



TRANSCRIPT OF MEETING

RE: MIDDLEBROOK SOLAR FARM (SSD-10455)

PUBLIC MEETING

PANEL: MR RICHARD PEARSON (CHAIR)
DR BRONWYN EVANS AM
DR SHERIDAN COAKES

SPEAKERS: DR SHERRY MOHAJERANI
BEN WYNN
REBECCA GREENLAND
GREG SINCLAIR
SYLVIA ELIOTT
RAFE CHAMPION
MARTIN POWELL
JOHN GILL
STAN MOORE
JAMES GREENLAND
PAUL NIXON
EMMA BOUVIER
JANETTE HABGOOD
IAN MCDONALD
JOHN MCGRATH
ROBYN WEALAND
GRANT PIPER
ALISON CAIRNS
LYNETTE LABLACK
KEVIN LOUGHREY
ANDREW HARRIES
IWAN DAVIES

LOCATION: TAMWORTH JOCKEY CLUB
28 BRITTEN RD, TAMINDA NSW 2340

DATE: 9:00AM – 12:40PM
THURSDAY, 19TH SEPTEMBER 2024

<THE MEETING COMMENCED

5 **MR RICHARD PEARSON:** Okay. Good morning, everybody, and welcome to this meeting of the Independent Planning Commission’s public meeting into the state significant development application for the Middlebrook Solar Farm. I’m speaking to you today from Kamilaroi land and acknowledge the traditional owners of all the countries from which we meet today. I pay my respects to their elders, past, present and to the elders from other communities who may be participating today. Yes? Well, I can’t but Chris probably can. Can everyone hear me okay?
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UNKNOWN SPEAKER: [unintelligible 00:16:03].

15 **MR PEARSON:** Yes, well please sit as far forward as possible. You’re doing a pretty good job on that. It should be okay, I think. I can hear myself pretty loud. You can’t hear me?

UNKNOWN SPEAKER: [unintelligible 00:16:20].

20 **MR PEARSON:** Well, I think he just did. Yes, okay. All right, well let’s see how we go. I’m Richard Pearson, I’m the chair of the Panel, and joining me are my fellow Commissioners, Dr Bronwyn Evans and Dr Sheridan Coakes. Panel members have made conflict of interest disclosures and the chair of the Commission has determined the Panel can consider this application. A copy of that decision document is available on our website.
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30 We have a limited and specific role at the end of the planning process. We decide if the application should go ahead and if so, on what conditions. We consider the Department of Planning, Housing and Infrastructure’s assessment report, the application, your written and oral submissions and other materials that the planning law requires us to consider. All of these materials are either already publicly available or will be made available on our website.

35 In making a decision on this case, the Commission must obey all relevant laws and consider all applicable policies and the public interest. We’re also obliged to consider public submissions and that is the purpose of today’s meeting. We want to hear what you think about the merits of this application. It’s not a forum for submissions on whether you like or approve of the Applicant themselves, the laws we must obey or the policies we must consider.
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45 The application has already been assessed by the Department on our behalf, many of you have already participated in the Department’s processes and thank you for your participation to date. No need to repeat your previous submissions, they’ve all been made available to us for consideration. The Applicant and the Department have considered your submissions and taken them into account in the application and assessment and conditions we’re considering today.

Today what we really want to hear is your response to the Department’s

assessment, recommendations and the recommended conditions of consent. Even if your submission today objects to the project, which you're totally entitled to do, we encourage you to tell us whether any of your concerns could be addressed, either wholly or in part, by the imposition of conditions. Your consideration of alternatives does not in any way compromise your submission and it enables the panel to consider all options.

Okay. I appreciate this is a long opening statement, but I'm coming to the end. Firstly we're going to hear from the Applicant and then we will hear from registered speakers in the order that we've already allocated. Then at the conclusion of the public meeting, we'll hear from the Department and again the Applicant to answer any questions that have been raised today. While we endeavour to stick to the published schedule, this will be dependent on speakers being ready to present at their allocated time.

I'll introduce each speaker when it's their turn to present. Everyone has been advised how long they have to speak. A bell will sound when you're getting close to one minute remaining and a second bell when a speaker's time has expired. Just to ensure everyone has a fair chance to speak, I will need to enforce the timekeeping rules. Extensions may be granted on a case-by-case basis, however in the interests of fairness, an extension may not be granted.

If you have a copy of your speaking notes or material to support your presentation, very happy for you to provide those to the Commission today. And please note, any information that you do give to the Commission may be made public. The Commission's privacy statement governs its approach to managing your information and is available on the Commission's website.

Finally, just so everyone's aware where the toilets are, they're outside, understandably, in the foyer. And please just put your phones on silent so that we can – and please just behave and deal with everyone respectfully and people will have differing views, that's the point of the meeting, to hear the differing views that there are around this application, so the Commission is well-informed in making its decision.

So thank you for listening. I hope everyone can hear okay now and I'm going to hand over to the Applicant in the first instance, which is Dr Sherry Mohajerani to come forward and just let people know where they're up to with their application. And probably speak pretty loud, Sherry.

DR SHERRY MOHAJERANI: Thank you. Can you hear me okay? I'll try speak – that's fine. Please let me know if you can't hear me and I'll –

MR PEARSON: Yes, just speak as loud as you can.

DR MOHAJERANI: Louder?

MR PEARSON: Yes.

DR MOHAJERANI: Okay.

MR PEARSON: And we've turned the volume right up.

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DR MOHAJERANI: It's just very close. Thank you, Commissioners. Good morning. Just for disclosure, we had 20 minutes provided for us to do this presentation today but yesterday it was cut short to 10 minutes, so I'll be going through things quickly but happy to take questions on notice if anyone has any additional questions.

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Good morning and thank you for the time that we have here today to talk to you about the proposed Middlebrook Solar Farm and how it's evolved through the different stages of the development from the initial stage, which was the scoping phase, until the project that we have before us today.

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Thank you. What we are sharing today is a map that hopefully visually demonstrates the changes in the project. The red outline that you can see on that map shows the initial project, the scoping phase of the project that was initially considered. The footprint was approximately considered to be about 1,000 hectares at that time.

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Obviously that was pre-COVID and pre the detailed assessments that were carried out and throughout that process, the project footprint was reduced to the areas, the four parcels that you can see lower and even we have had further refinement of the project and therefore reduced the footprint. The current project footprint is approximately about 515 hectares, which is almost about half of the project size that initially was considered.

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I would just like to highlight some of the important changes that have been in response to some of the issues that were raised. As you can see on the – sorry, I don't have a pointer – on the far western side of the project in the north, that area, we have a setback and that's because of the Goonoo Goonoo Station considerations. You can see also on the far eastern side of the project, there were areas that initially considered as part of the project but that have been included in the setbacks and that was to preserve the important agricultural land, the class 3 land and I'll show you another map that will explain that further, a bit better.

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You can also see that in the middle of the western part of the project, where the creek crosses and the two other green areas, we also have setbacks in those areas due to the native vegetation and protecting those vegetations. So we have reduced the footprint even further. So sort of the middle sort of grey areas that you see, that's the current footprint of the project, which is about 515 hectares.

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Some of the other important changes to the project which has come through because of the consultation with various governmental agencies as well as community and the Council has been introducing of the second access to the site due to safety and traffic consideration. We have agreed to seal the road, a portion

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of the road from near the highway to the site for safety and dust consideration, which we'll cover a bit later again in more details. And another important factor is the consideration for glare that was identified to be on parts of the Middlebrook Road and it's important to note there was never any glare issue for any of the nearby residents. It was only some identified for Middlebrook Road during some months of the year and some hours of the day.

So in consultation with the Department of Planning as well as doing further assessment with our consultants, we decided to eliminate any impact on Middlebrook Road from glare and therefore we're doing backtracking and – thank you. We're doing backtracking arrangements and management of this issue, so therefore we have eliminated it rather than just doing some mitigation measures later.

Thank you. As you can see in this map, the yellow area is the high quality agricultural land, which we have sort of put some setback in there and you can see how the current footprint is to the west of that area and the aim was to obviously eliminate any impact on that high class 3 high quality vegetation area. We have commitments that we have made throughout all of our reports, the recent reports particularly, and also provisions in the agreements to have sheep grazing during the operation of the project and also that would mean that we will be doing the monitoring and managing of the soil and soil's health during this process and obviously making sure that the land is restored post the project lifecycle.

Thank you. The land use compatibility was one of the issues that was raised during the submissions and in consultations with various groups. We can confirm that we will maintain the agricultural land value obviously with all the setbacks that we have already implemented and also with careful management plans that we will have in place for the construction and obviously through the operational life of the project.

Just drawing your attention to the picture on the right, it just very clearly demonstrates that you can have sheep grazing and solar farm coexisting very happily. It's very beneficial, it's mutual benefit obviously for the land as well as for the solar farm in managing it that way and we have measures and means that we'll put in place to make sure that that will work very well once the project is – should it get approval and when it gets operational.

In terms of we briefly touched base on the traffic and the dust issue with the project. That was one of the main issues that we were made aware of during our consultation and also through consultation with the Council and obviously community and as part of the results of those consultations where that, as I mentioned briefly before, the second site access was introduced, that would have limited access for the construction period obviously for the substation, which is located near that access and the main traffic for the construction will be going through the first site access, as you could see in the previous map. Thank you.

We have also obviously committed already to do a road upgrade and to seal part of

the road, as we have had discussions with the Council. So there are some of the changes since the EIS.

UNKNOWN SPEAKER: You can't follow that map –

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MR PEARSON: Yes. Sorry, you'll get your opportunity but we have to do this in an ordered manner. If you disagree with something, sorry to – if you disagree with something, you –

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UNKNOWN SPEAKER: [unintelligible 00:28:58].

MR PEARSON: You will have your opportunity when it comes your time. So we have to – well, we've got to respect differing views through this process and we've got to do this in an orderly manner. Sorry, can you please finish.

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DR MOHAJERANI: Sure. Maps are also provided in an amendment report, so all those changes are already reflected in the reports that have been made public and have been assessed through the process and we're happy to provide –

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UNKNOWN SPEAKER: [unintelligible 00:29:28].

MR PEARSON: Okay. Well, I think we were going to try to put the blinds down to get rid of –

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UNKNOWN SPEAKER: The sun's coming from that direction.

MR PEARSON: There is – okay, sorry. We'll just have to do the best we can. If you want to come and sit in the front row and get a better view, we have to just deal with the limitations of the room, unfortunately. Nothing's ever perfect.

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UNKNOWN SPEAKER: [unintelligible 00:29:57].

MR PEARSON: I'm not sure if we've got enough of them but –

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UNKNOWN SPEAKER: Richard, the presentations will be available –

MR PEARSON: The presentations will be made available on the website, so you will be able to scrutinise them there. But for now we're just going to have to – we're putting some blinds down. Maybe this will make a difference. If you can continue, please.

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DR MOHAJERANI: Sure. Yes, that's all right. One of the other important considerations obviously that has been on our mind is the social benefit of the project. Obviously projects generally do have a community benefit fund and that will provide a grant based contribution to some local initiatives.

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Having said that, we have noticed that there is no sort of specific localities in the area with sort of organised groups like maybe Country Women's Associations and

similar and the feedback, the majority of the feedback we received through the consultation phase of the project and the survey that was done was that people would like to see some more benefit, directly benefit to them rather than if it's through a sort of initiative.

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So as part of that, we introduce the neighbour benefit sharing and that would be funding basically available for the life of the project to the neighbours within 3 km of the project. There are no strings attached. People still are able to voice their views and obviously if they have any issues, they can let us know. It is just really an offer of sharing the benefit with them directly, which they may not necessarily benefit from the community benefit fund that would be able available.

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In addition to the social benefits that I've just mentioned, there is the voluntary planning agreement, VPA, which is an agreement with the Council that will need to be reached still, but we have put an offer to the Council and that would provide the Council with an annual payment and obviously we have upgrading the road as per the recommendations and requests from the Council and a few other sort of considerations that they've had. And so that's our offer to the Council and we'll be working through with them going forward. The next map. Just very quickly –

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MR PEARSON: Just one minute, Sherry.

DR MOHAJERANI: Sure. Yes, I'll just go through this very quickly. Basically, it just shows the area where the project is situated. It's been quite extensively cleared and as opposed to the areas surrounding it and so it's situated well in that sense and obviously we've been advised that we don't need the Commonwealth approval based on where the project has been situated.

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In conclusion, just very briefly I wanted to just reiterate that the project has evolved through its initial stage and scoping phase and we have reduced the footprint quite significantly, as I mentioned, about half of what we started with. And we have tried to incorporate where possible the feedback we received from the community and the Council and all the relevant governmental agencies in terms of setbacks that we've applied and the mitigation measures that we have already agreed.

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The consultation is ongoing and we are happy to obviously take feedback from people as we progress and obviously we're contributing to reducing – you know, zero emissions, having zero emissions by 2050. Thank you.

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MR PEARSON: Thanks, Sherry. And the Commissioners probably have a couple of questions for you, so Sherry.

DR SHERIDAN COAKES: Yes. And obviously take this question on notice and you may want to come back to us at the end, Sherry. But in a number of the community submissions, there's quite a heightened level of concern around dust impacts and there was a lot of discussion around the existing environment and obviously those who live in that area are obviously very aware of that environment

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and have local knowledge of that dust. So really I guess interested in understanding – you’ve mentioned the sealing of Middlebrook Road up to that sort of access point 1 but what other dust suppression sort of measures is the company considering I guess to manage that dust impact during that construction?

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DR MOHAJERANI: If I can get back to you on that a bit later? Yes.

MR PEARSON: Okay. Bronwyn? No. What we’ll find during the day is as people speak, there’ll be key issues that come forward and we will – at the end of the meeting, the Applicant and the Department of Planning will be given an opportunity to respond to some of the key issues that are being raised today. So thank you, Sherry. I ask you to resume your seat and we’ll proceed with the members of the public who’ve registered to speak. I’ve got Ben Wynn in person. If you can use your five minutes, please, Ben.

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MR BEN WYNN: Good morning. My name is Ben Wynn. Thank you for the opportunity to speak today and for your consideration of my statement. I’m a solar farm developer, I live here in Tamworth. I specialise in agrivoltaics. I love solar energy. It is amazing. It’s a great, great technology. This project is a truly horrible proposal. It makes my job a whole lot worse because now that social licence we’re trying to build is destroyed when people and companies turn up and opportunistically try and take advantage of gorgeous, rich alluvial soils that should be left for agriculture. So thank you.

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We here in New South Wales cause less than 0.5% of the world’s emissions. Richard, we’ve got the time to do this transition right, as the former deputy secretary of the Department of New South Wales Planning. Slow this process down and set the standards that are going to create precedents that make sure that the proper and appropriate projects are approved in the right places.

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As a renewables industry, we need to build and maintain our social licence within the rural communities that we are asking to host these massive projects. Removing agricultural land that consistently produces high yield from a district while making a small majority of landholders, three only, extremely financially well off destroys trust and completely damages the social licence the rest of us are trying to achieve to speed this transition up.

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My estimations on current market rates are that the three landholders will receive somewhere between half a million and a million dollars’ worth of lease payments per year. The community fund in comparison is \$36,000 annually. Like, that is ridiculous. The Middlebrook Solar Farm proposal, if approved, will see the removal of at least 515 hectares of what we here would call prime agricultural land. We’re talking about a project proposed on amazingly rich alluvial soils that butts up against BSAL land.

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Well, I am not convinced of the proponent’s soil classification and I urge the Commission to set as a condition that an independent soil classification study is undertaken by the University of New England to correctly map and see whether a

lot of their class 4 soils are actually class 3. This is not a compatible land use, this proposal.

5 I couldn't disagree more with s 5.22 of the Department's assessment report. You cannot eat solar generated electrons. The Paris Agreement clearly states that agricultural land should not be destroyed or removed for solar energy. The New South Wales Large-Scale Solar Guidelines state the developers must avoid important agricultural land. This is important agricultural land and you have not done that. Vague plans to have a few sheep grazing post-construction do not
10 replace the significant agricultural productivity loss this project will cause.

