



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: GLANMIRE SOLAR FARM (SSD-21208499)

PUBLIC HEARING

COMMISSION PANEL: DR SHERIDAN COAKES (Panel Chair)
CHRIS WILSON
RICHARD PEARSON

LOCATION: RYDGES MOUNT PANORAMA, BATHURST NSW

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TRANSCRIBED BY APT TRANSCRIPTIONS

DR SHERIDAN COAKES: O.K. Good afternoon everybody. Great to see so many people in the room. I will apologise in advance, we've got a few cars on the track here so we may get a little bit of noise as they go around. They seemed to have quietened down a bit. Anyway, good afternoon and welcome to the Independent Planning Commission's Public Meeting into the State Significant Development application for the Glanmire Solar Farm Project.

10 I'm speaking to you from Wiradjuri land. I acknowledge the traditional owners of all the countries from which we meet today and pay my respects to their Elders past and present and to the Elders from other communities who may be participating today. I'm Dr Sheridan Coakes, I'm the Chair of this Panel and I'm joined by my fellow Commissioners Richard Pearson and Chris Wilson. Panel members have made conflict of interest disclosures and the Chair of the Commission has determined that the Panel can consider this application and a copy of that decision document is actually available on our website.

20 We have a limited and a specific role at the end of the planning process. We decide if an application should go ahead and, if so, on what conditions. We consider the Department'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. 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 obviously the purpose of today.

30 We want to hear from you about what you think about the merits of this application. This is not a forum for submissions on whether you like or approve of the Applicant, the laws we must obey or the policies that we must consider. I note that it is also not appropriate for the audience to ask questions of any speakers, that is our responsibility as the Panel. The Applicant has already been assessed by the Department on our behalf and many of you may have already participated in the Department's processes so thank you for your participation to date.

40 There is no need to repeat your previous submissions, they are all available to us for consideration. The Applicant and the Department have considered your submissions and taken those into account in the application and the assessment that we are considering today. Today we really want to hear your response to the Department's assessment, their recommendation and the recommended conditions of consent. So even if your submission today objects to the application being approved at all we would encourage you to actually tell us whether any of those concerns could be addressed either wholly or in part by the imposition of those conditions. Your consideration of alternatives does not in any way compromise your submission and it enables us as the Panel to consider all options.

We're first going to hear from the Department of Planning and Environment and the findings of its whole-of-government assessment of the application currently before us and then we will hear from the Applicant second. We'll then proceed to hear from all

our registered speakers. While we will endeavour to stick to our published schedule this will be dependent on registered speakers being ready to present at their allocated time. I'll introduce each speaker and when it's their turn to present to the Panel everyone has been advised in advance how long they have to speak. A bell will sound when a speaker has one minute remaining and a second bell will sound when the speaker's time has expired.

10 So ensure everyone receives that fair share of time, we will enforce timekeeping rules and extensions may be granted on a case-by-case basis by myself. However, in the interests of fairness to the other speakers an extension may not be granted. If you have a copy of your speaking notes or any additional material to support your presentation it would be appreciated please if you could provide that to - a copy of that to the Commission. Please note that any information you do provide to us will be made public and the Commission's privacy statement governs its approach to managing your information and is available also on our website. Exits from the venue just over here and I think my understanding is the toilets are just outside - located outside the door.

20 So without ado I would like to call our first speaker who is Joe Fittell from the Department of Planning and Environment and Joe has actually pre-recorded his presentation. We have asked the Department to actually come back to us at the end of the session to respond to any of the issues that they may have heard during the meeting. So thank you to Joe.

30 MR JOE FITTELL: Good afternoon. My name is Joe Fittell, I'm a Team Leader in the Energy Assessments Team at the Department of Planning and Environment. Firstly, I would like to apologise on behalf of the Department due to unforeseen personal circumstances we cannot be there in person today as originally planned. Before I begin, I would also like to acknowledge the traditional custodians of the land on which we meet today. I would like to pay my respects to their Elders past, present and emerging and extend that respect to any Aboriginal and Torres Strait Island people present today.

The Glanmire Solar Farm is a State Significant Development project and has been assessed under the Environmental Planning and Assessment Act which is the planning legislation under which all developments in New South Wales are assessed. The Department has undertaken a comprehensive all-of-government assessment of the application. By that I mean we have included and consulted with key agencies and Bathurst Regional Council in preparing our assessment.

40 I want to note that through the assessment process as shown by the flow chart there have been a number of formal and informal opportunities for the community and other stakeholders to provide input to the process and we are now at the determination stage where the final decision will be made by the Commission on the merits of the application.

The Applicant proposes to develop a 60 megawatt solar farm approximately 10 kilometres east of Bathurst in the Bathurst Regional Council Local Government Area. The project would include a 60 megawatt, 120 megawatt hour battery energy storage system or BESS, an onsite substation and connection to the existing transmission line

operated by Essential Energy. The existing transmission line currently operates at 11 kilovolts and would need to be refurbished by Essential Energy for a distance of approximately seven kilometres to operate at 66 kilovolts. These refurbishment works will be subject to separate assessment under part 5 of the EP&A Act.

10 There are five proposed and approved SSD renewable energy developments within 50 kilometres of the project. They are the Central West Pumped Hydro, Lake Lyall Pumped Hydro and Mount Piper BESS which are all in the early stages of the planning process and the Wallerawang BESS and Great Western BESS which are both approved. Since our referral to the Commission a scoping report and request for Secretary's Environmental Assessment Requirements has also been lodged for the Brewongle Solar Farm which is approximately two kilometres south of the project.

20 Before I dive into the assessment issues it's important to provide some strategic context about the project in relation to its location and access to the existing electricity network. Noting that all coal-fired power stations in New South Wales are scheduled for closure in the next 20 years the project would assist in providing large-scale renewable energy generation to meet increased electricity demands. The Department considers that the project is consistent with the relevant national, state and local policy documents which identify the need to diversity the energy generation mix and reduce the carbon emissions intensity of the grid while also providing energy security and reliability.

30 There are also additional considerations from a regional context perspective site that the project will benefit from. The site has access to the electricity network via Essential Energy's existing transmission line. The transport route for the site would require minimal road upgrades. The site is located in a rural area and the Department considers that there will be no significant visual impacts on residences and the rural character of the visual quality of the area and periphery and the periphery of the regional city of Bathurst would be preserved as far as practicable.

The site is located on land that is not mapped as biophysical strategic agricultural land, BSAL land, and predominantly on land that has a land and soil capability of class 4. The land is currently used for cropping and grazing. Overall, the Department considers the site to be appropriate for the project and that is consistent with the Department's large-scale solar energy guideline.

40 The Department exhibited the EIS from the 18th of November until 15th of December, 2022 and received 143 public submissions consisting of 133 objections, nine supporting submissions and one comment. A community consultative committee was also set up in accordance with the Secretary's Environmental Assessment Requirements, an independent Chair, representatives from the community and the Applicant have met during the preparation of the EIS.

Submissions in support generally raised the benefit of transitioning to renewable sources, a sustainable use and diversification of agricultural land and the economic benefits to the local community. The most common matters raised in public objections were land use compatibility including the loss of agricultural land, visual amenity

including impacts on surrounding landscape and residences and social impacts including insurability of surrounding residences and the land devaluation.

Firstly, on energy transition. The project has a capacity of 60 megawatts which would generate enough energy to power about 23,000 homes. Solar generation is consistent with the New South Wales Climate Change Policy Framework of achieving net zero emissions by 2050. Although the project is not located in a declared renewable energy zone it is in an area with access to the transmission network with available capacity and abundant solar resources.

