

Margaret
Gardner

PAC Commissioners

Questions for Infigen and its "\$2" subsidiary.

Some questions that arise from a reading of the Response to Submissions on which Commissioners may care to ponder.

The key issue of course is, why didn't the Department ask Infigen many of these questions.

Covering letter

(Please) ask Infigen to justify the statement that the RTS document includes:
"a response to all aspects raised by the community during the exhibition period"

1. Introduction

Ask Infigen why it continues to insist that the Capital 2 wind farm is 17 kms north-east of the Bungendore township.

Ask Infigen why it did not include the height of its turbines or blade diameter in either the Modification Application or the RTS.

2. Justification.

Ask Infigen, in light of the commercial negotiations in 2016 for its Bodangora wind farm, at what stage did they reasonably assume that "policy uncertainty" no longer applied to the wind industry.

Ask Infigen whether they still have faith in the relevance of the Paris Climate Agreement.

Ask Infigen whether they have faith that policy uncertainty for wind farms won't return.

Ask Infigen whether they believe there are additional reasons why Capital 2 languishes.

Ask Infigen to justify that \$240 million will be directly invested in NSW.

Ask Infigen whether it really means that the continuity of funding currently distributed by the Capital Community Committee on behalf of the existing Capital and Woodlawn wind farms is dependent on the approval of this modification.

Ask Infigen to explain why its Bodangora wind farm can forge ahead with the current technology but Capital 2 can't.

Ask Infigen why they defined this modification as an "Administrative Amendment".

Ask Infigen if it truly believes that the community support for Capital 2 is the same as it was 6 years ago. How can Infigen be sure that this support will not change over the life of a five year extension.

Whilst the "benefits" of the project can only be realized if the wind farm proceeds, does Infigen also agree that the impacts can only be ameliorated if the project lapses.

Ask Infigen to advise how they believe that any wind farm is attractive to retailers and customers.

Ask Infigen, having thought it through and deciding they can live with a 4 year extension to commence construction, what relevance does the RET and the REAP have, expiring as they do in 2020.

3.1 Community Engagement Activities

Ask Infigen to detail the engagement activities with the relevant stakeholders (explicitly non-associated residents) and the broader community in the last 5 years since approval, specifically related to Capital 2.

3.2 Capital Community Committee

Ask Infigen to justify their continued falsity in the first line of this section: "Infigen has a Community Consultative Committee".

Ask Infigen whether it was purely coincidental that the acronyms were identical or designed to mislead.

Ask Infigen to provide evidence that issues relating to the Capital 2 wind farm have been raised in meetings of the Capital Community Committee and how they were addressed.

Ask Infigen to provide evidence that issues relating to the Capital 2 wind farm are included in the minutes of the Capital Community Committee published in the Tarago Times.

Ask Infigen to provide evidence that issues relating to the Capital 2 wind farm are included in the monthly community newsletters.

Ask Infigen to calculate how much, per turbine, per annum they contribute to the community through the Capital Community Fund.

In the RTS for Capital 2, Modification 2, Infigen advised that they planned to contribute a once off payment of \$20,000 per turbine. As this contribution is now no longer mentioned, ask Infigen what happened to it.

If it still exists, ask Infigen to calculate how much per Capital 2 turbine per annum it equates to.

Ask Infigen to quantify the statement "additional funds will be contributed to the Capital Community Fund for distribution in the local area."

3.3 Community Engagement for future activities

Notice the change of tenses. Infigen **HAS** a CMS for the Capital 2 wind farm. The elements of the CMS **WILL** include.

Ask Infigen to provide a list of entries and responses in the CMS specific to the Capital 2 wind farm.

Ask Infigen to explain why CWF2PL "works closely" and "has consulted....for the past several years" with the Industry Capability Network when construction could still be up to 5 years away.

3.4 Actions taken by Infigen to inform the Community about Capital 2 Wind Farm Modification 4.

Ask Infigen to publish the email to Mr Peter Bascombe. For background, Mr Bascombe was the delegated Palerang council executive responsible for negotiating the appallingly low level of community

contributions from Infigen relating to the Capital 2 wind farm and subsequently showed a reluctance to explain the process to his ratepayers.

Ask Infigen to publish the email to landowners dated September 5, 2016. Who was it sent to? How many of the recipients were non-associated residents?

Ask Infigen to justify being able to notify "landowners" on September 5, 2016, but the general public on September 29, well into the short exhibition period.

Ask Infigen to prove that the modification was discussed in the meeting of September 29, 2016. The only reference in the minutes:

"See update re Capital 2 Project emailed to all members (present and absent) 29/9/16" would indicate otherwise.

The wording of the email would clearly indicate otherwise.

Ask Infigen to describe and/or publish the communication that resulted in the "letters of support from the community".

Ask Infigen to nominate which letters of support came from non-associated (with Infigen or its subsidiaries) residents.

4. Response to Submissions Received

Ask Infigen to justify their lack of response to the OEH submission, especially as OEH was apparently unaware, at the time, of the lack of a restriction on turbine height and blade length.

Ask Infigen, having taken 13 pages to badly précis the community submissions, whether an RTS of less than 4 pages (sections 4.1 to 4.5) is adequate.

Ask Infigen how much of the RTS was repetitive.

Ask Infigen to elaborate on the legal obligation its "\$2" subsidiary has to decommission the wind farm apart from some unseen contracts it has with its hosts.

Ask Infigen to explain to those submitters (especially the submitter of the substantial one numbered 76) who were supposed to be answered in section 3.5, where exactly is section 3.5.

General Questions

Ask Infigen why they did not submit a political donations statement covering the last three years. (They submitted one with Modifications 2 and 3 dated 13/5/14, but surprisingly not with Mod 4)

Ask Infigen whether any indication was given from the Department that this modification would gain approval as a formality.

Ask Infigen whether any discussions took place with the Department on the strategy for this modification particularly in relation to the request from Infigen for a five year extension and the possibility that the Department would be amenable to a lesser extension.

Ask Infigen whether any discussions took place with the Department on the possible ways to handle the lapse date, particularly through an Administrative Extension.

Ask Infigen whether the Department initiated any communication with Infigen on the need to address the looming lapse date.

Ask Infigen whether the Department indicated that the 3 page "Modification and EA" was adequate for exhibition.

Ask Infigen whether any discussions took place with the Department whether a 12 working day exhibition period was adequate for a "modification" with such wide-ranging implications.

Ask Infigen whether any modifications were suggested by the Department to the "Modification and DA" before publication.

Ask Infigen whether they advised the Department of the potential perceived conflict with the initially assigned planner having done previous paid work on an Infigen project.

Recommendations for the Commissioners to consider

That all extensions of time to construct for renewables projects be exhibited.

That such exhibitions be a minimum of 4 weeks.

That the planning process be expanded to allow the management to reject an RTS that clearly does not address the issues raised.

That all future RTSs use the Department's submissions numbering system. Every submitter is entitled to know which answers apply to their submission. Randomly renumbering submissions makes the process very difficult for the submitters, the Department and the Commissioners.