I'd love to spend another eight hours pulling this project apart, given my experience and knowledge, but I'm only allotted five minutes, so here are my other main points of disapproval and contention. Number 1, why on earth would
15 the New South Wales Planning Department have a draft recommendation published that wilfully allows the destruction of 6.88 hectares of native vegetation, which could be supporting the endangered squirrel glider and the removal of 197 trees? At a minimum, this proposal should be descaled so as to have zero native vegetation removal impact.

20 The proponent, my point number 2, the proponent grossly exaggerates the full-time operating post-construction. It'll be three to five employees at most and I believe they're doing this to try and boost their local economic story justification.

25 Point number 3, I note that the proponent and our Council have not agreed on a VPA. We, as a Council area, should not agree to the proponent's estimation of capital works being \$856 million. This is really important. I'm a solar farm developer, I cannot get a quote for a 780 megawatt battery, a 330 kV cut in substation switch gear under \$800 million. That's just the battery and the
30 substation. That doesn't include the 450 megawatts DC likely of solar energy infrastructure that needs to be placed upon there. So I think that you're about to \$3-500 million short in your estimation and that means the contribution to Council should be significantly more, somewhere in the order of 6 million.

35 Point number 4, the decommissioning recommendations are woefully absent of detail. We don't know about any bond that the landholders might hold for decommissioning at the end. What if the project proponent liquidates? And they are asked to only remove infrastructure to 500 mm. All electrical cable is at 600 mm to a metre deep. Solar posts or tracking piles go in at least 1.5 m. If we're
40 going to ask them to deCommission this land post-project and return it to agricultural land that it should be, let's make sure that the whole project is cleaned up and cleared off. Helping us as an industry maintain social licence is critical here.

45 In conclusion, it is so disheartening to see a New South Wales Planning set of draft conditions that has "Recommended" watermarked across its pages. This reeks of a rubber stamped decision. The decision from the New South Wales Department of Planning in my view stems from a city centric feelgood attitude to

clen energy that totally ignores the conflicting incompatibility of this proposal. Et cetera.

5 **MR PEARSON:** Thank you. Thanks, Ben. Our next speaker is Rebecca Greenland and she's on the phone is my understanding. So hi Rebecca, if you would like to talk to us. You've got 10 minute. If you could stick to that, that would be appreciated.

10 **MS REBECCA GREENLAND:** Okay. I love a sunburnt country, a land of sweeping plains, of ragged mountain ranges, of droughts and flooding rains. I love her far horizons, the wide, brown land for me. Like Dorothea Mackellar, my family and our neighbours value our rural outlook and as a solar development threatens our way of life, Miss Mackellar's words appear quite prophetic when she lamented, "All you who have not loved her, you will not understand."

15 I strongly oppose the Middlebrook Solar Farm application. My name is Rebecca Greenland. I currently reside at Brookland Cottage, which is noted as receptor 15 in the EIS, approximately 2 km from the proposed site. My partner and I conduct beef cattle and stud sheep breeding primary production enterprises on the property.
20 Additionally, I conduct my legal practice from home. Accordingly, I am present on the property 24 hours a day, seven days a week.

25 The developer asserts this project is differentiated from others as there is no greater than low visual impact for any residents. I strongly disagree with this objective assessment of low impact as it fails to take into account the scenic value which neighbours place on the area whilst also limiting the effects to a residence. I submit that the developer's classification of what constitutes a scenic outlook is very dispassionate and fails to recognise that I, my family and our neighbours choose to live where we live because of the very outlook which the proposed solar
30 farm will be taking away.

35 For a European based company to be able to disrupt our highly valued rural outlook for their own economic gain without compensation simply because they do not hold farmland in as highly regarded manner as do we is extremely disappointing and unjust.

40 The recent New South Wales Land and Environment Court decision in IT Power Australia Pty Ltd v Mid-Western Regional Council demonstrated that a proposed solar farm at Mudgee would be a visual element that is not currently experienced and would significantly alter the scenic quality and landscape character of the locality. Paragraph 15 of that decision indicated the solar company had failed to capture every relevant adverse viewing impact in their visual impact assessment and I submit that the developer of the Middlebrook Solar Farm has done likewise.

45 By restricting the visual impact to residential dwellings, the developer fails to take into account the fact that farming enterprises are undertaken outdoors and therefore the proposed solar farm site is in direct eyeline of my family during all daylight hours.

I further submit the developer’s visual impact assessment has failed to differentiate the landscape character of the Loomberah Valley from the visual impact. The 2022 solar guide definition of “scenic quality” includes the requirement to take into consideration community views or values when addressing this section of the state environmental planning policy.

The visual impact statement presented by the developer indicates that high value was placed on grazing land by 82% of those surveyed, on hills by 82%, on ridgelines by 74% and crop farmland by 67%. Yet when describing grazing and cropping pastures on p 38 of the visual impact statement, the developer has concluded low scenic quality, low sensitivity and low magnitude. When over eight in 10 local people agree that grazing and farming land is important to them and the developer states the project will be a visible change in the landscape characterisation from areas at close range, how can the Applicant then disregard the local sentiment to determine the extent of this change is considered minor?

Interestingly, the Council in the Mudgee decision submitted that the proposed solar array is fundamentally different to the existing agricultural character of the valley and that the predominantly agricultural character of the valley floor will be fundamentally changed, with the most significant impact being the change in the openness of the landscape character.

The Middlebrook solar Applicant purports this project is of a scale and form that is in keeping with the existing built form typology of the rural landscape and as a result the project could be adequately absorbed by the landscape. I hope the Commission members can agree after visiting the proposed site that the introduction of 750,000 solar panels together with 100 inverter stations and a 6 hectare power substation with associated security fencing will indeed be a fundamental change to the local landscape character.

I further submit that by failing to appreciate the concerns of the local community and in particular those of the neighbouring landholders, the Middlebrook solar developer has failed to sufficiently factor our sense of place into its assessment of the visual impact of the proposal.

I urge the Commission to do as Senior Commissioner Dixon of the Land and Environment Court did and determine that the Middlebrook Solar Farm would be an alien feature and the development uncharacteristic which will intrude on the landscape and impact on our present rural visual outlook.

I note the Mudgee site is similar to Middlebrook in that it is also located in a valley which has elevated neighbours. Senior Commissioner Dixon found that development would present as a large contiguous mass, the overall scale excessive and incongruous with the surrounding landscape, which comprises low scale individual buildings, disconnected built form, separated by expanses of rural open land.

I respectfully submit this summation would also fit the Middlebrook proposal and further assert that the New South Wales Department of Planning's comment at para 118 of their assessment report, that the project design is consistent with the solar energy guideline, particularly in avoiding sites with high visibility such as those on prominent or high ground positions or sites located in a valley with elevated nearby residences with views towards the site is incorrect, with our property, Brookland, severely visually impacted by the proposed placement of the development.

The final similarity I would draw to the rejected Mudgee solar application is the fact that it is also not located in a renewable energy zone. Page 65 of the EIS notes the burden of the cumulative effects of two proposals [unintelligible 00:46:17] in relation to the proposed Acacia Lambruk development less than 5 km away and the Technical Supplement Landscape and Visual Impact Assessment Large-Scale Solar Energy Guideline requires the developer to factor in other projects which may have direct or indirect cumulative impacts with the proposal. With Lambruk Solar Farm beginning the EIS process and the Tamworth and Calala BESS projects also proceedings, our 25 km drive into Tamworth city will see us pass at least three other major renewable energy projects.

I can categorically confirm the proposed Loomberah solar projects are causing high levels of stress and anxiety for local landholders and I fear for the mental health of local residents, particularly neighbours who feel disenfranchised by this process. Why are all the detrimental impacts of a foreign owned solar development imposed on the Loomberah community when the area is not in the New England REZ?

Whilst I would prefer the Middlebrook solar proposal be rejected, if it should proceed, at the very least the following mitigation measures should be imposed on the project. (1) Sealing of both Middlebrook and Marsden Park Roads to ensure neighbouring properties gain some benefit from the project, rather than just the detrimental effects of increased traffic, dust, noise and visual pollution. As a neighbour, I feel the Applicant's proposed \$32,000 annual payment into a community benefit fund would be better spent in either using these funds to bitumen the road or to directly compensate neighbouring properties.

Whilst I believe the Applicant's costings to seal the road are extremely low and I worry about the quality of the road surface, if it is indeed only \$322,000 to seal 4 km of road, then why not impose the condition on the developer to seal the entire local road network, which would benefit both neighbours and Council?

(2) A requirement to relocate the substation and carpark behind the knoll to reduce the visual impact on neighbours. (3) The Applicant should be required to not only plant trees along the boundary of the project but to also install soil mounds of a considerable height to lessen the visual impact from higher placed neighbouring residences. If the Applicant were to create a levy bank of sorts and then plant trees on top of it, the project could almost be entirely screened from neighbouring properties.

5 (4) Tamworth Regional Council should be required to provide written confirmation that use of Council's standpipe for water supply is authorised. I note the local government elections held on the weekend may have resulted in new Councillors who are opposed to the solar project.

10 (5) The Applicant be required to produce its accommodation and employment strategy prior to the commencement of any works on site and have it signed off on by Tamworth Regional Council. Anecdotal evidence of skilled tradesmen shortages in Tamworth would suggest a workforce from outside the region will be required, which when combined with the current rental vacancy of 1.6% suggests there will be heightened stress on local services and housing and minor benefit to the local economy.

15 (6) Meaningful compensation to neighbours rather than token sums must be offered by the developer if the project is to proceed. We have heard reports that the neighbour Lambruk solar project is offering compensation sums of up to \$20,000 per year and wind farms seem to have better compensation schemes in place. Given the economic benefit to the developer, it is the least they can do to
20 offset the negative impacts of the project. Providing a nominal sum to schools or halls does not compensate for the overall detrimental impacts of the project on neighbouring landholders. The proposed \$32,000 annual payment into a community benefit fund would be better directed to affected neighbours.

25 For those of us who will bear the major brunt of an industrial development outside a renewable energy zone, we implore the IPC to appreciate the total upheaval to our way of life that the Middlebrook solar project will bring about. I think Joni Mitchell said it best, "Don't it always seem to go that you don't know what you've got 'til it's gone." Thank you.

30 **MR PEARSON:** Thank you very much, Rebecca. Are you still on the phone?

MS GREENLAND: Yes.

35 **MR PEARSON:** Yes. Did Commissioners have any questions for Rebecca? I just had one follow up question in relation to the relocating of the substation and carpark behind the knoll is what you said. You mean back towards the New England Highway presumably by that comment?

40 **MS GREENLAND:** Yes, further south, there's a bit of a hill there that originally the developer had indicated the substation would be placed behind the hill so that we couldn't see it but it seems to have disappeared in their most recent formulations.

45 **MR PEARSON:** Okay. Well, I'll ask the Applicant in their concluding remarks to respond to that issue and/or come back to us as a question on notice because that's definitely worth having a response to, I think. As well as the other suggestions you had about how if the project was approved, it could be mitigated. We'll obviously

follow up on those as well. So thank you, Rebecca. That was much appreciated.

MS GREENLAND: Thank you.

5 **MR PEARSON:** The next speaker is Greg Sinclair, also on the phone for five minutes. Is Greg with us? Yes, we have to just transfer. Okay. Greg, are you with us?

MR GREG SINCLAIR: Yes.

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MR PEARSON: Good, Greg. You have five minutes if you would like to address the Commission, please.

MR SINCLAIR: Good. Thank you. Well, good morning, Commissioners.

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MR PEARSON: Good morning.

20 **MR SINCLAIR:** First off I'd like to thank you all for giving us the opportunity to discuss the Middlebrook Solar Farm. I also must first say that I'm very supportive of green energy and understand the needs for Australia to meet its internationally pledged targets and to reduce carbon emissions. I also understand that electricity production is the major cause of greenhouse gas emissions in Australia and therefore it is needed to look at renewable energy projects such as this.

25 My name is Greg Sinclair. I'm 60 years old and I have worked in and around agriculture industry all my life, both in corporate and private enterprise. I feel this gives me the knowledge of the impacts to both primary production sector and the valuations of farming land. Agriculture, as you know, is a finite resource, especially in good, productive country in Australia. We must be incredibly careful
30 to protect farming land and allow it to sustainably continue to produce food, fibre for future generations.

35 As a child, growing up on the land, I was taught that you can't grow grass and have trees. This statement has proven incorrect and shows how wrong the knowledge of the time is with benefit in hindsight. My point to this is if we go down the solar panel path on prime agricultural land, how will we ever get it back to the country it was before?

40 I'm sure you all had electricians, plumbers, builders attending your house and depart leaving a multitude of wires, screws and offcuts and other garbage strewn about. This project will be no different in terms of the detritus, except on much larger scale and on the soil which cannot be just swept or vacuumed and which then can be held out [unintelligible 00:53:25] be available immediately for grazing sheep and future return to the farming once industrial solar project is
45 decommissioned.

Excuse me. Whilst the developer suggested the country can be returned to its current state, which regardless of the land classification is undoubtedly the blue

ribbon district of Tamworth, it's too great a risk to assume that this land can be cleaned up when there will be hazardous waste and compaction over the 30 years, predominantly non-local working force who do not really care about the future and sustainability of the land and as a farming enterprise. I am concerned allowing the solar project will essentially lock this country out of primary production forever.

The developer has also tried to demonstrate that the solar project will not be negatively impacting on the local environment or community. My understanding is that there's no Australian studies on the impacts of solar farms on neighbouring land values and therefore the developer has essentially used this as an excuse to ignore the pleas of neighbours for compensation.

As mentioned earlier, my professional career deals with rural landholdings. Those farms are the superannuation of rural property owners and the dollars are significant. To not to take this into account the impact on valuation of those neighbours' blocks is to me the most galling of all the developer's assertions. Farmers are in general conservative people who do not like making a fuss. How are they meant to challenge a multimillion dollar foreign company and why must it be so that the neighbours who have to find proof of lowering land values rather than the developer having to safeguard the value of the neighbouring farms?

I ask the commissioners to think carefully about approving the Middlebrook Solar Farm. You are the gatekeepers of what Australia will look like in the next 50 years. You are setting the precedents of Australia's future, so I understand the magnitude of the responsibility you hold. Please take into consideration the farming land, which is a finite resource. If there's any better substitute site, if not, how is the developer going to compensate the neighbours for the loss of amenities and future potential impact on land values? As Mr Kerrigan in The Castle would say, "It should be on just terms." Thank you.

MR PEARSON: Thank you, Greg. Okay, we're now going to move on to Sylvia Elliott, who's with us today. Five minutes, please, Sylvia.

MS SYLVIA ELIOTT: Good morning. Welcome to the Commissioners and to everybody else and thank you for the opportunity to speak. So my submission may be summed up as a food fight. Make no mistake, I myself have a 15 kilowatt solar installation on my shed and I am looking to invest in a battery so that I don't have to pay anyone for power. So to be clear, I am here to fight for your food. This is basic human right to food fight. A human rights fight and we are talking about food for all Australians.

We are here right now because our state planning provisions presently lack any protection from proposed renewable energy developments on our state's food producing land, otherwise known as primary production land. Perhaps this zoning title, primary production, gives no clue as to its value to our population, literally to our entire country. Sure most people can connect primary production to agricultural practices but how many people would link agricultural practices to the steaks on their plates, their bacon and eggs? People talk about wagyu and Angus

beef, they may even talk about the kinds of pastures that these beasts have been raised on or be very concerned about the growth hormones that may have been used. But where does all the work to bring these steaks and other food to our plates actually happen? It happens on primary production land.

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But the state planning provisions presently have no grounds to reject and proposed renewable energy developments on primary production land. We are here because all that the Applicant proponent has to do is tick the boxes on the application to the state planning authority and wax on about the impacts with all of the correct language to meet the criteria.