10

As I mentioned earlier, the existing transmission line currently operates at 11 kilovolts and would need to be refurbished by Essential Energy to operate at the required 66 kilovolts. The Applicant and Essential Energy propose that these refurbishment works would be subject to separate assessment under part 5 of the EP&A Act. Although this is a valid assessment pathway under the EP&A Act the Department notes that the project would not be viable without these works being undertaken. Therefore, the Department has recommended the inclusion of the third commencement condition ensuring relevant approvals are obtained for these works prior to the development consent commencing for the project.

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The site is located on land within the RU1 primary production zone which is a permissible land use with consent under the Bathurst Regional Local Environmental Plan. The site is located on the periphery of the regional city of Bathurst as identified in the Transport and Infrastructure SEPP and there are specific considerations for wind and solar projects within the regional city limits. The Department has assessed the project against those provisions and considers that it would not conflict with existing or approval residential or commercial uses of land surrounding the development and it would not have significant impact on the regional city's capacity for growth given the site and its wider locality have not been identified for future growth by Council or the Department in any strategic planning documents.

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Surrounding developments both resident and agricultural are protected by setback distances and intervening vegetation and other nearby land uses including the Bathurst Regional Airport are unlikely to experience significant impacts due to their distance from the project which was acknowledged by Council. The project is consistent with the region's plans including a Bathurst Region Economic Development Plan - Strategy, sorry, the Bathurst Regional Council Renewable Energy Action Plan and the Central West and Orana Regional Plan.

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Several community submissions raised concern around the loss of agricultural land including provisions of a review of the agricultural study provided in the EIS that was commissioned by community interest groups. In response to these submissions, the Department engaged an independent soils expert Dr David McKenzie to review the soils assessment and request the Applicant undertake additional work to address the deficiencies identified in the methodology. McKenzie's review of the updated soils assessment confirmed that the methodologies supplied were adequate and a revised land classification was appropriate.

Although the project would include disturbance with a small area of class 3 land of approximately 39 and a half hectares. The inherent agricultural capability of the land would not be affected given the relatively low scale of the development and the Applicant's commitment to return the land back to existing levels of agricultural capability following decommissioning.

10 The site also represents a very small fraction of agricultural land in Central Western Orana region. The Department has included requirements to maintain the site's current land capability including groundcover within the development footprint during the construction and operation of the project. Neither Council or DPI Agriculture raised concerns that the project would compromise the long term use of the land for agriculture purposes and importantly, the loss of a small area of agricultural land in the region must be balance against the broader strategic goals of the government along with environmental and economic benefits of solar energy.

20 Concerns regarding visual impact in public submissions included the proximity of the project to surrounding residences and potential impacts on the scenic quality of the locality. The Department visited the site and nearby non-associated residences to understand the visual impacts and to further understand residence's concerns. The Applicant has incorporated a number of measures into the project design to minimise its visual impacts including a 300 metre buffer between solar arrays and the Great Western Highway, locating the substation BESS to the south of the natural rise in landform, use of single portrait panel arrays which are up to three and a half metres high rather than double portrait arrays which are up to five metres high. Setting a forward rear resting angle during backtracking to reduce potential glare on surrounding residences. Use of underground cabling to connect to the Essential Energy infrastructure at the northern end of the site. Planting of vegetation screening around the full perimeter of the site and retention of vegetation in the riparian zone of the main watercourses which traverse the site.

30 Views of the project for vehicles travelling in both directions along the Great Western Highway into and out of Bathurst are predicted to be very low as they would be largely shielded due to 300 metre setback from the highway. Although visual impacts along Brewongle lane were predicted to be moderate without mitigation they would be reduced to low following the implementation of proposed vegetation screening along the eastern boundary of the site. The Department recognises that the introduction of the solar farm to a rural setting would result in a change to the local landscape but considers the development would have a limited impact beyond the project's immediate vicinity.

40 In relation to views from nearby residences there are a total of 34 residences within two kilometres of the site. Of these 11 warranted a detailed assessment in accordance with the preliminary assessment tool in the large-scale solar energy guideline and the results of the detailed assessment confirmed that visual impacts were only predicted to occur at eight residences. All these residences were predicted to experience very low or low impacts due to the presence of intervening vegetation. These impacts would all be further reduced by the implementation of the perimeter screening proposed by the Applicant.

In relation glint and glare impacts, one resident, R7, was predicted to experience a yearly total of 100 minutes of glare; however, with the proposed vegetation screening along the north-western boundary of the site the views from this residence would be reduced over time and the glare impacts are predicted to reduce to nil. To further assist with mitigating these impacts the Department has recommended a condition requiring the Applicant to limit the resting angle of all solar panels during backtracking to a minimum of four degrees to reduce the potential glare risk associated with the project. The Department has also recommended a condition that offsite lighting impacts of the development are minimised.

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The site is not mapped as bushfire-prone land; however, there are some small areas of mapped bushfire-prone land around the subject site. The Department consulted with Fire and Rescue New South Wales and the Rural Fire Service throughout the assessment process. To actively manage bushfire risk the Applicant would implement a range of management measures including, but not limited to establishing a 10-metre asset protection zone around all project infrastructure, complying with the requirements of RFS's Planning for Bushfire Protection and Standards for Asset Protection Zones, providing water tanks with a minimum of 20,000 litres reserved for firefighting purposes at locations agreed with the RFS and preparation of a fire safety study and emergency plan consistent with the recommendations of Fire and Rescue New South Wales.

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A number of submissions also stated that the project may impact insurance premiums and the ability of neighbouring landowners to obtain insurance due to the risk that fire could spread from their properties into the site and cause significant damage to project infrastructure. The Department considers that the risk of fire spreading into the site from an adjoining property or from the project infrastructure into an adjoining property will be adequately mitigated with the implementation of the previously-mentioned management measures and adherence to the recommended conditions of consent. While insurance premiums and availability can vary to take into account different factors including any increased bushfire risk the Department considers that the recommended conditions - with the recommended conditions there would not be an increase in bushfire risk associated with the project.

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In addition to its contribution to the energy transition, the project would provide benefit to the community by providing 150 construction jobs, expenditure and accommodation and businesses in the local economy by workers and on goods and services. Elgin has also reached an in-principle agreement with Council to enter into a Voluntary Planning Agreement consisting of an annual payment of \$18,000 for the life of the project which is consistent with the upper limit provided in the revised large-scale solar energy guideline of \$300 per megawatt per annum.

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There would also be broader benefits to the state through an injection of \$152 million in capital investment into the New South Wales economy and the Applicant has committed to sourcing workers from the local community to reduce accommodation and service pressures. To encourage employment of locally sourced workers and ensure cumulative impacts at considered the Department has recommended a condition requiring the Applicant to develop an accommodation and employment strategy in consultation with Council. The operational life of this project is about 40 years but there

is potential for it to operate for a longer period of time is solar panels are upgraded over time as permitted under the recommended conditions of consent.

10 The large-scale energy guideline identifies four key decommissioning and rehabilitation principles or circumstances when an Applicant ceases operating a project which are that the land must be returned to its pre-existing use, infrastructure including underground infrastructure must be removed if operations cease, the land must be rehabilitated and restored to its pre-existing use and the owner or operator of the solar energy project should be responsible for decommissioning and rehabilitation. With the implementation
10 of objective-based conditions the Department considers that the solar farm be suitably decommissioned and rehabilitated at the end of the project life or within 18 months if operations cease unexpectedly.

