn't shine and/or the wind doesn't blow.<sup>43</sup> At Broken Hill, it is estimated that at least 350 full time positions will be created during the construction stage and 70 full-time positions will be created once built. The project is predicted to run 24 hours per day and will take 3 years to build.<sup>44</sup> The project was approved on 21 February 2025 but was first muted several years prior to 2023.<sup>45</sup> Formal agreements for the site at the Potosi Mine were signed in 2023. It was designed as a 200 megawatt, eight hour long duration storage project to replace diesel generators. However, a Court case involving an appeal by Outback Astronomy in the Land & Environment Court to be heard in March 2026 against the approval of Hydrostor's 1bn energy storage project may render the current proposal obsolete because of the alleged adverse impact of light and noise on Outback Astronomer's business<sup>46</sup>. To date no physical work has commenced.

Farmers around Wellington have expressed concerns about the impacts of a similar project close to Twelve Mile Road about 20km north west of Wellington that is being proposed near the transmission lines that run from Transgrid's Wellington Substation even though \$2m has been offered for 200 acres of land which is near a road and on granite country near the transmission line.<sup>47</sup> Farmers have expressed concerns about water availability and security, groundwater aquifers and long-term environmental risk, use of explosives and cavern construction, noise, light, dust impacts and groundwater pollution, traffic, biodiversity and threatened species and property devaluation for neighbours.<sup>48</sup> As well, the correct location of

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<sup>42</sup> Prime TV, Local news (online 3 March 2026) <<https://7plus.com.au/7news-central-west>>.

<sup>43</sup> Hydrostor, 'Powering renewable energy progress' (Web Page, November 2024) <<https://hydrostor.ca/>>.

<sup>44</sup> Ormonde, Bill and Andrew Schmidt, 'Compressed air storage project a step closer to construction in Broken Hill' *ABC News* (online, 18 October 2023) <<https://www.abc.net.au/news/2023-10-18/broken-hill-hydrostor-project-construction-progress/102981728>>.

<sup>45</sup> Silver City Energy Storage, Development Approval 21 February 2025 <[Silver City Energy Storage System | Planning Portal - Department of Planning and Environment](#)>

<sup>46</sup> Spackman, Katherine, 'Outback astronomers lodge appeal against Hydrostor's \$1b energy storage project' *ABC News* (online, 24 July 2025) <<https://www.abc.net.au/news/2025-07-24/outback-astronomy-court-actions-against-hydrostor-project/105554294>>.

<sup>47</sup> Wellington Energy Storage Centre – Hydrostor <<https://hydrostor.ca/projects/wellington/>>

<sup>48</sup> Email from Phillipa Smith to Katherine Hawkins, Hydrostor dated 17 February 2026 'Hydrostor Community Meeting on Thursday 12 February 2026'

the project was not identified by Hydrostor.<sup>49</sup> The Broken Hill project received \$45m in grant funding from ARENA and is predicted to cost \$652m to build.<sup>50</sup>

### 3.6 Just Terms Compensation

The failure by the Department of Planning & Environment ('DPE') to activate just terms provisions within development consents at the time of approval has proven to be extremely costly for some landowners. For example, the approval of the Wellington Gas Fired Power Station did not include any provision for acquisition until after the Power Station was built. This was despite the nearest property being within 700 metres of the proposed Power Station. There was no provision for a just terms settlement and the property was made valueless for well over 6 years as the proponents procrastinated and eventually were shamed into withdrawing from the project by a retired noise expert.<sup>51</sup> A proposed \$20m Aged Care/Motel Development had to be abandoned and all costs of the development already incurred were lost by the landowner and joint co-developers.

These issues highlight the need for due diligence and fair compensation for affected landowners and better infrastructure management during the construction and operation of renewable energy facilities. By establishing a fixed constitutional commitment to climate change a substantive policy and its precise quantum can be established.<sup>52</sup>

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<sup>49</sup> Letter from Peter Carter to the Editor, Wellington & District Leader dated 19 February 2026.

<sup>50</sup> Australian Trade and Investment Commission, 'Hydrostor opens regional HQ in Australia to advance energy storage project' (online, 7 September 2023) <<https://international.austrade.gov.au/en/news-and-analysis/success-stories/hydrostor-opens-regional-hq-in-australia-to-advance-energy-storage-project>>

<sup>51</sup> Hotham, Farren, 'Wellington's Gas Fired Power Station canned' *Wellington Times* (online, 23 August 2015) <<https://www.wellingtontimes.com.au/story/3299177/gas-fired-power-station-canned/>>.

<sup>52</sup> Levy, Ron, 'Fixed constitutional commitments: evaluating environmental constitutionalism's 'new frontier' (2022) 46(1) *Melbourne University Law Review* 82-122

<<http://classic.austlii.edu.au/au/journals/MelbULawRw/2022/22.html>>.