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Once the proponent is deemed to have met all of the criteria, the planning authority has no grounds to reject it. No grounds. The judge of the Land and Environment Court also has no power to overturn it because there's no legislation against it. We have done our part with unique submissions triggering the requirement to consult and this is where the Commission comes in. You alone are the people who can stop it. Please, please, please be the people who stood in front of the food bowl and said, "You can't use this land."

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I will leave others to point out in detail the bald faced lies printed in all of the promotional material and communications from the proponent, the corporate seduction of maxed out farmers offering short term financial gain and easy retirement but dividing communities and families alike and the current legislation making the landowner pay for the cleanup. The profits going to France, Canada and Turkey, their primary producing land is already protected by legislation. That's why they're coming here. No, wait, sorry, Australia's the best place to put solar factories because of all the sun.

25

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The job losses not just on the land in question but in our very own local food factories, Thomas Foods and Teys employ thousands between them. The closure of the meat sales markets, our regional livestock centre and butcher shops, we've some 18 in Tamworth and one in almost every outlying village, not to mention the freelance butchers like my next door neighbour, Pete.

35

The exporting of the solar power that is produced here if this monstrous violation of human rights goes ahead and that the proponent of this development will not exist in its present form, if at all, in five years' time, let alone 30. Where will you be in 30 years' time? The likelihood that these piles of toxic waste are obsolete before they have even turned a profit, like NBN was obsolete before it even started rollout.

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So yes, I'll leave all of those crucial points and more to those before and after me and get back to the food fight. Here's the setting. You get the food that's been grown underneath the solar panels, in fact you can get all of the food grown under all of the solar panels in the whole of New South Wales. I get the food grown just in the Loomberah Valley from farmers in the Loomberah Valley, right next door, I will have prime lamb and tender beef and Jersey milk and eggs and chickens and alfalfa and wheat and canola and sorghum and oats and bacon. This land produces

these things on a commercial basis. You'll have mutton. Nothing but mutton. This is because you can't finish lambs off under solar panels.

5 So far, you looks like a shepherd's pie has been thrown into a muesli pavlova with bits of bacon and a steak on top. I don't need slides, I need you to listen. I need you to remember this when you eat the lunch that is provided to you today. Our region is a food bowl, a human food bowl. What does that look like to you? Is it just berries and lettuces? One of our local businesses and contending Councillor built an immensely successful business growing and selling fresh and boutique fruit and vegetables right here but that's not what we are known for.

10 We are known for the production of beef. Your beef Bolognese, your beef sausage rolls, your beef rib, your eye fillet, your scotch, your rump, your T-bone, your porterhouse. We're known for the production of prime lamb. We're known for the production of pork. Have you ever tried American bacon? Just pop down to McDonald's, you'll know what it tastes like from there. We have chicken farms here, we have goat farms, but if you don't like milk, we have olive groves here, we grow canola, we grow oats. These are things that coexist for food for humans and food for animals. We grow wheat. Aboriginals planted and harvested grains and roasted damper without power.

15 How do you rate food against power? Me, I know that I can cook food without power, I know that I can grow food without power, I can even breed food without power, but I cannot make food from power. Did you know that Coles and Woolworths source their meat from local suppliers as much as possible and then out substitute in from other areas. For metropolitan areas like Sydney, this means that the meat in Sydney supermarkets is predominantly surplus from ours and other regions like ours. Perhaps you shop at a butcher's shop for your meat. Do you know where they source their products?

20 30 Primary production is its own zoning in any local government authority. It is a privilege to have land in our LGA not only zoned primary production but under primary production. What I'm saying to you is on the very land that is proposed for an industrial solar factory, a good farmer can produce commercial volumes of beef, lamb, pork, canola and sorghum and oats together. Seasonal cropping, crop rotation and symbiotic grazing animals working together for your food. So when you take land in regions like ours and dedicate them to a solar factory, we cannot produce the food that humans in Australia need or support local businesses. You'll be forcing Australians to buy imported meat and manufactured derivatives, you know, plastic. Just on the –

MR PEARSON: Syliva, if you can just wrap up, that'd be great.

45 **MS ELIOTT:** Have I had my double thing?

MR PEARSON: Yes, you've had your double thing.

MS ELIOTT: I beg your pardon. I didn't mean to. Sorry, I thought I didn't hear

it.

MR PEARSON: No, no, but if you've got a concluding statement, otherwise –

5 **MS ELIOTT:** I beg you to drive out to Kevin [Tung's(?) 01:03:32] place, he's sitting back here, at any time you have in the Loomberah Valley and see for yourselves what he's doing on the land.

MR PEARSON: Thank you. Thank you.

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MS ELIOTT: Thank you, everybody.

MR PEARSON: Okay. Our next speaker is Rafe Champion, also on the phone, I think, Rafe. Yes. Please talk to us for five minutes, Rafe.

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MR RAFF CHAMPION: Okay, well first of all I'd like to congratulate Sylvia on amazing exposition and I just thoroughly congratulate your work. Coincidentally I'll be giving a different type of presentation from my normal technical scientific type of thing. I'll be actually drawing on my experience as a dairy farmer in
20 Tasmania with experience of cows and pigs and I'd invite you to think like a cow approaching a fence, trying to get in or out of a paddock. If the fence is unbroken, the cow will stay in the paddock. If it finds a gap or an open gate or even low spot it can step over, it gets out and at that point the whole fence becomes functionally null and void. In other words, the continuity of the barrier is broken and the stock
25 get out or in.

Now, consider the supply of intermittent or occasional energy to the electrical grid, where we draw our power and we want to draw it continuously, 24 hours a day, 365 days a year plus leap year. That input of power has to be unbroken,
30 absolutely unbroken. The slightest break in that power will cause havoc in the industries and households of Australia.

Now, windless nights, you'll appreciate that the input of intermittent wind and solar power into the grid is broken and if we're actually depending on that power,
35 if we've lost our coal, so we don't have 100% of coal capacity to run 24 hours a day through the wind droughts, through the nights, if we lose that coal capacity, we get to depend on the wind and sun, the gaps in the system on windless nights render the whole of the intermittent tendency system, the wind solar factories, the wind factories, the batteries and high voltage transmission lines, all of that is
40 rendered null and void by nights with little or no wind.

This flight from coal to intermittent energy is impossible, strictly impossible, as I've explained and you can understand full well if you think like a cow or a horse trying to get in or out of a paddock. Just for light relief, I'll say there's a contrast
45 with pigs, pigs will dig under the fence and they'll put their snouts under a gate and lift it up to get under. So you have to think about the cows and the horses and never mind the pigs.

5 So I think on that basis, this transition to these unreliable providers is just not on, it can't happen, it's hit the wall, let's acknowledge in Victoria and New South Wales, where they're going to put coal factories plants on publicly funded life support because they know we have reached a limit of the transition. It's all over bar the shouting and the change of policy and the clean-up and that's going to be a hell of a clean-up. Well, I think you for listening and I hope your other speakers give the same stirring factually based and powerful performance as Sylvia. Thank you.

10 **MR PEARSON:** Thank you, Rafe. Next speaker is Martin Powell and Martin's with us.

15 **MR MARTIN POWELL:** Well, I live right next door. In fact, 350 m from my back shed, I'll have the panels. A couple of things have been very eloquently spoken about and I just want to add a little to some of those. First of all, as far as having communication and the visits from the Department, as it says here, I've received nothing in writing via email. I did receive an update in March about the new assessment report. First I've heard about compensation, no one's said anything about that to me and the only thing they did when they came to my place was take photographs. No one discussed my concerns whatsoever.

20 Now, regarding the traffic. It said in the report, s 5.4.1 in the recent assessment, 25% of the traffic will access Middlebrook Road. In other words, 75% will go in the entrances 1 and 2 but 25% will still continue down Middlebrook Road, mostly to go to the substation. Now, that is an awful lot of dust. You saw yesterday what the dust is like on that road. On a 40 degree day when the wind's from the south, it's just intolerable.

30 Now, regarding the cost of upgrading the road, they say they're going to do it for 327,000 and I spoke to the supervisor responsible for the roads on the southern side of Tamworth, he said they wouldn't even widen it and form it for 100,000 a kilometre. Five years ago I had a quote to seal 100 m of road in front of my house, that's directly in front of my house to stop the dust. The road is already formed, it would've just required a light grade and a water and a roll. 32,000. In today's money, it's probably 50,000 for 100 m. So that is absolutely laughable.

40 Now, they also say that the MSF have committed to repairing damage to the road. The Department requires this as one of the conditions of consent. Are they going to have their own road plant? I know how hard it is to get any contractors to come in. The Council has great difficulty getting contractors to come in to grade the roads. We have to wait three or four months sometimes to get the road serviced when they admit that it is in a deplorable state. Who's going to supervise this and make sure it's done?

45 Now, the noise issue. It's all very wishy washy as far as I can see. Just to read something out here about the noise, the s 4.3 of NGH Consulting done last year says, "For construction works conducted within close proximity to the dwellings or buildings of associated receivers," which I am one, "Notwithstanding that both

5 belong to associated receivers, potential noise exceedances to those locations would be managed by implementing time restrictions and/or providing period of repose for residents where feasible and reasonable. For example, between 10 am and 3 pm with a one hour break for lunch. Activities that may cause an exceedance of the NML could occur with no noise level restrictions over a limited time period. Also allowing the construction activities to proceed despite the noise exceedance may be the preferred method in order to complete the works expeditiously.”

10 Well, this is just wishy washy stuff. I mean, who’s going to – I’ve got piledrivers driving these things in a metre and a half, it’s got substations that operate at 80 decibels all the time. On certain weather conditions, I can hear the traffic on the highway quite clearly 5 or 6 km away. So what’s it going to be like me having it right next door?

15 The disturbance of the earth and the effect on biodiversity, the loss of 197 trees, it’s all been touched on. But they’re going to be digging cable channels down to a metre and a half, they say they’re going to take the soil off, in some cases they have to refill it with sand or loam. So as far as returning the site to its original condition, that’s just laughable. And then that soil is going to be put back in – it’s not going to be the same again, it’s lost its biodiversity. Things are not going to grow the same, weeds will come up and disturb soil. What are they going to do to implement weed control, manage the pastures if the farmer decides it’s all too difficult to run sheep? It’s all up in the air. Honestly, it’s just a total disaster. Thank you.

25 **MR PEARSON:** Thank you, Martin. Our next speaker is John Gill, who’s also here today. Thank you, John.

30 **MR JOHN GILL:** Thank you, Commissioners, ladies and gentlemen. Good morning. I’m a landholder in the Middlebrook Solar Farm area. Previously I lived at Coolah, where we had gas pipeline issues. So I’ll just go through that first.

35 Before coming to Coolah, we had companies which installed gas lines between Dubbo and Tamworth. We gave permission for a substation to be allowed on our property with the understanding that the township of Coolah would be supplied with gas and we would have a line sent to our silos, sheds and homestead. Do not blindly trust the negotiators as the company you’re dealing with can then change hands unbeknown to you. This happened to us and had a very sad outcome because the company did not honour their agreements and after many conversations, the matter was swiftly pushed under the carpet and I strongly suggest agreements be drawn up, signed and watertight because the power of the legal world against a farmer is David and Goliath.

45 The other matter of concern that used up a lot of unnecessary time, energy was to get the company to return the site, the gas line site to its original state. It appeared easier for them to walk away and took some 18 months for us to get somebody back on site to carry out remedial work that was not particularly successful. The pasture didn’t grow and we had a weed problem. The closest arrangement we

could get at the end of the day was for them to supply drums of chemicals and seeds, bags of seed and we did the work ourselves, not the company. They left it.

5 Overall experience was rather stressful because the pressure from the big brother was very strong and concerning most of the time. Let this be a warning to landholders to secure watertight agreements and understand that the development company, their aim is to look after themselves, not you.

10 Leading on from this, we're worried for the landholders involved in this project and suggest a baseline test on water, soil and vegetation should be carried out and recorded prior to construction and so that a record has been established before the construction begins between the landholder and the company. Bit of sticky paper.

15 TotalEnergies Australia or TERA need to guarantee to maintain the environmental integrity of the site. No contaminants such as chemicals, oils, fuels, metal, wiring, bolts, screws, electrical tape, plastics are to be dropped and left on site. All must be removed and cleaned up. In later years, when the company doesn't want the use of the land anymore, there'll be cattle, sheep, goats, horses graze and injury can occur to any of these animals, hooves, feet, skin or even ingested by them.

20 Our next big concern with this project is public liability insurance. I contacted you, Dr Sherry, in April 2023, requesting information on the solar farm. You sent me a map where I could identify where I lived in relation to the farm. I called and spoke to you about where landholders stand regarding insurance in the case of fire. 25 The fire starts outside the solar farm and burns the structure. You said you would look into it and let me know. I'm still waiting. I haven't heard from you.

30 If we're situated on the New England Highway and apart from lightning strikes, we face a huge risk from the public with fire and if the fire cannot be contained with us and burns through to the solar farm, who bears the brunt? Please, I'd like TERA to answer this question. How can a farmer afford the insurance premiums for something that we are not involved in?

35 Landholders in New South Wales are paying heavily and unduly for the development of renewables in support of the densely populated areas. New South Wales covers 80.6 million hectares. It also has 7.9 million hectares on 9.5% of the state as national parks and reserves. [unintelligible 01:17:55] bipartisan support meant legislators not to have renewables in them. I know it's a long bow because both parties appeared scared of the Teals and the Greens but it's time this was 40 rescinded and the load was shared. Thank you.

MR PEARSON: Thank you. John, John, just one moment.

45 **DR COAKES:** Yes, John, could I just get you to clarify where you're located in relation to the project, please?

MR GILL: Yes, we're 4 km from it on the western side.

DR COAKES: On the western side?

MR GILL: Yes.

5 **DR COAKES:** All right, thank you.

MR GILL: The west, slightly northwest.

10 **DR COAKES:** Okay. Thank you very much.

MR PEARSON: Thank you. Four kilometres northwest. So our next speaker is Stan Moore.

15 **MR STAN MOORE:** Yes, good morning.

MR PEARSON: He's phone, yes. Hi, Stan.

MR MOORE: Good morning.

20 **MR PEARSON:** Please address the Commission. You have five minutes.

MR MOORE: Okay. Thank you. Thanks for the opportunity to raise some issues and in fact John Gill raised two areas that I also wish to ensure that will be addressed by the developer and future owners of such a facility.

25 The first one is in relation to contamination and pollution and John is correct in that there should be a requirement by the Department that base level tests are carried out for soil and water in relation to the elements and chemicals that are found in solar panels, inverters and battery systems and also any substation. That should be a requirement prior to construction.

30 The other issue though to extend there, the operator, the developer and the operator should be required to also carry out contamination pollution tests should there be an adverse event such as a fire or hail in relation to the breakages. And it may even occur during construction and maintenance that solar panels are broken and therefore the risk of contamination clearly has increased.

35 The other issue in relation to contamination and pollution is that I feel that the IPCN should be much more independent than relying on the Department's view of leakage of toxic chemicals from solar panels. The Department says and I think it's in the guideline that you'd have to grind it into a fine dust before you get any contamination from solar panels. Research would show something contradictory to that and in fact the research shows that over time panels will leach all of their chemicals from weak spots within the panels. Now, this panels will be up for some 40 15 or 20 years, so the likelihood of leaching is quite high and therefore I will be sending you information about research that shows that panels do actually leach their toxic chemicals. The other thing of course is once decommissioning and remediation is done, there should be another soil and water test to ensure that there

is no contamination and pollution.

5 The second issue I wanted to touch on and I'll add to what John said in relation to public liability insurance, I have had the situation here where I'm having a solar factory and basically I've got 20 million worth of public liability insurance which is standard when you've got a farm, a primary production farm beside you. But as soon as you put an industrial development beside me, the risk increases significantly.