20 Regarding decommissioning bonds, it's the New South Wales Government's policy that financial assurances should not be required by conditions of consent and any financial assurances should be dealt with in commercial agreements outside of the planning system. In summary, electricity-generating works on the site are permissible with consent in accordance with the Bathurst LEP. Although the project would include disturbance to 39 and a half hectares of class 3 agricultural land we consider that the
20 agricultural capability of the land would not be affected and the overall agricultural productivity of the region would not be significantly reduced.

30 The site has good solar resources, direct access to the road network and access to existing electricity network. The project has been designed to largely avoid site constraints including remnant native vegetation, on site water courses, farm dams and BASL while maintaining its ability to utilise the existing electricity infrastructure and road network. The project would assist in transitioning the electricity sector from coal and gas-fired power stations to low emission sources and is consistent with New South
30 Wales policy. It would generate over 132,000 megawatt hours of clean electricity annually to power approximately 23,000 homes and save over 127,000 tonnes of greenhouse gas emissions per year.

40 The Department considers that the project achieves an appropriate balance between maximising the efficiency of the solar resource development and minimising the potential impact on surrounding land users and the environment. Through job creation and capital investment and a planning agreement with Council the project would also stimulate economic investment in renewable energy and provide flow-on benefits to the local community. On balance, the Department considers that the project is in the public interest and is approvable subject to the recommended conditions of consent. Thank
40 you.

DR COAKES: Thanks. Thanks, Steven. So Clay Preshaw, the Executive Director of Energy and Resources Assessments will actually join us at the end of the session today to respond to any of the issues, as I said, that are raised in the meeting. I'd now like to call please Tim Averill from Elgin Energy. Thanks, Tim.

MR TIM AVERILL: First of all, I'd like to thank everyone for giving us the opportunity to present the project in a lot more detail and to respond to issues that have been raised

during the consultation process and the EIS phase of the project. First of all, I would just like to go into a bit more background and detail into Elgin Energy and the project as a whole just on a high level - on a high level basis and then go into more detail about some of the key issues that have been raised during the consultation and the EIS process.

10 So a bit of background to Elgin Energy. We are - we're a UK and Irish company established in 2009 by four directors of the company who now over - over 70 people and operation in four different countries, UK, Ireland, Australia and Germany. We have been operational in Australia since the end of 2018. We have 15 projects in development throughout New South Wales, Queensland and Victoria. The company as a whole has about 70 - 70 projects through - through the planning phase and now has 21 projects that are actually operational for the next phase.

20 I think you're generally all fairly familiar with where the actual project is located. We've gone into that - into a bit of detail already about 7.5ks to the east of Raglan and about 10ks to the east of Bathurst and on the northern border is the Western - Great Western Highway and you can see the existing infrastructure - the Essential Energy infrastructure there, the line, which is currently operational at 11kv which will be upgraded to 66kv. The area is - it's fairly gently undulating, it slopes - actually slopes upwards so it's more facing the first paddock and then gently facing south - southern rolls away from the Great Western Highway which benefits the project in terms of being able to hide some of the - kind of it's less visible.

30 So if we just move onto the next slide. Thank you. So this slide just indicates the general plot that we - that we started in. We sort of went through the scoping phase and just going through that and the consultation process and then the EIS phase it really informed us going along the process looking at different areas with things like visual impact and doing all the - all the - all the different studies to inform us of how to - how to kind of adapt the project.

As - as we along you can see from this and from where we started large setbacks to the northern boundary, to the southern boundary and through the - through the middle in the riparian area which - and so generally throughout the consultation phase we have - we have - we've just tried to listen to the issues that have been raised along the way and kind of inform the general design of the project as we've moved along.

40 To the next - next slide please. Yeah. So - so just a bit of an overview of some of the engagement activity that has taken place. We did quite a lot of upfront engagement during - during the scoping phase in meeting with the Council, community drop-in session on the site. You know, this - this informed us that, you know, obviously visual impact was - was very important. The quality of the farming, the farming land and, you know, so that gave us an initial insight into some of the - a number of the issues raised.

During the EIS phase we went through a CCC which is a community consultation committee. This was five different meetings with a number of stakeholders which was generally trying to inform stakeholders of the project and actually listen to all the feedback that was provided and, you know, so we could try and again adapt - adapt the project and to listen what the main - main issues were. Other - other engagement

activities involved going to the Bathurst Royal Show, there were drop-in sessions at the Bathurst Memorial Centre, meetings with the Glanmire Action Group and community information sessions and then sort of ongoing communications by website and email.

So just during the consultation processes and the EIS phase, you know, there were a number of issues raised during this process and key issues really being - well, the top there were kind of agricultural land compatibility, visual impacts, these were - these were the three but we're going to just go through, you know, all the issues that have been raised.

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So on the next slide we'll just go into - loss - loss of rural land has been one of - one of the main - main issues and we'd like to highlight that the only real permanent loss of land will be through the substation - the building of the substation which will - that probably will end up being gifted to Essential Energy and that's - that's quite a small area. The rest of the land - you know, the rest of the project can be decommissioned at the end of life and, you know, everything fully - fully removed.

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It's actually in the appropriate zone as mentioned during the DPE presentation. Adds diversification, you know, during - during droughts and things which we're seeing a lot more of at the moment. Impact on the general agricultural economy in the area we see as, you know, every low, it's - it's, you know, small area even the class 3 areas. Impacts on adjacent agricultural activities we see as very or no impact. I mean, there are - there hundreds, thousands of solar projects operational at the moment, not just in Australia but rural impacts on - on operational farms surrounding projects with very little evidence to see that there is any - any impact there. Heat island effect, due to the setbacks we don't see that as being an issue and, you know, land classification process I'll go into a bit more detail on the other - one of the other slides as we move - move on onto the next slide.

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There are just a few - few photos of - of how the project will be - be farmed with sheep and actually condensation can continue to have some growth of grass even during sort of drought - drought periods which we're seeing in other projects at the moment. So here's - here's just a bit of - a summary of the process of the land categorisation. We started off during the scoping report on a high level. The land is mapped as 5 and 3. You can see that on the top left. During the scoping -scoping report obviously this - this issue was raised by the community and we wanted to get into a lot more detail and carry out in-depth soil - soil samples of the area and the middle - you can see the middle diagram that's mainly - green is 4 and red is 5. So that - that showed it was - it was looking predominantly 4 during - during that process.

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However, during the EIS phase this - this issue was raised again and people were not happy with the methodology that was - was provided so with DPE we obviously consulted with them and went through further more rigorous soil - soil sampling and testing and on the far right is where we - where - where it's actually come out at predominantly 4 - 4 with some 5 and some 3, pockets of 3 there. So, yeah, that's - that's - that's where it's been, you know, I guess, a process through - through the - through the development phase of the project.

Obviously visual - visual impact again. As I've mentioned, there's been a - a key issue raised and, you know, we've adapted that throughout the development is bringing - bringing it back from the northern boundaries and from the southern boundaries and also committing to screen. So in certain areas five metre - five metre screening and 10 metre screening. We'll show that a bit more later - later on the other - on the other pages but unmitigated impact, there was low impacts from - on two dwellings and very low impact on six dwellings after mitigation was very low for three dwellings and - and to nil for five - five dwellings.

10 If you go onto the next slide please. Yeah, this - this just gives a bit more - some photos. This is going away from Bathurst towards Sydney and it gives you a visual there. You can see some - some glimpses of the project which will be screened in that corner. Brewongle Lane has - has been highlighted as key in terms of that - that's probably the highest level of impact. Again there will be tree planting along that - that road to try and mitigate that - that impact and here's an - here's an example of some of the - the areas of screening and, you know, this will be - be consulted with what can grow in the local area and what kind of trees and vegetation that will - will stick the best.

