Uarbry Tongy Lane Alliance Inc.

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Uarbry Tongy Lane Alliance Inc object to the changed recommendations of the Planning Department in their recommendations to the IPC.

We have read the additional papers available on the Hills of Gold project and understand that:

- Initially DPE recommended the removal of 14 turbines because, in their assessment, the negative impacts were too great and could not be mitigated by the proponent (Engie).

- Engie complained (via Moir) that **the visual assessment bulletin (2016) that DPE has used consistently for EVERY wind project for the last 8 years**, is too reliant on "subjective interpretation".

In what appears to be pandering to a commercial entity, a government department RE-ASSESSED these troublesome turbines using the DRAFT wind energy guidelines 2023.

The DRAFT wind energy guidelines are a DRAFT! We made comment to these guidelines and are still to witness the submissions made even though we have asked. These DRAFT guidelines HAVE NOT BEEN APPROVED and feedback in submissions HAVE NOT been addressed publicly.

A member of our group met with **Matthew Riley of DPE (Director, Energy and Resources Policy)** last year **when the DRAFT guidelines were first released for comment, who clarified that 1) the draft guidelines will NOT be applied to any CURRENT project. 2) it will only apply to projects that apply for approval AFTER the new guidelines are APPROVED**.

Yet, regardless of this advice from a Director in the same Department, DPE USED UNAPPROVED GUIDELINES to reassess this project.

- The consequence of this is that 3 turbines that were earlier recommended for removal from the project are now acceptable!

This brings great distrust by the public into the due processes by DPE, when they can use UNAPPROVED DRAFT GUIDELINES to assess a project.

- When 10 turbines were still found to have a very high magnitude of negative impact and still found unacceptable, Engie came back with the excuse that their project will become "unviable" with the loss of those 10 turbines.

- DPE used IEAPET to assess if the project will be unviable.

We have never seen member of the IEAPET at any IPC meeting? This group appears to have been established by the government to provide "independent" advice, however the current government's position is also to push through as many wind/solar projects as it can to meet their unrealistic targets and the panel has members employed from the "renewable" energy sector, which negates the "independent" tag

- IEAPET inevitably found that yes indeed the costings would be "unviable" without those 10 turbines.

Any reasonable person would say, it's not viable, it won't go ahead.

But Engie can play a last card - it's in the public interest. **However, it's not for the public good if it is for unreliable, intermittent power generation that AEMO admits only produces approximately 30% of nameplate capacity. Therefore, Engie is NOT actually contributing the amount of power it says (nameplate capacity) and the detrimental effects to a hostile community should not be ignored.**

Assessing the project using Public benefit versus Merit based assessment is highly contentious. **When do people in Regional NSW get to have their own independent experts consulted? Our independent experts are all highly credentialed and not even all male like the IEAPET.**

Should this project be approved with the troublesome turbines restored then every project that generates renewable energy or is perceived to aid the renewable energy transition is now approvable and any negative impacts (environmental or otherwise) will be deemed to be outweighed by "public benefit". **This is a loss of rights for all people in regional NSW.**

To add insult to injury

- **DPE RECOMMEND ACQUISITION of a PRIVATE PROPERTY for a COMMERCIAL, FOR-PROFIT DEVELOPER to build their project!**

Whilst the Government and many of its agencies can proceed with acquisition, a private developer (a FRENCH MULTINATIONAL corporation) having this power is unprecedented.

AND the affected landowner must even go to Engie and "apply" to be acquired, within 5 years of the commencement of construction. This gives the landowner limited choice – be bought out through the acquisition process and leave their home forever or live with the consequences of being very close to industrial wind turbines – something that the Department initially rejected as too high an impact. This is NOT equitable for a private owner of land. Under the guise of "voluntary" acquisition, this is, in effect, "compulsory" acquisition.

Will this also be rolled out in all metropolitan regions **or is this specifically to build distrust and resentment towards the Department of Planning and all renewable energy projects in regional areas?** This new acquistion clause means that developers will be able to put turbines where they choose with no rules to protect neighbours. **Is the Department of Planning and members of the IPC comfortable with facilitating foreign ownership of agricultural land?**

Whilst DPE state that their actions should not been seen as a precedent, **the FACT that they HAVE made an EXCEPTION of using UNAPPROVED DRAFT GUIDELINES and recommended ACQUISITION IS a PRECEDENT in itself**.

This is of huge concern to our group located in the CWO REZ and facing multiple wind developments.

UTLA Inc. therefore urges the IPC to

- reject DPE's recommendations that are based on unapproved, draft guidelines
- reject DPE's recommendations that suggest acquisition be allowed by a non-government agency
- advise Engie that if their project is unviable because of turbines that pose an unacceptable level of negative impact to landowners according to APPROVED guidelines, then their project needs to be re-assessed by them with a new application sought after sufficient consultation with willing landowners and affected neighbours in the Scoping stage.

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