10 I've spoken to my insurance broker and it will cost us significant dollars to get \$50 million worth of public liability insurance but we know beside us the damage could be in the hundreds of millions should there be such an event that destroys panels and other infrastructure. The solution for that, because it's not a farm beside us, it's a change of use, an industrial factory, the factory owner and operator should indemnify its neighbours in relation to any public liability insurance component.

20 And finally the third issue is that I understand that the developer says that commissioning that – and they won't be around anyway, it'll be some other operator, in that they will remove all infrastructure up to 500 mm. That's 50 cm. That is a nonsense. That allows them a free ride to leave all the cabling in the ground because the building standard in New South Wales requires it to be a minimum of 700 mm below the surface.

25 So I think the Commission should look at this seriously and we, as neighbours to any of these developments, don't want to be left with that cabling and potential for toxic leak of elements into the environment. So I think it should be all infrastructure including all underground infrastructure should be removed. That's my presentation. Thank you.

30 **MR PEARSON:** Thanks very much, Stan.

MR MOORE: I plan to put that in writing to the Commission.

35 **MR PEARSON:** Yes. Perfect. Thank you. Thank you very much. I've got James Greenland, who's with us today.

40 **MR JAMES GREENLAND:** Thank you, everybody. My wife and I own Brookland. We're receptors 15 and 24, about 3 km away. I assert this project is in the wrong place, as mentioned by many others here today.

45 On the legalities issue, it's not sufficient for the Applicant to merely make assertions in its favour, it must prove them objectively and I suggest it has not. There are far more suitable sites elsewhere which, from what I can see, have not even been investigated, let alone considered properly. A number of other speakers today have and will discuss amenity generally. My comments are in relation to agricultural land. The Department, I suggest, has not established a strong justification for this project to go ahead on this site. It may be able to justify the

need for solar panel but not on this site.

5 The Applicant's own soil testing established this was good capability land and there's no other evidence before the Commission to suggest otherwise. The three affected properties have been effectively and intensively cropped and grazed for over 170 years. I think they have similar capacity to my land and they would be providing protein and fibre for about 300 families each and every year.

10 On the subject of sheep grazing, no peer reviewed evidence has been provided by the proponent to support the claim that that can be done successfully. As mentioned by others, sheep graze to the ground, sometimes in dry times below the ground, they will fatally ingest some of that vast amount of forever materials left behind by this project. The site will be effectively permanently sterilised even after decommissioning. No serious farmer would consider placing their animals in
15 that situation and the fatality rates would be unacceptable.

In the long term, the project precludes the historical flexibility of grazing cattle or cropping when sheep are economically unviable. The economic viability of sheep varies. It could be years or even decades from one period to another when sheep
20 are not going to be viable and no other purpose has been suggested for the property to make up for that lost production.

In relation to traffic, I have tried to ascertain just where the project site will be in relation to car parking and administration. I've not received any information in
25 relation to that. The plans don't disclose it. The plans are disclosing two large areas, 6 hectares for the substation, which will be controlled by Transgrid. And then adjoining that, I think it's three point something hectares of land for the batteries.

30 Those batteries will be 100 shipping containers approximately and I don't know where the car park will be, where the office will be, where the rainwater tank will be. Originally I was under the impression that it would be up near access point 1, which would be on land sloping westward towards the Goonoo Goonoo Function Centre, but it's not showing up on the map. So just where the traffic will be going
35 down Middlebrook to access the administration part of this, I don't know.

The Applicant's proposing all traffic will use Middlebrook west of access point 2, which is under the eastern powerline about a third of the way down the slope on Middlebrook Road. The bridge itself is a 66 model single lane, about 68 m long.
40 There's no mention of that bridge in any report that I have seen in recent times. No conditions are proposed.

The Council wanted a satisfactory engineering assessment on that bridge and as far as I know, that hasn't been carried out. I suggest that due to the age of the
45 bridge, that an assessment needs to be done now and then it needs to be done monthly once construction occurs and once heavy maintenance periods occur and after decommissioning. A peak traffic flow estimated in all the documentation is suggesting there'll be a vehicle going over that bridge every 25 seconds. I suggest

that'll be gridlock at the highway and at the bridge for two hours in the morning and two hours at night. There will probably be two vehicles on the bridge at any one time for periods of two hours in the morning and two hours in the afternoon. Gridlock at a highway is a significant problem. The Traffic New South Wales has wanted an auxiliary left turn lane built but the proponent here is only wanting to put in a cheaper intersection.

So for public safety reasons, that needs to be upgraded back to the suggestions from Traffic New South Wales. I intend to place before the Commission a detailed traffic submission which has been assisted by an engineer which will detail the sorts of conditions that would be required. The other problem I see is the approach from the south. As I understand it, nothing is being proposed about that turn on to Middlebrook Road. We've got 100 km [unintelligible 01:31:24] highway, we've got a side entrance into Goonoo Goonoo Station and its function centre. We've got a right side entrance into the Usher property, which is the farm on the corner of Middlebrook Road where the horses are. And then you've got a left-hand entry going up to Bartons Lane. As I understand it, there are no suggestions to improve any of that access.

Now, during, as I say, the gridlock on the bridge and that 400 m between the bridge and the highway, the Applicant I think would need to create some method of giving priority to the school bus in the mornings and afternoons and also to local contra traffic because locals will just not be able to get in or out if they're running against the flow of traffic and there's the question of also emergency vehicles, fire, police, et cetera, ambulance.

The other concerning aspect is the Applicant has refused point blank to upgrade the rest of Middlebrook Road and Marsden Park Road and it's proposing to prevent the use of those roads by its staff and contractors and somehow or other to prevent Transgrid staff using it. I suggest that the gridlock at that road at the peak times is going to divert a lot of traffic on to Marsden Park Road in particular and that's a poorly formed, poorly maintained dusty road. The proponent's not conducted any traffic survey in relation to Marsden Park Road or that southern part of Middlebrook Road going down to Lindsays Gap Road and no road condition reports have been conducted by the Applicant in relation to either of those roads.

Martin has raised the question of dust on Middlebrook Road. For some unknown reason, the proponent is only suggesting it will widen and seal 440 m between access points 1 and 2. That leaves about another 400 m between the end of the bitumen and the Transgrid and battery area. About 25% of the traffic is going to use that section, according to the studies, including virtually all of the heavy traffic. I suggest that road must be sealed for safety, maintenance and dust reasons.

The proponent and – sorry, the Department has recommended that there be a dilapidation report repaired on the road at the completion of construction, upgrading or decommissioning. I suggest that report would need to be done far more often, perhaps monthly, not after a period of two years. I believe the

Applicant won't be able to stop people using the gravel roads and dilapidation surveys need to be carried out on them every two months or so at least or monthly. And if the Applicant genuinely considers that it can control its traffic, then that condition shouldn't be a problem for it because it wouldn't be damaging the road. I would suggest that these roads both be sealed and that will solve the problem. It will also solve the complaints of many of the neighbours.

The other aspects are rural property access at points 1 and 2, I think that needs to be upgraded for semitrailers and the like. One truck coming into a farm every so often is very different to hundreds of trucks turning in daily and both those access points will need "No right turn" signs for access 2 and "Stop" or "Give way" signs on 1 and 2 to give local traffic some priority. The other aspect that concerns me is water.

MR PEARSON: If you could just wrap up, please.

MR GREENLAND: Yes. Suggesting something like 11 water tankers a day and the Council needs – or there needs to be a condition to stop them taking Council water once Chaffey and Dungowan Dam falls below about 95%, I'd suggest. Otherwise we'll be back to where we were in the last drought.

The other aspect was the firefighting water, 20,000 litres. That's a rural residential type condition and I would think that's totally inadequate for this project. Maybe that needs to be 2 million litres with an operational fire tanker on site as well. I will be submitting a more detailed submission in writing at some stage. So thank you very much.

MR PEARSON: Thank you. And if you wanted to leave your notes with us.

MR GREENLAND: They're not in a fit state at this point.

MR PEARSON: In which case, just make your submission. That'd be perfect.

MR GREENLAND: Yes.

MR PEARSON: Thank you.

MR GREENLAND: Yes, thank you.

MR PEARSON: And we've made notes ourselves anyway, so thank you very much. Okay. Our next speaker is Paul Nixon in person. Yes, no, please proceed.

MR PAUL NIXON: Morning, ladies and gentlemen, Commission. My reason for speaking here this morning is to state to the IPC my concerns and objections with regards mainly to Middlebrook Road. My personal objection is due to one, the immense dust problem along with its associated health and its road safety issues.

An approximate increase of 800% in the daily traffic movements, as per figures

taken from the developer's documents, which they have referred to as a slight increase. 160 traffic movements versus 15-20 daily roughly is a significant, not slight, increase. I personally sit on Middlebrook Road with my livestock from time to time and there are days when there are no traffic, very minimal, one, two, three vehicles, plus the school bus twice a day.

So this 160 movements over a two hour period, morning and evening, is going to create a massive traffic problem, road safety issue. And the structural integrity of the single lane concrete bridge which constructed over Goonoo Goonoo Creek in the 1960s as a flood free crossing for the local traffic when other access to the New England Highway is closed due to flooding. So that is also a major issue with the structural integrity of that bridge. And will it be able to withstand the massive increase in weight and the volume of traffic moving over that bridge daily?

What assurances can I and other landowners affected by the dust and the traffic have from the IPC and ultimately from the developer that Middlebrook Road will be upgraded to a proper bitumen surfaced road, not spend 300,000, as already has been pointed out. 300,000 will go nowhere towards producing a quality structurally engineer designed road.

Can I be assured that this will be a condition placed on the developer by the IPC and there are at least six other properties fronting on to Marsden Park Road, which will also be impacted upon, similarly to myself, and their objections have already been made known here today. These points need to be addressed and definitively agreed to by all the affected landowners as part of the IPC's investigation and the ultimate decision making process prior to any granting of any approval. Thank you, ladies and gentlemen.

MR PEARSON: Thank you, Paul. Next speaker is Emma Bouvier. I may have got that wrong in my pronunciation and Emma is here, I believe. No, she's on the phone. Apologies. So Emma, if you'd like to address the panel, please.

MS EMMA BOUVIER: Yes, thank you very much. So I've taken a particular interest in this project as I grew up in the Tamworth area and have family who operate a beef cattle enterprise on Marsden Park Road. I'm an agricultural economist with an honours degree from the Australian National University and a Masters in Economics from University College London. I wish to provide the panel with some perspectives from the point of view of an agricultural economist.

So firstly it's my submission that potentially substantial declines in land values form part of the economic impact of a development and should be taken into account by the Commission. In its Glanmire decision earlier this year, the IPC noted that consideration of property values should be based on expert evidence but pointed to a lack of expert or peer reviewed evidence on the subject.

In Australia, the lack of evidence relating to property prices near large-scale solar farms reflects the relative recency of developments of this kind. The lack of statistically significant evidence relating to renewable energy developments of any

kind can be easily attributed to small sample size, owing to the fact that these developments tend to occur in rural areas where the turnover of properties is generally low. In fact, by decreasing the pool of potential buyers, as was demonstrated by Hall et al from the CSIRO in their 2012 paper, developments of this kind further reduce turnover, making it more difficult to identify a statistically significant effect on prices. Importantly, the fact that there is as yet insufficient Australian data to estimate the impact on land prices does not mean there will be no impact.

Econometrically speaking, it's incorrect to conclude that an association or effect is absent just because it is not statistically significant. Any economist can tell you that the basic laws of supply and demand mean that a reduction in demand for land near to the site will result in lower prices. Based on my review of the literature, this conclusion is supported by multiple peer reviewed empirical studies from overseas.

One such example is the analysis of [L Muller(?) 01:42:34] et al in 2023, published in the Journal of Energy Policy, which found that in some US states, nearby property prices fell by as much as 4 to 5.6% following the installation of solar farms. And even more relevant is the recent US study published by Gaur and Lang, 2023, in the Journal of Energy Economics, which found that for properties in the vicinity of solar installations in rural locations, the decrease in value was between two and a half and 5.8%.

I noted that in the transcript of the Commission's recent meeting with the Department of Planning, representatives of the Department indicated it was their assessment that declining land values due to the project would not have significant economic impacts on the locality. I found that a surprising assertion. A two and a half to 5.8% reduction in property values for surrounding landholders would be economically significant and possibly financially devastating for the affected farming families and detrimental to the locality as a whole. Such a reduction in asset values would affect nearby farmers' ability to borrow funds to finance their enterprises and via the wealth effect, would reduce their consumption of goods and services, which would affect the broader local economy.

In my view, the Department's proposed conditions of consent are insufficient to mitigate this negative impact. In the absence of appropriate compensation arrangements through a meaningful neighbourhood payment scheme, at a minimum the Commission should consider imposing additional conditions aimed at reducing property value impacts on nearby properties, including requiring screening along the Middlebrook Road project frontage and next to all project buildings, a minimum setback from Middlebrook Road and the re-siting of key infrastructure to behind the knoll on the property.

Secondly, I'd submit that the Department's assessment understates the agricultural impacts of the proposed development. The Department's assessment report concludes that any impact on agriculture in the local government area will be minimal because the proposed site represents only a small share of the agricultural

land within the LGA. And this logic is flawed for three reasons. It ignores potential spillovers to neighbouring land, including loss of productivity due to increased dust, traffic, noise, fire risk and heat and reduced pest and weed control. It ignores the cumulative impact of other large-scale solar developments proposed in the LGA and it does not account for differences in quality and productivity of agricultural land or land management practices.

Presumably this last aspect is what the Department of Primary Industries was considering when it noted in its commentary that the Applicant has seemingly failed to consider the cumulative impact of the proposal on the loss of land mapped as LSC class 4 within the LGA. Without this analysis, it's not possible to arrive at an informed conclusion as to the project's compatibility with agricultural land use.

Again, in my view, the Department's proposed conditions of consent are insufficient to mitigate the likely impacts on agricultural land use. I was particularly concerned to note that the DPI had recommended the inclusion of several consent conditions which do not appear to have been incorporated by the Department, namely an additional soil survey and LSC mapping, the preparation of a groundcover management plan and the preparation of a pest and weed management plan.

In the transcript of the IPC's meeting with the Applicant on 2 September this year, the Applicant also indicated that it was looking at having the grazing of sheep on the site. Given this, the Commission should also consider the inclusion of a consent condition requiring the development of a grazing management plan, as per the DPI's original request.

At a minimum, in the event the IPC approve the development despite its positioning on prime livestock land, I submit that these conditions should be included in order to minimise the project's detrimental impacts on agricultural land use. I'll conclude there. Thank you for your time and consideration.

MR PEARSON: Thank you very much, Emma. Yes, we have a question for you, Emma.

DR BRONWYN EVANS: Emma, it's Bronwyn Evans here and thank you for your detailed laying out of the issues. I think it would really help us if you're able to put those in a submission to the Commission so that we can understand and have an opportunity to consider as part of our overall review of the proposal. So thank you, you set it out very helpfully for us.

MS BOUVIER: Okay. Yes, thank you. I intend to put in a written submission along these lines with [unintelligible 01:47:19] citations.

DR COAKES: Thanks, Emma. Sheridan Coakes. It was – obviously we're aware of some of those property value studies but you raised a number quite quickly, so please, if you can put that pen to paper in regard to that research, we'd greatly

appreciate it.

MR PEARSON: Yes. Thank you very much, Emma. So Jan Habgood. Thanks, Jan.

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MS JANETTE HABGOOD: My family has owned the property known as Brookland, which is approximately 2 km north of the project site, since 2002. I come from multigenerational farming families. My husband and I had farming interests since 1985. I am also a solicitor of over 42 years standing. There is an old adage in the legal profession that a solicitor who acts for, in this instance, herself has a fool for a client. In this case, where the odds are so firmly stacked against neighbours, I feel that could be right.