20 So as I mentioned, there are areas of five - five - five metre screening and 10 metre. You can see the pink - the pink areas are 10 metre screening and, yeah, there are various - so - so the - there will be a minimum of 50 metre setbacks from the boundary and where you see five - five metre screening areas and 10 metre screening areas there will be a 20 metre setback including the - the areas - the asset protection zone going around - around the project.

30 So traffic and transport. This has - this has been another key - key issues raised on the Great Western Highway. The state road has sufficient capacity to accommodate the peak transport. We were, I guess, fortunate that the - that turning has actually been upgraded over the last - last couple of years so the turning into Brewongle Lane is - is - is in a very good state. We've committed to upgrading the road and seal the road for 300 metres up from - from the Great Western Highway into the turning into the site. So there will be - there obviously be - also be a traffic management plan that will be implemented as well if it was to go ahead.

40 So other - other socioeconomic impacts mentioned, we've committed to 18,000 community fund per year which was - was the highest recommended by - by DPE. That's for the life of the project. There will be a number of workers, 150 workers during the construction - construction period and, I mean, approximately 152 million capital investment going in there, accommodation and employment, you know. So trying to utilise local employment is really important and also there will be a number of - I guess, ideally we'd like to - to try to utilise that - that local - local employment within - within the area. Other social impacts include hazard and risks which I'll go into in a bit more detail. Land values and insurance. We've done a lot of work into that and it was actually put into the EIS as well. Having dialogue with the Insurance Council of Australia. Very limited evidence to - of any impacts there.

So just onto the next slide. In terms of decommissioning and rehabilitation we've committed to a decommissioning bond with the landowner so the project will be put

back to, you know, how - how it was found, how it was started. There will be a baseline provided by a high soil survey at the beginning of construction so that will be put back. The only permanent - the only permanent that will remain will be the substation which will actually be owned by Essential - Essential Energy.

10 Most of the site will be - would be shaded and so they will maintain - I mean, also commitment is to maintain 70 percent groundcover through - through operation and other - other permanent impacts. I mean, it's - it's only - soil disturbance is probably four percent of the site. As I mentioned, the - the substation as well and, you know, the tracks could - could be left around - around the border if the landowner was - was - was to want those.

20 Onto the next slide. So again I think we - DPE have mentioned that in their - their report in terms of fire risk. I mean, this is a very - you know, important issue and, you know, the project is really designed to - to minimise any - any fire risks and, you know, we consult with all the agencies to make sure that it is - it is fire safe and, you know, providing minimum separate distance between the battery containers and the four asset protection zone, you know, around the project. So - so, you know, it's important, there's - there's a lot of consultant with the RFS on this.

So again, another key issue is waste, recycling and contamination. Recycling, you know, obviously with - with the transition moving - moving forward to renewables this is - this is a key point. All of - pretty much all of the project can be - be - be recycled, the modules, you know, the - the cabling, all the mounting system. So - so this is - this is now as an industry moving forward we're seeing far more recycling because - because it's needed and it has to - as we transition to renewables. Contamination we see as - as being very - very low risk and - and with the design of the project, you know, it's fully taken into account any risks around - around contamination.

30 So in terms of energy security and grid connectivity I think we mentioned that it's going to be connected by the - an existing 11kv which will be upgraded to 66. Though there's existing capacity in the substation at Raglan to connect the project there's actually plenty more than 60 megawatts there that we can connect it. So the project could actually be a lot bigger than it is but we've tried to, you know, minimise the impact and so - so that's - I think that's - that's very key that - that the project can connect if - if - if the project was - was to go ahead. BESS, the battery there can contribute system strength into - into the grid. Energy arbitrage and shifting out of daytime into later on in the day which - which provides good support and it's as important as the transition occurs. Again just this a map of - of the line that we've - we've talked about before, the upgrading of 11 to the 66.

40 Moving onwards. Groundcover management. Yeah, I mean, I think another benefit that the soil will be given quite a - quite a rest during the - during the period this is operational. Any grazing will be - will be less intense than - than it is actually at the moment. So we see there being - being less - less impacts there and, you know, but it can continue to be grazed.

Other - other issues. Heritage. Obviously the Woodside Inn is right at the north - northern boundary of the project. We - we've moved - moved the project away from that, about 300 metres away so very limited impact in terms of visual. Yeah, and also Aboriginal heritage. There's a - there was a scar tree identified, that - that will obviously be - be left - left alone and there was one artefact which will be relocated within the riparian area which that - that has been fully - fully agreed and consented to.

10 So - so obviously cumulative impacts, that has already been raised. So - so most of these are battery projects and - and hydro projects there. I noted that the Brewongle Solar Farm as well is - is now also in the scoping phase so just to - to add that but we don't see any really major issues around cumulative impact.

So just in summary, you know, the site has - has good solar resource, available capacity in the grid, you know, fits in with the large-scale revised solar energy guidelines. It's consistent with the renewable energy targets. The - it can contribute 60 megawatts into the - into the NEM and which is approximately about 23,000 homes which we see as quite a good size for Bathurst because it's a similar - it's actually a similar size.

20 Development footprint, we've - we've altered that design as we've done a long consultation with - with the public and going through that phase. We don't see it as impacting, you know, the agricultural capability, you know, of the area and visual impacts we see, you know, are low and have been tried to be mitigated as far as we possibly can and, you know, generally the flow-on benefits in terms of, you know, the number of jobs and a fund - a yearly fund to - to contribute and a large capital investment. So I think, you know, we've tried to adapt the project as we've moved ahead through the design process and consult as much as possible where we can and take - take feedback and to - but we see the site as - as, you know, having limited impacts.

30 Just the last slide. Just addresses - it's just about the conditions and traffic management plan, biodiversity management planning, cultural heritage management plans which we - you know, we fully agree with those - those consent conditions that have so far been given by - by DPE. Thank you very much. Thank you very much for your time.

DR COAKES: O.K. Thank you, Tim. Just before I hand - ask Chris if he wants any questions and Richard but just on the insurability issue, so you said you'd done quite a lot of consultation around that.

40 MR AVERILL: Yep.

DR COAKES: We'd be very interested to better understand, I guess, what were the outcomes of some of that - that consultation so please take that on - are you happy to comment or take that on notice if you - -

MR AVERILL: Yeah. I mean, we - we've - there's a fair amount in the EIS on that as well. We've - we've consulted with the Insurance Council of Australia and a number of brokers and obviously, you know, operation in a number of other countries and we haven't, you know, seen - seen any - any real evidence that there are impacts. I mean,

the design is meant to negate all of these impacts of the projects. So - so, yeah, we - we see - see very limited impacts around that.

DR COAKES: O.K. So that was going to be - my next question was has that issue actually been raised on a number of your other projects overseas?

MR AVERILL: Yeah.

DR COAKES: From a landholder perspective.

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MR AVERILL: Yes, it has but actually not as much as in Australia. In the US I haven't seen it as being, you know, an issue that's - that's caused any - any major issues or been raised that much and definitely not in the UK but I think obviously the UK is less prone to bushfires so I think that's - that's one reason why that hasn't been raised quite as much.

DR COAKES: Thank you.