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The executive summary contained in the state significant development assessment report of the Department concludes the project would result in benefits to the state of New South Wales and the local community and is therefore in the public interest and approvable. Accordingly, it is obviously crucial to determine what “in the public interest” means. I suggest that assessment will depend entirely on the circumstances in which the assessment is made. Even public sector lawyers agree there may be some circumstances in which it is appropriate to choose the least worst option, the decision that causes the least harm rather than the most good.

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I understand to date the IPC has not refused any solar farm applications. However, the Middlebrook Solar Farm is certainly a project which is refusable. So what makes solar farms so compelling and what makes the Middlebrook project so refusable? I intend to largely follow the Department’s assessment to make my case. In considering the energy context, national and state policy is a reference but so too is the New England North West Regional Plan 2041. The Department’s stated objective of that policy is to position the New England North West region to be a leader in renewable energy generation.

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What the Department does not also reference from that plan are issues such as rural land should be principally planned and managed for agriculture, requiring clear consideration of potential conflicts for new development. According to the plan, the roadmap for energy technology investment centres on the New England renewable energy zone. Loomberah is not in that zone. The plan notes concern about the cumulative impacts of solar farms on agricultural land. Loomberah is confronted by the immediate proposal plus Lambruk Solar just to the north and seven other projects the Department identifies all less than 50 km from Middlebrook.

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The Tamworth Regional Council LEP expresses similar sentiments including the following explicit objective of the RU1 zone to permit development for purposes where it can be demonstrated that suitable land or premises are not available elsewhere. I challenge the Applicant and all of the players in the approval process to establish that this objective will be met if the Middlebrook Solar Farm is approved. Is it the only suitable land?

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Next, the Department looks at the 2022 Large-Scale Solar Energy Guidelines and suggests they support the Middlebrook proposal. Those guidelines introduce key principles that consent authorities should consider, including, importantly, visual amenity. The guidelines instruct Applicants to engage with the local community to determine baseline landscape character. However, the views of the neighbours are ignored and we're left with a summary provided by the Applicant in response to the submissions that the solar farm is expected to have no more than low visual impact on surrounding receptors.

Sylvia, you weren't quite correct when you said that the Land and Environment Court cannot stop the project. Any decision that the IPC makes can be appealed to the Land and Environment Court. The panel will be familiar with the judgment that was cited by Rebecca Greenland of a case involving a proposal near Mudgee. That was a Land and Environment Court decision and the senior Commissioner there, Dixon, recognised that this is an instance that should not go ahead.

I recognise that the facts in that case can be readily distinguished from the facts surrounding Middlebrook Solar. It was not a decision involving an SSD and there were LEP decisions specific to the area. However, there are many telling findings in that case which if not precedents in future appeals, they will at least provide obiter dictum to explain how some of the visual aspects of the statutory context referred to by the Department are likely to be viewed at the judicial level.

Dixon SC recognised that the broader public benefits of a proposal are a relevant consideration but refuse the development application for a multitude of reasons, at least some of which are instructive here today. First, notwithstanding significant setbacks from public roads and proposed landscape screening, it was concluded that the proposal would have adverse visual impact. Applicants in SSD cases almost invariably conclude this will not be the case. Significantly, Dixon SC found that photovoltaic panels, other infrastructure and security fencing would result in a higher magnitude of change to the existing open rural vista.

Critical comment was also made of the unreliability of the prescribed methodology including photomontage treatment of the Technical Supplement to the Landscape and Visual Assessment Large-Scale Solar Energy Guideline 2022. Almost invariably the visual impact assessment will be subjective, notwithstanding that an objective tool is sought to be employed. In this regard, I note that late last year, the Department released a draft update to the guideline which proposed a more proportionate approach that does not rely exclusively on photomontages.

The updated approach may not directly impact this application but I urge the panel to be cautious in accepting the VIA conclusions of only low impact. The panel needs to be satisfied that the Applicant's advisers have not misapplied some aspects of the current guide and arrived at an erroneous conclusion. From the Brookland perspective, I cannot see how a low impact conclusion was reached.

Secondly, I submit there are errors and deficiencies in the treatment of the visual

context. For example, the Department states the land within the site is predominantly characterised by flat or gently sloping plains. It is an inaccurate stretch to label any of the project area as plains. Such inaccurate characterisation of the land inevitably distorts the visual impact. From our home, the land is undulating, sloping up from Middlebrook Road and highly visible. We will therefore be subjected to a view of almost the entire panel array, the whole 750,000 panels, the substation and battery area and potentially the car park and other buildings.

In the landscape character assessment, the Department noted public submissions highlighted that the landscape is valued by the community for its scenic value and agricultural history and I note the Applicant's own survey confirmed this finding. According to the guidelines, it is not sufficient to simply note community values, they must be taken into account. It is misleading to suggest the development could be similar in nature and size to agricultural sheds commonly in the area. The large contiguous panel mass and 6 hectare of substation are excessive and incongruous with the surrounding landscape.

Going back to my earlier case discussion, I note it was argued that the solar array is a discordant element that alters the landscape character of the area and I would suggest the character of the experience in living and working on the properties. I do not believe the EIS, the Applicant's response or the Department's assessment properly consider how the project will impact on the elements that make up our landscape and its distinctive character as well as our sense of place.

The character of the area is more than just a visual assessment. It includes factors such as how long the project will have impact, traffic effects, disruption, dust. The Applicant is not proposing to bitumen seal Middlebrook Road to even the second entry point. So we're confronted with the situation of hundreds of vehicular movements per day on an unsealed public road plus machinery operating and vehicles moving around the site on the proposed 48 km of dirt tracks.

I shudder to think of how the character of our home and property will change with this industrialisation and to the change in the environment. Dust will pervade the lives of our residents who live in the vicinity. Dust is an insidious phenomenon and I urge the panel to not dismiss the concerns of so many people who objected to this proposal due to the dust it will produce.

Frequently throughout the approval process, we have heard about mitigation factors but unfortunately not many of these seem to have found their way into the report. I've mentioned relocating of certain facilities, or it has been mentioned by other speakers, behind the knoll. Landscaping along the perimeter and meaningful payments. I appreciate I'm out of time because if I could just make a couple of points here.

MR PEARSON: I think you've got a minute or two, Jan.

MS HABGOOD: Thank you. I come to this question of meaningful

neighbourhood payments. Neighbour payments, sorry. Whilst reviewing the transcript of the 2 September meeting between the IPC and the Applicant, I was surprised and disappointed to read the Applicant had asserted that nobody has shown any kind of interest in neighbour payments. We have endeavoured over
5 years and months to negotiate via face to face, email and phone communications a realistic compensation with TotalEnergy based on how we perceive the likely impacts, other payments we have become aware of plus quantum developed in other jurisdictions in other renewable energy regimes.

10 We feel the current offer to project neighbours is unrealistic and insulting for what we will have to put up with. Compensation is also relevant in terms of reduction in land values that we'll almost certainly suffer. I implore the panel to not simply dismiss the land value concern because at this early stage in the renewables
15 journey there is no data available.

I note land in our area is very valuable. If you look at some of the figures, it would appear to be twice as valuable as most land in the Tamworth Regional Council area. Sales close to us in recent times, where there is no sight of the proposed area, is bringing about \$30,000 per hectare. The immediate effect of any approval for
20 this project will tend to freeze all but forced sales, and this has to have an effect on value. Our farmings are our homes, our businesses, our life savings, our superannuation, and our principal asset, so any impact on value will strike a powerful blow.

25 I won't re-cover or go over some of the insurance issues that have already been canvassed, but I will put that in some written submissions. I believe those to be very significant, and I speak here as a lawyer, where I know what impact the failure to obtain some reasonable agreement from the Applicant, along, for
30 example, indemnifying neighbours, compensating for increased premiums that will happen. And this is a little bit of an area like the value of land. There is not enough evidence at this stage for somebody to be able to do a data survey and say it is having such an impact. But this will happen. And I understand the IPC itself has sort guidance from government policy to address this issue. Until there are firm guidelines, I suggest that it is not safe for you to approve the Middlebrook
35 Project.

The arguments for a renewable energy future are powerful, however keeping the lights on for some should not cause a blackout for others. Counter to the
40 Department's assessment that the Middlebrook Project is approvable, please be aware that its refusal can also be justified. Thank you for your opportunity to speak today.

MR PEARSON: Yes, thank you. No question? Thank you Jan, thanks very much, and we'll look forward to your submission as well.

45 We're going to have a really quick five minute toilet break, so literally five minutes. It's 10:47 now, so we'll be back at 10:52, if you want to stretch your legs, but really just five minutes. Thank you everyone.

<SHORT ADJOURNMENT

5 **MR PEARSON:** Please take your seats. We took a little bit longer, I apologise for that. We're about to restart the public meeting. Just before we do, just a quick note to the Applicant when you get a chance to respond at the end. I guess you've been making notes of issues that have been coming up. Some of the things I think it would be good for you to address is the sealing of Middlebrook Road, why not go to the end, or why not go to the second access point. Melrose Park Road, how do you stop – I'm sorry, Marsden Park Road, how do you stop traffic using that, project-related traffic?

10 The bridge capacity, integrity, agricultural land classifications come up, is it class three, is it class four? So it would be good if you could talk to that. The need for baseline soil and water studies, that's come up today, what sort of dust suppression measures you might be proposing in addition to the sealing of Middlebrook Road.

15 Noise during construction, is there any proposals for respite there? That came up from one landowner. And just this whole neighbourhood compensation issue, the framework around that. That's a lot of things, but if you could touch on those things during your response at the end, I think it would be useful for people. And then the Department's got other things that they'll touch on as well.

20 So we'll proceed. Next registered speaker is Ian McDonald. Ian's here, and you provided your submission to us, which we've read, and thank you, but you've got five minutes to speak to it, Ian.

25 **MR IAN MCDONALD:** Panel Chair, Commissioner, ladies and gentlemen. I'll put my glasses on, that will help. Contamination and waste management are issues that are being swept under the carpet. It's time the government stopped putting renewable targets ahead of the nation's public health and food security. The long-term problem of toxic contamination finding its way into soil profiles and waterways, and the waste management arising from solar components and battery energy storage systems is acknowledged worldwide as a ticking time bomb.

30 Presently under Schedule 1 of the POEO Act 1997, electricity works that generate electricity by solar are not scheduled. That means the Department of Planning, Housing and Infrastructure, and the Environment Protection Authority, are absolved from any responsibility regarding contamination caused or waste arising from solar generation.

35 This is further confirmed in correspondence to Wagga Wagga City Council, April 2021, when the EPA noted that the local government authority is responsible for these matters. That would suggest, in the case of Middlebrook Solar, the burden will ultimately rest with Tamworth Regional Council, and then be passed on to the landowner, and likely finish in intractable litigation.

40 Toxic forever chemicals embedded in lithium-ion batteries present a dangerous

source of chemical pollution, that recent research carried out by Dr Jennifer Guelfo of Texas Tech University and Dr Lee Ferguson of Duke University found in a peer-reviewed co-authored paper published in various science journals July of this year, threatens the environment and human health. They found alarming levels of chemicals in the environment near manufacturing plants in the US, Belgium and France, and discovered that waste from batteries disposed of in landfills was developing as a major pollution source.

Forever chemicals are a class of man-made compounds most often used to make products resistant to water, stains and heat. They are called forever chemicals because they do not naturally break down, and have been found to accumulate in humans. The chemicals are likely to cause cancer, birth defects, liver disease, plummeting sperm counts and a range of other serious health problems.

The Guelfo-Ferguson paper notes that few end-of-life standards for battery waste exist, and the vast majority end up in landfills, where it can leach into waterways and soil profiles. Detection of the chemicals in snow far from manufacturing plants or landfill suggests that the chemicals, like BPA, easily move through the atmosphere. The study noted previous research that as little as 5% of lithium batteries are recycled. That could yield a projected eight million tons of battery waste by 2040 if recycling is not dramatically scaled up with demand.

As an accredited LPA livestock producer selling beef into the grass-fed market, I'm fully aware of the strict compliance requirements of the rules and regulations set down by Meat Standards Australia, in regard to feed-containing chemical residues within a withholding period when harvested, and any livestock still within a withholding period, or ESI, as set by Safe Meat following treatment with any veterinary drug or chemical and their slaughter interval for export. To meet these criteria, a national vendor declaration must accompany all movement of livestock, and there is an obligation that I must be absolutely satisfied that I have correctly completed all parts of the NVD, and that I understand that any misleading or unverified statements may result in prosecution, heavy fines, or loss of my LPA accreditation, thereby precluding me from trading.

Australia's reputation for clean, green food and fibre has been built over generations on the back of good practice and strict governance. A priceless reputation, second to none, and envied by our competitors. Export destinations like the US, Japan, Korea, China, and Europe are all very aware of the dangers of BPA in foods and packaging. If they were to get a whiff that our beef or lamb could be contaminated with heavy metals or other toxins like forever chemicals, our brand, built over generations, would be destroyed overnight.

International public health advocates are sounding alarm bells about the need to find alternatives to the toxic chemicals and heavy metals embedded in renewable energy componentry. Accordingly, there needs to be a far greater focus on the toxic contamination risks arising from solar farms and BESS, potentially causing leaching of forever chemicals, and heavy metals such as cadmium, cobalt, lead, lithium copper, mercury, and nickel into our agricultural land, water resources,

and atmosphere.

5 And also a greater focus on the associated occupational health and safety, and the impact on intergenerational equity for our children, grandchildren, and the potential elevated stock toxicity levels as a measure to protect crops, livestock, and producers, thereby ensuring food security for future generations.

10 The transition has not been properly thought through, and it has far too many unintended consequences for it to be fit for purpose, as presently there is no satisfactory plan for where the hundreds of millions of toxic solar panels and millions of tons of dangerous batteries will eventually end up. This nation cannot afford to let public health and food security be undermined by this unparalleled travesty, and until such time as environmental, property, and food chain protection plans have been established, I call on the New South Wales government to apply
15 the precautionary principle and initiate a moratorium on Middlebrook and other solar farm applications. Thank you

MR PEARSON: Yes, sure. Ian – sorry –

20 **DR EVANS:** No, no, not so much. So this is just if the Applicant –

MR PEARSON: No, sorry, my mistake, I think this is a – no, no.

25 **DR EVANS:** No, that's fine. It was just going to be a request for the Applicant in their summing up, if they could address the question of battery recycle intentions or experience. So thank you for raising that. Thank you.

30 **MR PEARSON:** Okay, thank you. Thanks, Ian. So we now have John McGrath on the phone for five minutes. Hi, John, if you could address the panel, please.

MR JOHN MCGRATH: Yes, good after – good morning, sorry. Thank you very much for the opportunity to speak to the Middlebrook Solar and Battery Project IPC for State Significant Development 10455.

35 Look, what I've got, and I'll send everybody a hard copy of this, is I'll just make three minutes – three points, because I've only got five minutes. So I'll be as blunt as I can with these three points. And I'd back in exactly what I just heard from the last gentleman about the contamination of this, and that needs addressing.

40 Okay, there's a lack of decommissioning legislation. There's no compulsory decommissioning legislation for any so-called renewable energy project Australia-wide. So how can this environmentally damning intermittent generation source ever be approved? Therefore, how can Middlebrook Solar and Battery Backup Installation IPC approve this installation, with a total knowledge that there
45 is no compulsory decommissioning legislation for any so-called renewable energy source? Lacking compulsory decommissioning legislation, basically, who will enforce the Middlebrook conditions of consent to deCommission 500 millimetres underground, and restore the footprint to its original land use? Who is going to do

that?

I now wish to address the Paris Agreement of 2015 that Australia is signatory to, with Article 2, Section B. In part, the Paris Agreement 2015, the parties of this agreement, which Australia is, being parties to the United Nations Framework Convention on Climate Change, hereafter referred to as the Convention. Article 2, Section B – this is very important – increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emission development, and this is the wording: “In a manner that does not threaten food production.” And we’ve just heard from the last gentleman that’s what’s going to happen. So how can we approve this with this happening?

Now, the other, the third point, lack of grid capacity and total energy connections, information on connection to the NEM, the National Energy Market. This is their wording: “Would be via a substation to the existing 330kV transmission line transversing the site.” There are two 330kV transmission lines passing through the footprint of the Middlebrook Solar and Battery Installation. Both of these are high voltage transmission lines, which will terminate at the nearby town with 330kV substation. Both these 330kV transmission lines will have a designated Transgrid identification number. If total energy is transparent, then why – they should designate which of those two 330kV transmission lines they intend connecting to installation to, and also giving its Transgrid designation. They have not done that.

From my knowledge, a 330kV transmission line is a maximum capacity of transfer of 1,000 megawatts. And as these 330kV transmission lines will be at full capacity, distributing power to and from the Tamworth substation, there will be no capacity to absorb extra generation, considering both these lines will be operating at maximum capacity. So here I’ll use an analogy so you can understand what I’m saying.

So if you’ve got a 20 litre bucket of water, which is full of 20 litres of water, the existing transmission line, it will not accept another six to seven litres of water, or 320 megawatts, as Total Energy claim the output of their solar installation will be. As those lines are already at capacity, thus the grid lacks capacity for extra generation. And I have said this for 20 years, and it’s coming true on other – there’s turbines at Crookwell that are not turning because they can’t get power into the grid, simple as that. So why are we approving this installation with no capacity in the existing grid?

Thank you very much. Thank you very much for the opportunity.

MR PEARSON: Thank you, John. And I would also, there’s quite a lot on the Applicant’s list, but they could perhaps also respond to the capacity issue in their summation at the end. Thank you.

MR MCGRATH: I would ask them which of those two lines they’re connected to, and they should be able to give the committee the designation of that Transgrid line.

MR PEARSON: Yes, we will ask them to respond on that at the end. Thank you, John.

5 **MR MCGRATH:** Good, thank you very much.

MR PEARSON: Thank you. Robyn Wealand, in person.

10 **MS ROBYN WEALAND:** My name is Robyn Wealand. Thank you for the opportunity to speak here this morning. I'm sure the majority in the room would agree we are not against renewable energy. It should be about making smart choices, choices which result in the best outcomes for our community as a whole, and Tamworth as a successful agricultural, sporting and tourist destination. Why would we risk destroying the very nature and outlook of Tamworth, with the
15 construction of a project which will only be producing significant power for at most 20 years, and need to be decommissioned or upgraded after 30?

20 Where is the forward thinking and security for our agricultural and tourist industries, which have been growing exponentially for many years? Why would we allow the very nature of the Loomberah district, as the entrance to our city, to be marred by a sea of solar panels, and risk everything Tamworth has been working towards?

25 For 52 years, we have hosted the largest country music festival in the Southern Hemisphere. Tourists come to Tamworth to enjoy a true country experience. Their expectations are of vast areas of seasonal crops, grazing cattle and sheep. How much consideration has been given to the impact this will surely have on future tourism, and the financial contribution it makes to the Tamworth economy?

30 AELEC is only a short distance from the planned solar project. It hosts state, national and international horse events on almost a weekly basis. The Loomberah area is now home to dozens of successful breeding and training operations, with high demand and potential for continued growth. Data recently released
35 announced that the horse industry brings more income into the Tamworth area than any other business, including the music festival. This being the case, we should be working to protect and encourage growth to this industry.

40 The zoning for small block subdivisions in the southern area of Tamworth in Loomberah is already set to allow this industry to scale up. The placement of large scale solar in Loomberah will surely put a halt to this expanding industry. I believe it's critical that we make the right choices, smart decisions about where solar projects are located. A moratorium on the use of any highly productive farmland should be immediately put in place.

45 I believe we have already lost too much valuable land. It is clear that there is an abundance of land more appropriate for solar development in New South Wales. Land which could offer owners reliable income when farm production is limited by soil quality and unreliable rainfall. Properties included in the Middlebrook

Project have been successful, highly productive operations for generations, and should be preserved. Worldwide demand for food is continuing to increase, and yet we are planning to destroy the land on which it is grown.

5 Millions of dollars have been invested in planning, researching and setting up REZ zones throughout New South Wales. For reasons unknown to us, or to me, these plans have been apparently abandoned, to allow renewable projects to be approved well outside these boundaries. By abandoning the REZ zones, we are now faced with the ad hoc placement of renewable projects, resulting in widespread
10 uncertainty and impacting on far too many towns and communities.

Property owners surrounding solar projects are already suffering huge losses in property values. There's already evidence locally that properties are taking longer to sell, and vendors left no alternative but to drop prices considerably to achieve a
15 sale. Other owners have their property on the market for some time, and experience buyers walking away as soon as the location of a solar project is disclosed.

In granting approval to projects, our planning Department needs to consider all
20 stakeholders in costing a development. Surrounding landholders should not be forced to accept losses to property values, their lives disrupted during years of construction, without financial compensation. The offers of compensation being tabled are nothing short of insulting.

25 I've lived in Tamworth for over 20 years. During that time, I've owned three properties, all of them in this district. When looking for a farm throughout New South Wales, and ultimately making a decision to relocate to Tamworth, I was told that the premier district was the favoured Loomberah area, with rich soils, safe rainfall, a close-knit community, and natural beauty.

30 It was an easy decision. The first farm being on the eastern boundary of the Middlebrook Project, as a generational farmer, I can join with the Middlebrook community in understanding how they feel, how passionately they are about farming, and the deep connection they have with their land and what it means to them. Thank you.

MR PEARSON: Thanks, Robyn. Our next speaker is on the phone, Grant Piper. Grant, are you with us?

40 **MR GRANT PIPER:** Yes, good morning.

MR PEARSON: Thanks, Grant. Yes, if you can talk to us for five minutes, please.

45 **MR PIPER:** Yes, thank you. Good morning Commissioners, and everyone there. Total Eren is a foreign-owned company that does not have the good of the local residents or the nation at heart. They're purely here for profit. Total is here to take advantage of our generous subsidy scheme, and book profit overseas in a low-tax

jurisdiction. These facts are the basis for how the project should be viewed and assessed.

5 Solar is grossly inefficient and only produces less than 20% of its installed capacity, from AMO 2022 data. The whole of life, including disposal, emissions and environmental effects need to be considered, not just the operating emissions.

10 With the short working life of solar, it would have to be replaced several times during the life of a conventional thermal power station, incurring a constant round of demolition and rebuild, with the consequent environmental and economic cost. This leads to the conclusion that solar is counterproductive to the stated aim of cheap, reliable and environmentally friendly power.

15 Due to the distributed nature of solar and wind, lengthy additional transmission lines are needed, which further adds to the environmental cost, and which until now have not been needed at all. The addition of large storage batteries destroys any environmental credentials further, due to their whole of life environmental impact and short life, and the embedded energy and minerals in them. And batteries produce no power at all.

20 The proponent's EIS states that to meet emissions targets, projects will be required inside and outside of the REZs. Why then promulgate REZs? Currently the Central West Orana REZ where I live has 54 listed projects, totalling 14.6 gigawatt of installed capacity, yet is approved for 4.5 gigawatt dispatchable. This confirms the massive overbuild required at great environmental, economic and human cost, to hopefully achieve only one third of the installed capacity.

30 Add to this, there are five defined REZs in New South Wales, plus projects outside the REZs like Middlebrook, yet New South Wales consumes only eight to 11 gigawatt from the grid at any time. So one REZ has more installed capacity than what New South Wales consumes. This starkly highlights the absolute inefficiency and unreliability of solar and wind energy generation.

35 To further indicate that these shortcomings are known within the halls of power, Dubbo in the centre of the Central West Orana REZ will have a gas , because they know all the solar and wind surrounding the city will not be reliable or sufficient.

40 Middlebrook Solar and the other projects are just the beginning, as they indicate in their EIS, and their impacts on farmland and the environment should not be considered in isolation. Future expansion of projects and the total impact on communities, environment, agricultural production and cost to citizens must be considered, and compared to alternative methods of bulk power production, including conventional thermal plants.

45 Middlebrook is to be built on productive fertile farmland. We cannot trust the New South Wales Government's intentions regarding farming and food production when they remove, and I quote, "in a manner that does not threaten food production," end quote, from the Emissions Reduction Act they passed in

November 2023. That phrase comes from the Paris Agreement, and the Emissions Reduction Act was touted to codify that 2015 Paris Agreement. Yet the New South Wales Government removed that phrase in our legislation.

5 GenCost and the AMO ISP are deficient, and cannot be quoted as reliable information in regard to the least cost or most efficient development pathway. Both have been debunked by experts and organisations working in the field. The National Electricity Law does not prioritise emission reduction over the other longstanding objectives of price, quality, safety and security. These objectives
10 must be at least equal in priority when assessing novel power generation projects. This nullifies legally any justification for approving the project citing the greater good, based on a perceived emissions reduction goal.

15 The National Electricity Law amendment added emissions targets as an objective in only September '23, and even then they hedged their bets by including, and I quote, "likely to contribute to reducing emissions," end quote. So the legal advice and the drafters didn't seem confident that these projects would reduce emissions, and so they included a legal out for future indemnity, when the current
20 government policy is finally publicly acknowledged to be absurd, destructive and counterproductive.

Large solar harvesting plantations such as Total's Middlebrook Project have no electrical power engineering merit, economic justification, nor environmental benefit, and should not be approved. Thank you.

25 **MR PEARSON:** Thank you, Grant. Next speaker is Alison Cairns, who's with us. Thanks, Alison.

30 **MS ALISON CAIRNS:** God is in the land and is. Our nation and planet are in the wrong hands. Urban economists have never farmed, you see. God help our unaware awaken, please. Born and bred on Peel Valley, Tamworth, I am. Have been a farmer. I now pray daily for care to the all on country. Cease and desist Middlebrook Solar Farm proposal immediately, now.

35 750,000 solar panels put on rooftops and lessen the cost. Estimated cost: \$856 million, outrageous. Lessen the costs all round. Rooftops for this solar project, I demand, keep them off these prime farmlands, state significant. I am appalled that this area is being considered for a solar farm. It is wrong to do this to productive
40 farmlands. The sign says it all. Stop Loomberah solar factory. No solar on prime farmlands. We support families and food security. Loomberah to Timbumburi, no solar factory.

45 God bless these carers of future generations. These local farmers stating clearly the legacy they offer next generations. No solar on prime farmlands supports food security. Next.

How dare our government plan solar farms upon our prime farmlands, especially these being vital Peel Valley mixed enterprise prime farmlands, when alternatives

exist. Next.

Cropping is not possible under solar farms. What are you doing to our farmlands, government? You threaten a better care future. Next.

5

View prime farmlands, Loomberah region. View mixed enterprise, highly valuable prime farmlands. Prime farmlands, Peel Valley. Protect, protect, protect. Next.

10 Loomberah prime farmland support biodiverse mixed farming enterprises, including olives. Biodiversity is key to healthy farmlands. Protect these highly valuable mixed farmlands from industrialisation. Next.

15 Only a farmer can understand the value of the Peel Valley, Loomberah prime farmlands area in view. Office workers urban, cease deciding our future now from now. Next.

20 Protect, protect, protect; multi enterprise prime farmlands, Loomberah region, Peel Valley floodplains, state significant, support soil health and biodiversity, Loomberah prime farmlands be free of industrialisation. Next.

25 Peel Valley prime farmlands must be protected from unnecessary infrastructure, industrial. Next. Or it's this; a solar farm, a crime against humanity and environment, correct, being solar farms upon vital prime agricultural lands. I sat and watched for half an hour the building of New England Solar Farm being built on a wetland and farmlands. I couldn't bear to stay any longer. I watched 13 double bogie trucks entering and leaving the farm in that half an hour. It was quite distressing. Next.

30 Demand the alternative; rooftops only for solar, far less cost all round, leave our vital prime farmlands for next eight generations into 500 years from now. Do you understand? Use rooftops only for solar. Next. Rooftops only for solar. Cease and desist solar farms upon our prime agricultural lands for God's sake, for God's sake. Next.

35 The sign says it all, Loomberah, Timbumburi locals say no solar on prime farmlands. Support families and food security. Next. Rooftops only for solar is the alternative readily available and a benefit to us all. Rooftops only for solar. Next eight generations need our farmlands. Cease and desist solar farms on farmlands. Use rooftops only for solar. Cease and desist Middlebrook Solar Farm proposal immediately, now.

40 **MR PEARSON:** Thank you. Do we have the next speaker online? Yes, so this is Lynette LaBlack. Hi, Lynette.

45 **MS LYNETTE LABLACK:** Thank you. Can you hear me okay?

MR PEARSON: We can hear you very well, and you have 10 minutes allocated, Lynette, so please address the panel.

MS LABLACK: Please begin with the regulations and laws. Middlebrook solar defies all the principles of ecological sustainable development, and the New South Wales Government's objectives of clean, reliable, affordable, secure energy.

5 Unreliable, intermittent, weather dependent solar wind and batteries are not in the interests of consumers, also defying the national electricity law as well outlined by Grant.

10 These objectives of price, quality, safety, reliability and security of supply of electricity, and the reliability, safety and security of the national electricity system, are not met by weather dependent junk. The proponent's weather dependent claims of powering their number of homes with intermittent weather dependent solar panels and an incapable battery system is ludicrous, impossible and a public health and safety, fire hazardous, heavy metal and PFAS risk. Vulnerable people will die of hypothermia without reliable, secure, affordable power. Next, please.

15 Defiance of the Paris Agreement has been well outlined by others.

MR PEARSON: Sorry, Lynette, can I just stop you one second just to make sure that we've got the slides coordinated with your speech? Yes, so right now we can see solar panels damaged by hail, but it's quite a small size.

MS LABLACK: It began –

25 **MR PEARSON:** Yes, we're able to move through it, I think.

MS LABLACK: It began with the list of laws and regulations.

30 **MR PEARSON:** Yes, okay. Well, we'll just move through it as best we can, and if you can continue talking to the panel, that would be appreciated.

MS LABLACK: [Unintelligible 02:48:11] on the screen?

35 **MR PEARSON:** Yes, we have got it on the screen. It's probably just not at the size that we were expecting, but it's usable. So I think just continue with your presentation, Lynette.

MS LABLACK: Yes, but what photo can you see now?

40 **MR PEARSON:** Are we able to move it on? Yes, and then we come to a second slide, which has got paddocks and a gate.

45 **MS LABLACK:** Well, this is not the beginning of the talk. The beginning of the talk started with the electricity regulations and laws. That's the first PDF that I sent.

MR PEARSON: Okay, well, we appear to have some technical issues with the presentation. Yes, so I think we can make that presentation available to the

Commissioners subsequently. So I think if you can just talk through your slides, and we will ensure that we get a full copy of the presentation, and review it as part of our process, Lynette.

5 **MS LABLACK:** Well, can you tell me what photos you can see at the moment, please?

MR PEARSON: It keeps just – so we see this, so it goes through to a truck on the side of the road that’s been come off the road. And then can we go beyond that? A close-up of the truck. Next slide. I don’t know, damage, panels. Look, we can see all your slides, they’re just in a very kind of thin style. So I think it’s hard to coordinate it with your speaking. I would just ask, Lynette, if you can just continue through your presentation, and we’ll review the package after the presentation, I think will make more sense.

15 **MS LABLACK:** Well, there’s been no problems with this in the past.

MR PEARSON: No, I know. And we’ve seen your presentation previously. So I think all of us are familiar with the issues you want to raise. And we will review the package, but we can’t do any better than we’ve got at the moment. So just please continue going through your presentation will help us immensely, Lynette.

MS LABLACK: Okay, thank you.

25 **MR PEARSON:** Thank you.

MS LABLACK: Well, you need to add time on now that this is stuffed around. Thank you very much. I would like to say that TotalEnergies’ plan is just a massive land grab that will threaten food production, as it will result in toxic contaminated wasteland. Only removing 50 centimetres below ground infrastructure is useless for cropping RU1 land, and will not restore land capability to pre-existing productive capacity as uncontaminated cropping land.