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MR CHRIS WILSON: My question's somewhat similar. I'm just wondering, you intend to establish a vegetative screen pretty much around the whole site. You mentioned bushfire risk in terms of insurability earlier. Is that - has that vegetation - vegetative screening, excuse my language - has that been considered in this profile in terms of - - -

MR AVERILL: Yeah. Well - well, outside of that, so there will be a five or 10 metre screening area and then there's a full 10 metre asset protection zoner from that area so that can be fully protected, fire protected, any - all of that - the screening area. So, you know, this has - this has gone through the RFS, the design of it, and so, you know, it's been - been fully scrutinised.

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MR TONY PEARSON: Thanks. Yeah, just one question, Tim. So it might actually be helpful to bring up the relevant slide when you answer this. Can you just explain how that southern setback zone was derived because at the north you've got a pretty flat 300-metre setback where it tapers from east to west at the southern - southern end of the site. Can you just explain how you drew that line please?

40

MR AVERILL: That - that has been led very much by the visual impact, you know, the studies that we've done and I keep going to - I have another - a number of other studies that we did actually early on in the scoping phase which informed how far and where we should be setting back from - from the boundaries. So I can't - I probably can't go into that much talking about it now but we definitely have a number of kind of slides and visuals which kind of informed the setbacks that we've done there to - to try and limit the visual impacts on - on - on obviously the dwellings to the south which, you know, we see as being really important.

MR PEARSON: It might be useful if we could get some further information on that.

MR AVERILL: Yep. Absolutely. Yeah. No problem.

MR PEARSON: Thank you.

MR WILSON: Another question. Just in terms of the class 3 land there's been some assumptions made that it's a small proportion and so forth, has there been any quantitative analysis in relation to how much class 3 land is lost at say, for instance, against the class 3 quantity across the Orana region, for instance? I mean, people are making assumptions that it's insignificant so I'm just trying to understand is there any numbers behind that?"

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MR AVERILL: Yes. There is - there are numbers behind it. Off the top of my head in terms of the class 3 within the whole area we have done some research and we can give you that number but off the top of my head I don't have that but it's a - it's a very - very small tiny area.

DR COAKES: Thank you, Tim.

MR AVERILL: O.K. Thank you. Thank you very much. Thanks.

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DR COAKES: O.K. I would now like to ask the Honourable Sam Farraway please. Thank you.

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HON. SAM FARRAWAY: Everyone all good? Do I have to hold it? Can you hear me? good. Excellent. I've only got five minutes so I'll get stuck into it with plenty to say. Firstly, to the IPC, thank you for the opportunity to appear today and from the outset as a Member of the New South Wales Parliament it is important that I say from the outset that today I'm speaking on behalf of myself and my views and evidence and opinions are based on constituent meetings, meeting with the affected landholders within the area and also outside of the area and the fact that within the community of Bathurst there appears to be very little support for the project and that is a determination I make based on constituent meetings and the local Lower House Member will make his own comments later today.

To get stuck into it, I disagree with the evaluation and the assessment from DPE. I think there are some serious concerns by the proposer around a lack of understanding between cropping land and grazing land and I think that's a fundamental point that I'd like to make but if I quickly go through some of the other issues before I talk about that more broadly.

40

Firstly, it's about urban development. I saw in DPE's slide there that it will not hold back Bathurst's growth as a city. Now, I don't know how you can definitively say that for two reasons. Reason number 1 is Bathurst is one of the fastest growing inland cities in New South Wales. The land at Glanmire one day may be subdivided, it may be more housing and if it's not that it is some of the best productive agricultural land within the Bathurst Local Government Area. It is. And the facts say it for themselves but I do wonder has population growth, the commercial growth of Bathurst, the industrial dwellings that are needed into the future, has that been considered by Council in their

submission, I doubt and it doesn't seem to be reflected in some of the work of DPE and the proposer.

10 Now, I'd like to talk now directly about the prime agricultural land. I've spoken with agronomists, agricultural advisors, affected landholders and some of you will - these figures are of no surprise to you because you would've read them in the submissions but the reality is, is that around 93 percent of the agricultural land within the Bathurst Local Government Area is used for grazing. Everyone knows that, we're - we're a grazing town, it has been for a long time but six percent is for cropping. Six percent has been defined for quite some time now as prime cropping land in this LGA and the reality is that the proposed site can be used for either grazing or cropping and of that six percent within this Local Government Area all of the proposed site is within that six percent.

20 So effectively we are going to limit Bathurst's future potential for cropping in this city moving forward, whether it is being used at 100 percent output productivity capacity now or not, the reality is, is once it's gone, it's gone. Now, this is not a - this is not me being anti-solar farm, this is the facts, this is that this project, in my view, and based on reviewing DPE's evaluation they've got it wrong and I do publicly object to it because the key point is only six percent of that land within the Bathurst Local Government Area is suitable for cropping.

Now, we all know that and the land on the proposed site at Glanmire has been cropped or has a history of high output and productive cropping for over 70 years. This is - this is not new information, this - history tells us this, those facts are there and I'm sure a lot of people in this room would back that up as well. What is concerning for me is almost a hundred percent of the proposed site is within that six percent that we have as prime agricultural land for cropping in Bathurst and, you know, only driving in this morning you can tell it straightaway.

30 Now, I do find - in terms of some of the other - in some of the other - is that five minutes or one minute to go? O.K. If I summarise very quickly. The EIS was pretty clear, you had 143 submissions, 133 objected, nine were in favour of this project. You have local Members of Parliament who are dealing with constituents every week, every day of every week on this issue and don't support it. The majority of speakers today I don't believe will support this. Six percent of that cropping land needs to be taken into account. To me that is a fundamental issue as to the location of a solar farm development and to have pictures of animals running underneath solar panels, yes, if this was grazing country I could - I could accept that but it's not, it's cropping country. You can't crop if there are solar panels there. That's a pretty basic fact.

40 One point I would like to make to the Commission is around insurance and this is important. There are only very few underwriters in the global insurance market. Underwriters aren't prepared or can't indemnify or can't - or deem risk too high they just will not insure. As of yesterday I have posed this concern to the New South Wales Energy Minister and I think it's important for the IPC to be aware of this because I have seen examples where farmers are unable to afford the premium to indemnify themselves to a neighbouring solar farm factory.

I have seen premiums of upwards of possibly 200,000 per annum and we are seeing the underwriters and insurance agents and brokers now advising neighbouring landholders that they are unable to indemnify themselves or protect themselves in the event that a crop - a crop fire - cropping fire starts and that is the one point I would make that was not addressed in DPE's submission or that of the proposer is that the fire mitigation risk, what about a crop fire that spreads from a neighbouring property to something like a solar installation or solar farm. You can't get insurance for it.

10 I've started raising that with the Minister, so has the Local Member and I think that that is something that has to be taken into determination but to summarise, the number one fundamental - why I'm standing here today is that we have six percent of prime agricultural land for cropping in this city and there's an application to put a solar farm there. There is a better place for this solar farm and it is not at Glanmire.

DR COAKES: Thanks. Thank you, Sam. O.K. We're now going to move to Ben Beattie and I think Ben is joining us on the telephone. Have we got Ben?

MR BEN BEATTIE: Hello.

20 DR COAKES: Hello, Ben?

MR BEATTIE: Hello. Yes.

DR COAKES: Hi, Ben, we can hear. Can you hear us clearly?

MR BEATTIE: I can.

DR COAKES: Yes. Please - please go ahead.

30 MR BEATTIE: O.K. Thank you. Yes, so I oppose large-scale wind and solar farms because the impact on electricity bills for everybody can only be to increase them. If you look at the AERs State of the Energy Market report it shows average components of retail bills across each of the states and they show wholesale costs, network costs, some environmental costs and some retail overheads. So the basis of my question is which component is reduced by large-scale wind and solar because this is the only way you can reduce the retail bill is to reduce one or all of these components.