35 People have covered the Paris Agreement, which this will definitely threaten food production. Recent reports of ominous findings of PFAS in several water filtration plants in New South Wales, show the New South Wales Government is dragging its feet on toxic contamination, including forever chemicals, with corporate greed reigning supreme over public health and safety. Our Murrumbidgee River is already contaminated by PFAS, and further subject now to extensive heavy metal bisphenol A and PFAS contamination from the renewable fraud. I’m very glad to hear in the news that the Wallaroo Solar objectors will be appealing the recent Independent Planning Commission approval.

40
45 I’m also wondering whether the Tamworth Council has actually been made aware by the Department that they will be responsible if there’s any land or water contamination or pollution caused by the industrialised solar, and also wind electricity generating works. They will be inevitably responsible for this, and do they even know?

5 Inflicting this toxic contaminating plan on the Council and community is moral hazard and gross negligence, showing a lack of care that demonstrates reckless disregard for the safety or lives of others, which is so great it appears to be a conscious violation of other people's rights to safety.

10 Tamworth Council is also burdened by the Department's complete disregard for the modern slavery duties, neglecting to include new condition C4A dealing with modern slavery in their approval, and I look forward to hearing the Independent Planning Commission adding that in. Reliance on our well-proven, far superior, reliable, affordable, plentiful 24-7 Australian coal with a clean, safe nuclear power future with minimal environmental impact, is the obvious plentiful power solution. No unnecessary interconnector nightmare needed.

15 Now, I would like to, if you can see any of these photos which I've sent, our own heartbreaking experience shows that none of the conditions are ever met by the developer. Nobody ever makes them meet the conditions, and nobody takes any responsibility for these environmentally destructive wrong approvals. My first photo began with our neighbouring paddock, which is in the highly productive Bomen/Eunony Valley area, typically now taken over by irresponsible solar developers who have destroyed all the ecological habitat. All they've left is chunks of horizontal logs on the ground, which are now a massive fire risk. The tree screen area is just a weed ridden, contaminating disaster, and those logs are an increased fire risk, which the local fire brigade have said are a real nuisance if it came to actually trying to fight a fire.

20 Grass is touching the panels and nobody even cares. You can see in my photos that our property is within 20 metres of these solar panels, so our healthy food growing so close by, and also our retained stubble, clearly demonstrates the total lack of an adequate fire contamination exclusion zone, and our desperate need for justice to be indemnified through government legislation due to unobtainable, inadequate, unaffordable public liability insurance. I've sent photos of our solar-cursed valley, 500,000 panels to the south of our property, which was once our beautiful rural outlook, gone forever.

35 One of our biggest concerns is, you'll see a photo with the solar curse in the middle of the canola fields. This is where you can see God's finger of righteous anger aptly displayed in the cloud above it. The same area has now been disturbed by solar ecocide.

40 **MR PEARSON:** We can see your slides now Lynette, so we're on exactly the slide you're talking about.

45 **MS LABLACK:** Shown in the following six photos, you can see that the water runoff and erosion damage has caused extensive harm to the neighbouring property. It's also damaged the host property. It caused all the crops to be killed. Cattle yards in the property were inaccessible for six months. More than two years later, nothing has been done to stop any of this from happening, and it is

impossible to fix. This is now a matter for the impacted neighbour to be suing the developer.

5 Whilst for years the Department has ignored hail fractured panels, you'll see the photo with extreme damage that is caused by common hail storms when they're big, big, big hail, and even though the Department pretend that it's just when they're ground to a fine dust that solar panels are contaminating, this is absolute rubbish, and it's time that the Independent Planning Commission stopped trusting that, and stopped trusting the developers, and actually listened to the expert
10 witnesses who have previously spoken to them about the contamination for our soil and [unintelligible 02:57:34] in the future, not just to the site, but during operation, onsite, and to surrounding land.

15 As the panels deteriorate, there are weak spots, chemicals leak from the join point and the wiring in the panels, there's hail fracturing interior panels, burnt panels, and as you will see in the following photos, there's now panels being strewn over the side of the road. This was in the Hunter area, on their way to Stubbo Solar. None of these sites, three accidents within six weeks, they were never properly
20 cleaned up, they were never decontaminated. Nobody cares about this. And the other problem with those accidents, they were all inexperienced visa drivers. So this is an extreme public health and safety risk for all the people of New South Wales to have these irresponsible, renewable related people driving on the road and causing all this contamination.

25 So I would like this Independent Planning Commission to take this seriously. In our Riverina area, Transgrid's electrification has already caused the death of cattle, because they have used lead-based asbestos paint in their transmission infrastructure. And it's well past time that the Independent Planning Commission
30 add some proper conditions in relation to contamination. There's no condition for bunding, no large scale cleanup for fire or hail damage, no decontamination, no evacuation plan for dealing with any of these fire events. And it's going to be the local communities who are going to be cursed by this poisoning of our soil and water. I just don't think the Department care whether we die from this.

35 Recently, or not just recently, but perhaps two years ago, there was a big fire at Beryl Solar in Golgong, where burnt cadmium telluride panels would definitely have contaminated the site. All we hear from the Department of Water is, well, there was no testing of soil or water required because that's not in the condition, in
40 the approval conditions. And there's still not as skerrick of accreditation required regarding solar panel toxicity, health and safety parameters amidst food. They deliberately fast-track these dodgy approvals, ignoring public health and safety and the precautionary principle, to prioritise predatory vested interests over our lives.

45 Another thing that's missing from this is –

MR PEARSON: Lynette, could you please wrap up, because we're at the end of your 10 minutes. If you could just wrap up with what you want to say to us.

5 **MS LABLACK:** Okay, well, we need the addition of the contamination response procedure required prior to construction as part of the amended condition C8, prior to commencement of any works, stormwater management plan precedent was set by Oxley Road Solar [unintelligible 03:01:23] after listening to expert witness advice from Professor Ian Plimer. That's not even in there. So it seems very apparent that the Department and the previous approvals by the Independent Planning Commission do not take seriously the contamination risks, which, I mean, how much lead is actually healthy for young children, and these sheep they reckon are going to graze on the land? It's really very, very negligent.

MR PEARSON: Okay. Thank you, Lynette. Our next speaker is Kevin Loughrey, in person. Kevin. Thank you.

15 **MR KEVIN LOUGHREY:** Thank you for giving me the opportunity to speak.

MR PEARSON: Pleasure. Thank you.

20 **MR LOUGHREY:** I've driven over from Ballina this morning to be here to give you my soldier's 10 minutes. I'm Lieutenant Colonel Kevin Loughrey. I'm retired. I graduated from the Royal Military College with Honours in Mechanical Engineering, and I majored in thermodynamics, and that's relevant to what's going on here. By the way, I also spent four years with the British Army, where I was trained in biological warfare, and that also is relevant to what's going on here.

25 This country is being systematically destroyed by the Chinese Communist Party. And these people over here are actually the tools that are being used to do that. And I'm not for the moment suggesting that they're aware of this fact. This is a very, very clever ploy.

30 In 1975, the Soviets actually funded the Greens movement in Germany so as to destroy German industrial capacity. This climate change business is one huge hoax, and we'll deal with that and a number of other things. But let's move on with this presentation.

35 The purpose of the New South Wales Independent Planning Commission is to deliver robust and timely determinations within the legislative and government policy framework, to best serve the people of New South Wales. Now, what best serves the people of New South Wales? Is it saving the planet from anthropogenic global warming? Which, by the way, has now been renamed climate change, because the progenitors of this fraud discovered that the climate is actually cooling.

40 Is it low pollution? When you look out the window you see that we enjoy some of the highest air quality in the world. Is it abundant, inexpensive, reliable energy upon which every modern society is reliant? I suggest that is what is in the best interests of the people of New South Wales.

Let's firstly, though, deal with anthropogenic global warming. It's a hoax. And over to the Commissioners, you will see there that I have given you a QR code plus a URL, if you're not capable of scanning the QR code and putting it into your computer. But I ask you to look at *Climate: The Movie*. One of the people in there is a friend of mine, Dr Will Happer, Professor Will Happer. Through him, Dr Richard Lindzen and Dr John Clouser. All three are imminent atmospheric physicists, and I agree with them emphatically as I agree with Albert Einstein in his paper of 1914, that there is no way within the world of science, of thermodynamics, of physics, that carbon dioxide, methane or nitrous oxide can appreciably warm the Earth's atmosphere. Take that in. Take it back. Bank it as gold.

The next thing you will hear is, "Oh, but," you will hear people say, "the majority of climate scientists don't agree with you, Kevin Loughrey." Well, that's a fraud also. I've given you there a QR code which will lead you to a presentation by Lord Christopher Munton. And if John Cook ever comes back to this country, I will personally see him in court, and see him sued for fraud. I ask you very much, please, look at that presentation. Everything Christopher Munton says is correct. I've corresponded with Christopher on a number of occasions. Moving on.

The Earth's climate – could we throw up the slides? I'm sorry, I was so engaged in my thing. I've given you a PDF. Okay, move on to the next one, please. Okay. The Earth's climate is actually cooling. Here is a graph showing 8,000 years of cooling. The top graph is from ice cores, which were taken from Greenland. The bottom, carbon dioxide concentration in the atmosphere taken from ice cores in Antarctica. You will see that for 8,000 years, the Earth's atmospheric temperature has been dropping. And I'll introduce you to Loughrey's Law of Open Atmospheric Physics, which says that the change or trend in one part of an open atmosphere will be represented in all parts of an open atmosphere, unless there is a local effect that would cause it to be otherwise.

So in other words, if the Earth's climate was cooling in Greenland, it was cooling all over the world, unless there was a current or some other effect that was changing it at some local point. Moving on to the next slide.

This is actual data. The stuff to the right – sorry, my apologies – to the left, is from Australian archives. It's the maximum temperatures that were registered in Australia. Next comes the Postmaster General's Department, to which my father belonged and actually took these measurements. And then we move on to the Bureau of Meteorology. And you'll notice in 1998, the temperature started to go upwards. And that is because the incompetent Bureau of Meteorology installed digital equipment, removing the analogue, and they put this digital equipment into smaller Stevenson screens, so that the screens would radiate onto the measuring equipment.

To further compound this, the EEPROMs, that's the electronically erasable programmable read-only memories, had been hobbled so that they would not be able to record a temperature lower than minus 10 degrees centigrade. This is fraud;

blind, stupid, incompetent fraud.

5 Over to the right there, you can see they are measurements from the US, from the climatology network in the United States of America. They are on the other side of this globe, and they're in another hemisphere, hence Louchrey's Law of Open Atmospheric Physics. You'll notice that that graph is doing the same as the Australian graph, until the Bureau of Meteorology put its incompetent hands upon it.

10 Let's move to low pollution. I've read accounts saying that coal-fired power stations pollute. That's baloney. They present extremely clean air. It's scrubbed. The particulate matter coming out of a modern coal-fired power station is virtually nada, nil, zero. All that's coming out is carbon dioxide and water. I've given you once again a QR code where you can look at that, where you can see the research
15 that supports that contention.

Pollution, wind and solar. You've already heard that these are atrocities. Just to more or less establish my bona fides, I have achieved a world first in chemistry, physics, engineering and computer science. I developed perovskite crystalline
20 memory, non-volatile memories at one stage, so I know a lot about semiconductor manufacture. Solar panels are noxious, and they are polluting, as is the bisphenol A coming from the blades of the wind turbines. The visual pollution of these things is atrocious. So if we're talking about getting rid of pollution for New South
25 Wales people, you cannot possibly endorse these.

Let's now talk about inexpensive, abundant, reliable electricity. They do not provide it. What will be the wholesale cost of the electricity produced by this means? I calculate it to be around 40 cents a kilowatt hour, when a coal-fired
30 power station using brown coal will produce it at 2.9 cents a kilowatt hour. Why is it that the communist Chinese are producing electricity five times cheaper than we are now?

Is there any guarantee of performance by the supplier of these systems? I suggest that there is not. What will be the confidence level of supply satisfying the
35 demand? If we're talking about a conventional generation system, the confidence level is four nines. I think that the confidence level of this performing, it would be about 0.1.

40 Okay, let's deal with cost. The system's battery is only capable of smoothing out harmonics. It's not capable of providing power for any period greater than about one hour. You can't drain these batteries to their exhaustion. When the sun isn't shining, conventional power generation plants will be needed to fill the gap. The public is therefore going to have to pay for two systems, one of them being extremely unreliable and inefficient. Despite assurances, the solar system will be
45 far, far more expensive than power. The IPC should not agree to this.

Reliability. This system of power generation is unreliable. It is therefore necessary to have a backup facility capable of meeting all of the demand. The public are

paying for two systems, one which, namely the solar plant, is inherently more expensive.

5 Intermittency and cost. You will notice that there is a direct correlation between injecting intermittent energy, which is the green line, to how the cost of energy has risen. Next slide. This is the cost of energy from 2008 to approximately 2019 from the Bureau of Statistics. The blue line is the CPI. The red line is the cost that we are now paying for our electricity, despite the fact that charlatans throughout the whole of our government, including the CSIRO, are telling us that this provides the cheapest level of energy. It is absolutely a lie.

10 Summing up, there is no justification for seeking to limit emissions of CO2. They have absolutely zero effect on the climate. It is the IPC's duty to deliver robust, timely determinations within the legislative and government policy framework, to best serve the people of New South Wales. If the IPC allows this project to continue as it is, it will be a dereliction of your performance of duty. As it stands, this project has exactly the opposite effect. It will pollute, it will result in very expensive, unreliable electricity to the detriment of every person in New South Wales.

15 As such, until there is an acceptable performance guarantee, superior to coal-fired electricity generation, this project should not proceed, and that's your duty as the IPC. Thank you very much for your time.

20 **MR PEARSON:** Thank you. Thank you, Kevin. So we'll have Andrew Harries on the phone. Andrew, if you can hear us, you have five minutes to talk to the panel.

25 **MR ANDREW HARRIES:** Hi, guys. Thanks for having me, and thanks for having a meeting with me yesterday.

30 **MR PEARSON:** Yes, a pleasure.

35 **MR HARRIES:** I outlined there the potential pollution rate contamination concerns, and those concerns have been reiterated many times today. So whilst I agree [unintelligible 03:13:48] won't target any of those in this, I'll just focus on a few points. But I'm in full agreement with everything that my neighbours have said. I might say, don't let my calm, outward –

40 **MR PEARSON:** Andrew, can I just interrupt? Are you on a speakerphone?

MR HARRIES: No, I'm not.

45 **MR PEARSON:** You're a little bit echoey, and reception's not great. Is there somewhere –

MR HARRIES: Hang on, I'll move to a different spot.

MR PEARSON: That sounds better where you are there.

MR HARRIES: Right here?

5 **MR PEARSON:** Yes, that sounds good.

MR HARRIES: All right, I'll move.

10 **MR PEARSON:** Keep going, yes.

MR HARRIES: Yes, could you hear me when I said I won't talk to the pollution rate, I covered that with you guys yesterday, and it's reiterated many times today. I agree with everything. I agree with my neighbours. Don't let my outward calm appearance lead you. Being [unintelligible 03:14:47] for me and my family, has been immense over this period.

15
20 But what I will focus on WAs just a couple of things. Page 9, part B of the Development Consent and Environmental Conditions General, it stated that, "The Applicant must maintain agricultural land capability of the site," and I know that's been up in one of the contentious issues. So just in looking at the definition of Class 3 land; sloping land suitable for cropping on a rotational basis, generally used for the production of the same type of crops as listed for Class 1, although productivity will vary depending upon soil fertility, individual yields may be the same for Classes 1 and 2. I would say that most definitely that land has been under high-performance pastures and cropping for the last 40 years, as long as I've lived there.

25
30 So, by definition, it could even fit into the Class 2 category. So, just the point that they're not using Class 3, I would ask the Commission to look into that. because most definitely, you look at it now, it's Class 3 land. In terms of ground, it also states that they should establish ground cover at the site within three months following completion of any construction or upgrading. This implies there's not going to be any ground cover to start. So, what happens in that first three months if we get floods, rains? that would be something I would consider too. So I know you said that they don't clear everything, but it's sort of implied in that wording.

35
40 And then there's the transcript from Sherry to you guys, which I had a look at, and in her transcript she talks about a positive of the site is that there's very few neighbours, and of course we're one of the closest. So why would she need to point out that there are very few neighbours, if there's no negative effects of neighbours on a project? So it would seem that if you're continually pointing that out, oh, there's not many neighbours, well, that implies that there's not many people that you're going to impact on, i.e. negative impacts.

45 She also said, "But in the case of Middlebrook Solar Farm, all the assessments, including visual, which is a concern, one of the concern sort of items that people raise, shows that there are no significant impacts on any of the nearby residents and receivers." Well, who determines the visual impact? I know it was an

independent people, but isn't that the residents who are visually impacted? Isn't that a personal perspective? Even though they've said, oh, there's nothing visual that's an issue.

5 Then she goes on to say, "So therefore, there was no need to reach any of those
conversations. Having said that, even though the visual impact assessment showed
there was no impact, or low impact, and there was no need for screening, for
example, we have reached out to a few people who were just concerned and said,
10 although it's not required, we are happy to consider that and have conversations
with them going forward. Should they wish to, then we can implement something
with them in terms of screening. But nobody has shown any kind of interest in that
yet. So, yes, we haven't got any sort of agreements in that sense." Well, that's a
load of crap. That's an out and out lie. I have suggested the screening in the past.
15 So if that's a mistruth, what else is a mistruth in what they've done? So Sherry can
probably talk to that.

In terms of the community, so this is also coming out in the transcript, Sherry
offered \$4,000, and then proceeded to tell me, as a near neighbour, just out of the
20 goodness of their heart that that's what they would give me, after telling me that,
told me the cost would be \$900 million. So this shows either contempt or apathy
that the company has for near neighbours. So to put that in context, it's
0.000004% of what the project is costing. And just a reminder, this is a project for
profit, not a community or government funded project. As such, they should be
25 compensating everyone that they negatively impact around them. So they're doing
it for a profit. Compensate people accordingly.

And I'll leave it at that.

30 **MR PEARSON:** Great. Thank you very much, Andrew. Thank you.
Okay. Thanks a lot, Andrew.

MR HARRIES: Thanks fellas.

35 **MR PEARSON:** Thank you. Appreciate it. So we're now at a point where all the
registered speakers have spoken. And thank you very much for that, both online
and in person. The Commission obviously needs to take this away and mull it
over. But we will ask the Applicant who's in attendance to respond to some of the
things that we've heard today. And the Department has been monitoring this, and
40 will also come in for a brief period to respond to some issues. But Dr Sherry,
initially, if you could come forward and respond to some of the issues that have
been raised today, please.

45 **DR MOHAJERANI:** Thanks for the opportunity to provide some responses to
some of the concerns that were raised.

MR PEARSON: Make sure you project as best as possible, please. The mic's not
great.

DR MOHAJERANI: Sure. There were quite a few concerns that were raised. I would just ask that everyone, if you could also have a look at the amendment report that is available, I will try to cover as much as I can in the short time that I have here right now. And just for, I think, providing a clear response, we'll provide a submission with more detailed responses for everyone to be able to access as well, after this.

One of the important points that was raised was about the sealing of the road on Middlebrook Road. We have been in consultation with the Council, and the distance that will be sealed post this Access 1 was just agreed on in consultation with the Council. The consultation has not finished. It's ongoing. And obviously, should the project get approval, we'll have further discussions with the Council, and arrange for a very detailed construction management plan and the road and traffic management plan, that will be in place as part of the commitments to the project.

In terms of the cost, I think it was mentioned, just briefly touched base on that, of the small cost that was mentioned; that's only for the road upgrade. And that's part of the contribution as part of the VPA to the Council that we have offered. The road will be upgraded, and the cost of that is not included within the amount was mentioned. So that's separate. That's something obviously we will be doing. And we have already committed to the road upgrade of the site access too.

In terms of the bridge assessment, there has been some assessment conducted. We have been in contact and consultation with the Council, and will continue to be in consultation with the Council. The results of the consultation to date show that there is no need for any further upgrades on the bridge and that will be sufficient. But obviously, we will consult with the Council and do further assessments as needed.

In terms of the baseline for the soil testing that was mentioned, there are actually commitments in the amendment reports, which I mentioned earlier. If people would like to read that, then we can provide some note points in our submissions for everyone for ease of access. We have actually committed to do soil testing as part of the project, and that will help with those classification checks and all of that, that people were mentioning as well anyway.

The noise was mentioned, that I took on board. There were only two receivers that were identified to may have potentially exceedance of noise during construction of the road. And those have been noted – sorry, spoken with, I have mentioned it and referred them to reports. And we'll obviously have further consultation once we have the detailed design. The project obviously has not been approved as yet. We have the detailed design phase to go through and further consultation to be had.

There was a – sorry, can you remind me what other –? The recycling, I think I took a note on recycling. The recycling, we are committed as part of our, what we have put in the amendment report that we'll do a waste management plan, and make sure that they're done in accordance with the EPA guidelines and the other

guidelines that may be available.

5 **MR PEARSON:** One thing you could talk to is, there were a couple of suggestions about relocating the substation behind the knoll. Is there any movement possible? Why is the substation where it is, or is it flexible in terms of its location?

10 **DR MOHAJERANI:** I might have to take that on board, but generally speaking, it's where you need to be connecting to the transmission line. And that's why that location was initially identified and chosen in consultation.

MR PEARSON: Okay. But maybe you can come back on whether there's any flexibility, and whether there's a range of locations that are possible for that or –

15 **DR MOHAJERANI:** Happy to do that.

MR PEARSON: Yes. Thank you. The other point that we were wanting a response on was the baseline soil and water studies, just from a contamination perspective.

20 **DR MOHAJERANI:** Yes. So we have commitments to do further assessment, the baseline soil testing, as part of our commitment to the project going forward.

MR PEARSON: What about water?

25 **DR MOHAJERANI:** I'm not sure, that might be in there, but I will have to double check.

30 **MR PEARSON:** Yes. Look, just so people are clear, what will happen at the end of this meeting is that the Commission will, in writing, go back to the Applicant, and potentially the Department, with a list of things that we want further information on that will be public, so you'll see that. And it is also possible the Commission may seek independent advice from other sources to inform our consideration of the project. So you're not going to get all the answers today. It's just an opportunity for some initial responses to the issues that have been raised today.

40 **DR MOHAJERANI:** If I might just add one more point, I also noticed, I have made a point about the Marsden Park Road being sealed. And I know I've spoken with Jan at length about her concern about the road being used during construction. We will obviously be putting measures in place as part of our traffic and construction management plan to ensure that that's passed on to the APC contractors, and make sure that people actually use the road that we have actually made assessments on, and enter the site via site Access 1 or 2 as needed.

45 **MR PEARSON:** Yes. Was there anything else, Commissioners, that you wanted to raise?

DR COAKES: Yes. I think we'd raised, which you may take on notice too, Sherry, but what are the plans, are there any additional dust suppression measures to be put in place other than sealing of the road? So keen to understand.

5 **DR MOHAJERANI:** Sure. Obviously there is water, and there are other means as well. We haven't done the detailed design to be able to tell you specifically which ones at this point.

10 **DR COAKES:** Okay, so if you could – and as Richard said, we'll obviously put these in writing. Obviously, there's been a number of comments made in submissions, but also that we've heard today around your Neighbour Program. We're just keen, again, happy for this question to be taken on notice, but we are really keen to better understand, I guess, the basis for what has informed the framework that you've used to develop your Neighbour Program, and whether all
15 landholders have been contacted and informed of that framework as part of your engagement program.

DR MOHAJERANI: Yes. Just very briefly, I think it would probably serve everyone better if we provide that response in writing. But just very quickly, I
20 have personally made meetings with people, made them in person and via emails, and I have left messages for people in terms of this is what we have available, please call us. It's a voluntary program. It's not impact-related, so therefore we're not forcing people to take it. It's voluntary. But I have left messages for people, and as I said, the people that we've met and managed to meet face-to-face, we
25 have mentioned this to them. It's available, and we can provide more details. Perhaps someone who might have missed our messages could then follow up if they like.

MR PEARSON: Okay, thanks. Thanks, Sherry. I think we've got the Department
30 on the line. Hi, Iwan, can you hear me? It's Richard Pearson speaking.

MR IWAN DAVIES: Hi, Richard, how are you?

MR PEARSON: Yes, good, good, Iwan. We're just making sure that the sound
35 quality is okay. Are you on a landline?

MR DAVIES: Yes, I am.

MR PEARSON: Yes, it's a little bit blurry. Have you got the live stream playing
40 in the background?

MR DAVIES: No, I don't. I'm just in the office here. My connection appears to be okay. I'm not sure why it's coming through blurry.

45 **MR PEARSON:** Yes, there's definitely a background.

MR DAVIES: I'll move to a quieter location, Richard, if you give me perhaps a minute.

MR PEARSON: Yes, yes, yes.

MR DAVIES: Thank you.

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MR PEARSON: Okay, he's relocating to an area that hopefully doesn't have background noise. Yes. Yes. Okay. So has he disappeared now, or is he –? Yes, Okay. Well, we'll just tread water.

10

Hi, Iwan, yes, that does sound better. So as you're aware, we're coming towards the end of the meeting. There's been quite a number of issues raised, some of which the Applicants responded to, and some of which they'll take on notice. There were some issues we thought particularly the Department might like to comment on, particularly around decommissioning. How do we ensure that this project is decommissioned at the end of its life? The retention of infrastructure below 500 millimetres was certainly raised. Some of the visual impact methodology issues and the lack of screening were raised. Are you able to respond to some of those issues, and come back in some further detail down the line, but if there's some initial comments you would like to make?

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MR DAVIES: Yes, look, first of all, on decommissioning, I think that was the first matter you raised. So the Department has strict decommissioning requirements. That's not only in our conditions but also in our updated solar energy guidelines. So we consider that the project would be suitably decommissioned and rehabilitated, with the implementation of, importantly, objective-based conditions, including requirements to return the land to its pre-existing use. For all infrastructure to be removed, including underground infrastructure to that 500 mil, and I can come to that. Rehabilitate and restore the land to its pre-existing use, and the owner or operator of the project should be responsible for decommissioning and rehabilitation.

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So with those recommended rehabilitation objectives, the site would need to be rehabilitated within 18 months of cessation of operations. So we are comfortable with the conditions set that we have put forward to the IPC, and that is based off the large-scale solar energy guideline that the New South Wales government published in 2022.

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Regarding the 500 mil, so look, that's, again, something that the Department has looked into in detail for a number of years. And I do note that DPI Agriculture supports the removal of below-ground infrastructure to a depth of 500 millimetres. And that is to avoid excessive ground disturbance in consultation with DPI Agriculture, both for this project, but also in developing the guideline. The depth of 500 mil appears to be the appropriate depth to ensure that agricultural land use can continue, but also to ensure that there isn't that excessive ground disturbance when infrastructure is removed.

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I believe your second point was on visual impact. So I think I can speak fairly broadly on that. Of course, our detailed assessment is in our assessment report, and

I'll rely on the conditions of consent as well. But ultimately, the visual impacts in accordance with the New South Wales solar guideline are either low or very low for this project, that's at all receivers. So we are not concerned about significant or high visual impacts for this project, and hence why no perimeter screening is recommended.

Of course, where there are projects where there are more significant or moderate or high visual impacts, visual screening is one mitigation measure, alongside others such as project design, site location, setback distances and the like. But for this project, the Department did not consider that perimeter screening was required.

I forget the last point you raised, Richard.

MR PEARSON: Iwan, the other thing that might be worth you touching on is the agricultural land classification issue. There was a view put by several speakers today that they considered the land to be higher quality agricultural land than the classification that's come out, particularly talking about class four should be class three. Did the Department do any independent verification of the classification of the land, or rely on the Applicant's assessment? Can you just talk to that at all?

MR DAVIES: Yes, so the Department did not engage an independent expert on the land classification. It's certainly a matter that's raised on, I'd say, the majority of solar farms. The land class is often questioned, and the Department certainly appreciates that concern. And hence why in, I believe, all of our solar assessment reports, the first key issue that we assess is land use, and included in that is impacts on agricultural land, given the location of solar farms across New South Wales.

So to confirm, no independent, or the Department did not engage an independent expert on this project, and is comfortable with the assessment put forward by the Applicant, the comments by DPI Agriculture, and noting the commitments made by the Applicant for additional surveys. But also those soil and water management plan, the ground cover management plan, the rehab and decommissioning objectives, and what the Department has included in its conditions of consent around land management. So not only a soil and water management plan, but also strict operating conditions, which have more, essentially more weight, because they are, they must be adhered to. But there are, I can point to a few conditions. So the B11 land management is an operating condition; B14 in the BMP; and B27, which is the soil and water management plan itself.

MR PEARSON: Okay, so the DPI didn't raise any issues with you in terms of the land classification, did you say that? I kind of – you're not as clear as we'd like with the audio. Yes, but did you say DPI didn't raise any issues?

MR DAVIES: Regarding the land and soil capability, I don't have that in front of me at this stage. I know DPI Agriculture provided comment regarding a number of matters in its EIS submission, and then subsequently in its RTS, or response to

submissions, advice also, and was comfortable with the mitigation measures, or the measures put forward by the Applicant. And the Department has considered that advice, the commitments made by the Applicant, and then strengthened that with our operating conditions.

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MR PEARSON: Okay, thanks Iwan. Were there any other questions from Commissioners? It's a little – we will come back formally. It's a little hard to hear everything, or for me anyway. Anything else?

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DR COAKES: I think the only question, Iwan, was should the project be sold on, just in terms of, I guess, the transfer of the conditions of consent, if you just, and then if there was to be any change to the project, what the process would be from the Department's perspective. So that was just raised in relation to process. Can you just make a comment on that, Iwan, please?

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MR DAVIES: Absolutely. So all consents in New South Wales are linked to the land, are tied to the land. So often Applicants, or proposed developers, or proponents, may on-sell consents. But ultimately, to be clear, development consents in New South Wales are tied to the land. So anyone who takes up that consent must adhere to the conditions included within that development consent.

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I think your second question may be related to if there are modifications proposed. So set out in the Environmental Plan Assessment Act, there are avenues to modify consent. That is taken up by many proponents or Applicants on all types of developments across New South Wales. But there is, the Applicant, or whoever takes up the consent, must stay within the conditions that, should the project be approved, that are within that development consent. Anything beyond that, that would trigger a modification, would need to be a separate application process to the Department of Planning.

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DR COAKES: Thanks, Iwan.

MR PEARSON: Okay, Iwan, thanks very much. It's possible we'll come back to you with some written requests for further information, and we will similarly to the Applicant. So thanks, everyone. Look, that does bring us to the end of this public meeting. I do want to thank everyone who's participated today, and we've very much appreciated the input we've received. You can make a written submission, either via our website portal, or just send it to us via email or post. Deadline is Thursday the 26th of September.

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We'll make a full transcript of this meeting available on our website next few days. When we make a decision, we will publish a statement of reasons, which will tell you why we got to the decision we got to in making, and how we took community's views into consideration.

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I do very much want to thank IPC staff for the great assistance as always today, and my fellow Commissioners, Bronwyn Evans and Sheridan Coakes. Thank you very much. Thanks to anyone who's watched this.

5 As I've mentioned, there will be further interaction between the Department and the Commission, and the Applicant and the Commission, and that will be made publicly available. So you'll be able to see where we go to in interrogating these issues going forward. So from all of us here at the Commission, thank you very much again for attending, and I hope you have a great afternoon.

>THE MEETING CONCLUDED