40 So the wholesale component first which is the generation cost. Wind and solar are often claimed to be cheap to operate and run and that's true but when you look then in a system, which you must do because nobody's plugged directly into a wind farm or a solar farm, you have a whole lot of stuff in between. When you look at the wholesale cost, the generation cost of the system it is set at a clearing price. So the price setter in this case is rarely wind and solar and whenever they do set the price they do it at a very short duration with almost no effect on the average price that retailers are forced to buy from. So I would argue that large-scale wind and solar do not lower the wholesale component off the bill.

The next component, the network costs are set proportionally to the size of the RAB, the Regulatory Asset Base. Increased the Regulatory Asset Base increases the total cost that must be recovered through the retail electricity bill and as we're seeing from publications like the Energy Market Operator's Integrated System Plan we're expecting to see at least 10,000 kilometres of new transmission which is a significant increase in the Regulatory Asset Base; therefore, that is an increase in the cost recovery that must come from consumer's bill. It is certainly not a reduction.

10 The next - the next one is the environmental and retail overheads. Now, when you look through the reports, for example, the AER stated energy market report which captures a lot of this data, they're expecting the retail component of electricity bills to see upward pressure due to inflation and they quote, "Increased costs in managing debt for small customers" and they're also saying deployment of smart meters which is also part of the transition will also put upward pressure on retail costs. Clearly there is no reduction in retail costs from an influx of wind and solar farms on the grid. There's no possible way that could happen.

20 Environmental costs are likely to increase because of, you know, the renewable energy target, other subsidies, the new capacity investment scheme is a cost. So there's no reduction in the environmental component of the electricity bill due to large-scale wind and solar farms. All the price pressures are in the upwards direction from wind and solar farms. So I'd urge the Planning Commission and anybody who's involved in this process to ask around, talk to the - the people who are meant to be able to provide the answers to these questions and ask them exactly how wind and solar are supposed to lower the electricity bill and you'll find that this claim is in almost every development application for wind and solar and thank you, that's the end of my presentation.

DR COAKES: Thanks, Ben. If I could now ask Paul Toole please.

30 HON. PAUL TOOLE: Can I just say firstly thank you for the opportunity to be here this afternoon and actually have the opportunity to talk to the Commissioners in relation to the project. I think there was a couple of things and I'll get straight to the point because I really think at the end of the day this is a project that has a lot of deep concern that has been raised by the community, a community that has actually overwhelmingly said no, that this project is in the wrong location and I actually ask the Commission today to go away and actually think that the community itself are the ones who are the locals, they are the ones that are living there each and everyday.

40 They are the ones that are actually having their lives turned upside down because of this proposal that has been put in their backyard and I think it's important to say that, you know, my office has been overwhelmed with letters, with meetings, with people that have actually come in the door and we haven't only actually heard their concerns directly, we've actually been offering tissues to them because of their concern and the company itself hasn't just turned up in the last couple of weeks, hasn't been here for a couple of months. This has been years of uncertainty. So these people have had to live with it and it's unfair the way that they've been treated over this time.

Quickly I'll make the point. REZs. The REZs were actually created for a purpose here in this state and that was to attract direct investment into those areas. It was also there to attract solar and wind farm or wind projects into those communities. Elgin have taken the easy way out. Elgin has taken the lazy way out by trying to find a parcel of land that is actually suitable for them to be able to try and get a quick solar farm project up in this area.

10 If they're serious about it they should've actually went and looked at one of the REZs. There's five of them in the state. That's where they should be actually looking at putting their particular project in because the community's concerns, as I said, have actually been well and truly overlooked from the word go. Prime agricultural land, it's been raised, I know it's a major issue as well. If you look at agriculture and grazing there it's been going since the 1830s and if I talk about agricultural land it's one of those, you know, areas where we see grazing, we see crops quite consistently occurring within that area.

20 This is a solar farm. This is a solar farm going on agricultural land. A solar farm is an industrial factory. That is what is being proposed right here in this community. I know this morning you were out on the site, you were having a look at the land that's there available. Look at the surrounding properties that are there. You're putting or considering to put in a solar farm, industrial factory right in the middle of prime agricultural land right in the middle of so many properties in that surrounding area.

30 The Bathurst Council's spoken and I've read their submission too, like in relation to it. They've said that the future growth of Bathurst is to the north and to the west. That's today. I mean, Bathurst today has as part of their planning to grow north and to grow to the west. That doesn't mean that it's excluded from growing to the east in the future and that is going to be within the city's boundaries. You would've seen that there's only a few kilometres away that there is the village of Raglan which is close to that locality.

40 There was also a SEPP that was put in by the former state government. A SEPP that was put in that actually indicated that within 10 kilometres of the boundary, not the post office, the boundary of a city that had a population of greater than 20,000 would actually see solar farms not being included within 10 kilometres. Someone from the Department of Planning thought they would actually change that and they made it an extra step that had to be adhered to and what Elgin did was all they have done is move the proposal just up slightly over the hill from the Great Western Highway but you can still see it as you come down into Bathurst as well. You can still see the proposal that is being put there.

Insurance is a big issue and let's not kid ourselves. I read Elgin's proposal, it says that you can get insurance. They've spoken to the Australian Insurance Council. I'll make it very clear, this is a big problem. Why are farmers being stung by having higher insurance premiums placed upon them because of a solar farm that is owned by a company outside of this area impacting on them? There are examples, and I say to the Commission, I can give you examples of what is happening in Wagga right now. the premiums are going through the roof. People are paying more on their insurance premiums. You've also got - you've also got say here in this area people can't get

insurance because they're being penalised because they might be the ones that actually cause a fire.

Very quickly. The road's not suitable. You can go and upgrade Brewongle Road but seriously you can't actually have a one section of the road sealed without actually going all the way through. You've got people going onto dirt, onto a sealed road, there's major upgrades that need to happen to the Great Western Highway where the intersection is. It's not safe, who's going to cost it? We know the transmission lines have actually got to have major upgrades as well. There's issues around vegetation, who's going to be managing that into the future?

VPA, sounds good, great, ticks a box. At the end of the day a VPA of \$18,000 you've seen the properties out there, I don't think these people are going to be wanting a playground put somewhere out there to go and enjoy. It's \$18,000 that's actually going to achieve absolutely nothing for this community. So I say to the Commission today thank you for being here, thank you for allowing me to say a few words but I do say that, you know, the community's views, the local's views are well and truly against this proposal and I think this needs to be considered under those factors that I've just raised. Thank you.

DR COAKES: Thanks, Paul. O.K. I think now we have Graham Swain who's joining is again by telephone. Graham, can you hear us? Hello, Graham? O.K. Graham, can - short break? No, we've got Graham online.

MR GRAHAM SWAIN: Yes, you have. Yes.

DR COAKES: Yes. Hi, Graham, sorry about that but we've definitely got you now. Can you hear us clearly? Please - please go ahead, thanks, Graham.

MR SWAIN: Yes, thank you for the opportunity to address the panel. Look, I've been doing bushfire planning work for 38 years including on many solar farms and BESSs. (phone audio drop) - climates we have found rather wasn't - they don't address the real risk to the (phone audio drop) have produced what we believe are industry-leading guidelines for solar farm and wind farm and if - if they were required at this facility we would achieve a better risk outcome. The problem of always applying 10 metre APZs is it doesn't address the flame contact on the - on the facility, on the panels and what we do in the ACT is actually put the solar farms on larger farms, not just right up to the boundaries of the neighbouring properties. That way we can achieve a reasonable width of APZ, normally 20 metres and the farmer then has the responsibility under a joint agreement to reduce the fire fuel hazard around the storage - the battery - sorry, the solar farm by managing the fuel loading.

In this case that can't be done so the risk of fire overrun out of the adjoining properties, particularly the crops will impact the solar farm and the requirement for an adjoining owner to manage - and reduce the risk by managing their properties is grossly unfair and unreasonable. So I would suggest that the CFA requirements should be considered by the panel including for the BESS, for instance, they've identified a water storage

capacity of 230,000 litres with reticulated water to all of the sections occupied by the BESS.

So I find this development proposal putting solar panels right up against the neighbouring property boundaries is unreasonable and unfair on the neighbours. I think the whole process should be rethought and certainly the CFA requirements considered in the overall design of the facility.

10 DR COAKES: Have you finished, Graham?

MR SWAIN: Thank you.

DR COAKES: Yes, thank you. And thank you for some of those - those comments based on your experience. Thank you.

MR SWAIN: Thank you. Ta.

DR COAKES: O.K. I'd now like to call Peter Hennessy. Thanks, Peter.

20 MR PETER HENNESSY: Thank you very much for this 10 minutes. I'll try to confine myself to that time. I'm speaking on behalf of the Glanmire Action Group. A small number of the group met with Elgin back in November 2020. It was clear from what Elgin said that they were intending to proceed with this project no matter what was said - no matter what we said about the quality of the land and all other matters.

They have found an owner from Sydney. I can tell you that I spoke with the owner from Sydney some 20 years ago. He was a very nice chap. He told me, and I was interested in buying the property back in those days. He told that he would never sell the property, that he had bought it before 1984 and he wanted to maximise his capital gain. He
30 explained to me that I could lease it for as long as I liked. He had absolute disinterest in the land, he had no interest in Bathurst and had no interest in the community.

I was a buyer, not a renter and so I didn't proceed the matter but thanked him for the conversation. It was, indeed, that frank. His attitude to the neighbours was probably confirmed when neighbours sent him a letter in December 2020 and again I think in May '21, a copy of which I'll have for the members, just enquiring as to whether the locals could meet with him. We received no response.

40 After the meeting with Elgin we decided clearly to oppose Elgins. We believe that we were right as to the quality of the land and the wrong location of this solar proposal right at the entrance to Bathurst and the Central West. The land quality was of great interest to us and clearly there an interest - attempt to put a square peg in a round hole. We knew the planning authority and encouraged consultation and we added to that the planning authority must surely appreciate frankness.

I, in my practice in the past, have been accustomed to frankness and full preparation of cases in conjunction with an opponent, particularly in relation to expert evidence. We believe the planning authority would respond to that. We then sourced the best experts

we could locally and we obtained a brochure, a copy of which I'll give you members in a little while, but it's included in the papers already. The brochure actually depicts a photograph of this land at the time, that is to say, in November 2020 or early '21, it actually shows it.

We retained a town planner and an agronomist and I noticed that at a very early time our agronomist Mr Harbison said of this place, the natural elements, the quality and health of the soil, the temperature range throughout the various distinctive seasons and the rainfall combine and interact to render this land with great productive potential.
10 Now, that's it then and that has been it ever since and, indeed, it's been there from the time, no doubt, Europeans came here. So that was the land we had. We didn't keep that a secret, we provided it to Elgin as well with the brochure, we provided them with expert evidence as we accumulated it and tried to work in conjunction.

Well, our attempt to have dialogue had no impact whatsoever. The - Elgin went about doing its own soil tests, it didn't consult us, didn't invite our experts to participate but rather went off and retained someone either in Queensland or northern New South Wales and got a report which, what do you know, basically said that all of the locals and all of those who have gone before us have it wrong. This is not cultivation land, this happens
20 to be land, I think, at 4 and 5 and we were supposed to swallow that but we didn't.

We again retained Mr Harbison who did a report classifying this as class 2 and 3 land which it was, not only according to him but according to the Department of Agriculture. Again, all right, we read the - we learn that at some stage the planning authority required Elgin to redo the soil test. We weren't told about it, we weren't asked to participate, we weren't asked to go along when these new samples were taken, even though we'd asked can we please participate in such things rather than simply have to accept what the other side come up with.

30 Anyway, we were ignored and later on we were - we were met with a situation where a Dr McKenzie, he classified - he said that the mechanism employed in doing the later soil tests was correct, not the quality of the land, the mechanism. Mr Harbison happens to agree with that, he knows and respects Dr McKenzie. We tried to have a conference with Mr McKenzie. One would've thought that was entirely rational. The planning authority stopped it. Why? Why in this situation where we are so impacted cannot we have - can't we have open dialogue with the planning authority and experts? All of us. Anyway, that failed.

40 The end result is that what's happened? We are left with Mr Harbison's report which was given then and now. It's true, it is correct, according to Dr McKenzie this land was then and remains cultivation land. What was the hiccup along the way? The hiccup was Elgin. It produced a falsehood and that's what's happened and put us to so much expense. So we are left with cultivation land, whether it be class 3 and 4 and it seems under certification introduced by the planning authority that it may be classified as 3 and 4. There is no doubt that throughout the whole project it is cultivation land.

You don't have to accept my word for that, we gave the planning authority not only our reports but lay witnesses and a documentary. Anyone who saw the documentary

would've seen numerous people interviewed, all swelling to the fact that they have seen this property farm. We've had estate agents state that this is treasured land with all the qualities to which we referred. What did the planning authority say about that? By the way, when the planning authority came out they were very good, Nicole was very good, we spoke with her, we explained at the time. Nicole, if you have a look on the property - you may not have come from the land, if you have a look at the property there are some stock grazing there. Please do not think that this is stock grazing land, it is - during crop growing there are obviously stages between crops and during that time stock are used to clean up the paddock, whether it be to reduce the stubble or eat the regrowth or eat the weeds, that's their purpose. Nicole appeared to thank me at the time and I most certainly told her if there's anything else that she'd like to know please let us know and we will try to help.

As I say, I take the view and I encourage all of our group to be frank with the Commission. This proponent has been far from frank. So that's what happened. The case that the planning authority has in relation to this soil is essentially our case, not Elgin's. Elgin's was dismissed. Are we going to lose this case based on what we've told them? Based on what all of our - all of the community has told them that this has been, in fact, cultivation land for generations.

I turn now to insurance. Insurance is a major issue and it always has been a major issue. Mr Elgin - Elgins know this and we told them that from the start. Again consistent with our intention of frankness we obtained a report at a very stage, it's in the bundle that we sent, we obtained a report from Mr Mizon, an insurance broker from Goulburn. We had to go to Goulburn, not local for that because one of the - the local chap didn't want to get involved so we got Mr Mizon.

He gave a clear and elementary report where basically he said, look, clearly with - with a crop right up to the fence of this project and the \$300 million project next door you've got to tell your public liability insurance company that there's a new risk in the area and, indeed, you have to insure not for 30 million which is the standard policy that most of us farmers would have, you've got to insure for 300 million. Now, Mr Mizon said, number one, you won't get insurance but number 2, if you can, and I can't get it for you, it would be hundreds of thousands of dollars. If I may just finish up, it won't take long. Hundreds of thousands of dollars. We gave that to Elgin, we gave it to the planning authority. What did we get from Elgin? Mr - you cannot believe what has been said. There's been research, certainly not research disclosed to you folks or to us by Elgin.

The best we got from Elgin is contained on page 9 of Elgin's most frequently asked questions which I imagine you have in your bundles but in any event, and it says purporting to be a quote - not a report, purporting to be a quote from the National Insurance Council. We're not aware of anything that would impact on insurance. Well, so we have. You may think such a response coming from a purportedly responsible company director was shabby indeed. You may think that it was, indeed, misleading and deceptive.

One thing for certain and that we could do nothing about it. Why? Because in truth Elgin is not an international company, it's a company formed here with a paid-up capital

of a few dollars and Mr - and it is clear that if they were sued for a debt they didn't want for deceptive conduct they could simply send their company into liquidation. That's the truth of the matter. So we couldn't do anything about it other than raise the matter again with Elgin and with the planning authority and we did. On many times we have told Elgin of this problem but they have done nothing about it.

10 Notwithstanding that, the planning authority says - of course, good sense would tell you, wouldn't it, that if you ring an insurance company and say, look, I want to increase my insurance company premium from 30 million to 300 million the insurance company might say, well, what for? And we say, we've got a solar plan next door and Mr - Mr Averill would come to suggest that, in fact, that would have no impact on insurances. No wonder he couldn't tell us one and we invited him on many times to tell us an insurance company that will insure us. What he says is, with respect, not correct. There is no one and, of course, if you try to increase your premium from 30 million to 300 million you may well expect an increase in your premium.

DR COAKES: Mr Hennessy, I'm going to have to ask you to wrap up. Thank you.

20 MR HENNESSY: I will, thank you very much. We told the planning authority all of these matters and yet what do they say? At page 13 they say, "I note in passing" - yeah, page 30 they tell us that without reference to Mr Mizon, Mr Swain, Ms Dawson or, indeed, any other people they tell us without reference to any of those, the public liability insurer should be all right. All I can say to the planning authority, try to find us one. This is a real problem that you folks and we would be really grateful to overcome.

30 I'm sorry. Mr Clay Preshaw was decent enough to speak with me some years ago in relation to this and I appreciated it very much. Mr Preshaw told us back then in 2021 that he identified the problem that had not really been seriously considered till then. I know you can speak with him and he'll refute what I said but I'm trying to - trying to say what he said - identified the problem and not really concerned about it but he did say, I take the view that it's a - we take the view it's a legislative matter. I appreciated his comments very much and I wanted to work with - I've contacted Mr Toole, we send Mr Toole letters, we've communicated and Mr Toole many times with him, we have had nothing.

DR COAKES: Thank you, Mr Hennessy. And I do acknowledge we do have a copy of the report that the Action Group has produced.

40 MR HENNESSY: Yes. Thank you. And I just ask - just ask you folks if, indeed, you allow this you are, in fact, allowing this onto the community in a sitting where we're already sitting, where we've already had pink batt scandal where the government left people uninsured, we've already had the Lismore situation where people were left uninsured by the government and you folks will get the blame, not the government, they will point to the Commission and I'd you to not allow it. Thank you.

DR COAKES: Thank you. Thank you, Mr Hennessy. Now, I think we've got Carolyn Emms on the telephone. Yes. Yes. Carolyn, can you hear - - -

MS CAROLYN EMMS: Yes, I'm still here. I'm still here.

DR COAKES: Yes. Thank you, Carolyn. We're just running a little bit late but please go ahead.

10 MS EMMS: Thank you. My name's Carolyn Emms, President Rainforest Reserves Australia. Our focus is environmental and biodiversity and the concerns about the rollouts towards net zero which will never happen, it can't happen and we have the evidence to show this, scientific evidence, we also have environmental people and also energy experts on our team. So would you like me to share that with you will be my question?

DR COAKES: Yes.

MS EMMS: Would you welcome that information?

DR COAKES: Yes. So any information, Carolyn, that you think is relevant to this particular application we'd be very happy to receive.

20 MS EMMS: Yes, absolutely. So look, first of all, I'm concerned about social licence as well, that the Bathurst people. We did used to have a business interest there in Bathurst, it's actually a beautiful place, beautiful town, beautiful countryside and - and I think, in fact, I'd just about lay a bet with you that the people in Bathurst, probably 95 percent of people don't even know about the impacts that are going to happen to their region with this proposal.

30 So when we look at, for instance - well, take the impacts to the water courses, creeks and dams. If I can refer you to the Environmental Impact Statements and on page 23 and 30, well, I mean, you've - you've actually have some water streams, water drainage lines that are within the land. You've also got hydrological catchment models to show the proposal would not impact local hydrology function to exacerbate erosional flooding but - and also on page 30 of the EIS statement the assessment, they say, has identified flood behaviour on the site, that's in relation to the proposed infrastructure which is just huge, it's an enormous infrastructural proposal that is not a farm and I'm not sure - I do know why these proposals continue to use the farm because people think it's green and it's clean.

40 It's not a farm, it's a totally entirely different change of land use. It's industrial, it will be an industrial site and it won't even provide that much. In fact, it won't provide base load energy, it is not green or clean. If it catches alight I do know Bathurst quite well, it is - I mean, they do get pretty good frosts out that way and occasionally hailstorms. So, you know, there's as lot of issues here with this and I've only got five minutes to speak but even with the existing water courses and storage, the rain events will produce running water and, you know who - who knows how much rainfall you're going to have that may not be absorbed - the soil can't absorb it like many areas in Victoria as well.

So it is of concern and look, also looking at the impacts to, you know, the agricultural side of things, the soil. We're regenerative farmers ourselves and, you know, we're very

concerned about the impacts to the climate, to the environment, also what lies beneath the soil, that is, your worm counts, how that will be impacted. Oh dear, really? That's all I get?

DR COAKES: That's sort of your first - first bell so about a minute, thank you, Carolyn.

10 MS EMMS: O.K. Also we've got contamination risk of PV panels, we've got waste management, condition risk of solar power station facilities, the batteries that are - ecological assessments, well, EIS statements fail us, they do. I have the evidence from our own scientist that has written abstracts on the failure of Environment Impact Statements. What is concerning is they're designed for the developers to win and the environment to fail so that if they're not transparent, not environmental, it's not - it's not open transparency, it's not independent and they're paid also by - I mean, we know some of these environmental ecologists and they'll actually tell you straight that their hands are tied.

DR COAKES: If I could just get you wrap up please, Carolyn.

20 MS EMMS: Yeah. To wrap up, this - this proposal is not in the best interests of the region, farming, agriculture nor environment. I'm asking for this to be rejected from Rainforest Reserves Australia of which has about 3,000 followers and members so thank you for giving me the opportunity of talking with you. Thank you.

DR COAKES: No, thank you, Carolyn, and thank you for calling in. O.K. I'd now like to call Peter Rogers please. Thanks, Peter.

30 MR PETER ROGERS: All right. Thank you once again as everyone for letting us have a public discussion here today on the solar farm for Glanmire. I'm a semi-retired local real estate and stock and station agent with over 30 years of experience with property and before that I was an owner of a Murray Grey Stud, Bannickburn, and a stud manager at one of Australia's leading Murray Grey Studs, Newhaven Park. As an agent we're often asked to carry out market appraisals on property for a number of reasons. It could be for a sale, could be for the owner to refinance, there are a myriad of reasons for the appraisal.

40 When the agent is asked to do a market appraisal it is taken very seriously, as you can imagine because people will make life-changing financial decisions on your market report and that could change their lifeline decisions. When asked to give my opinion as an agent on the properties neighbouring the Glanmire Solar Farm proposal not ever having appraised land adjoining a solar farm before I contacted agents from Wellington and Dubbo to get some idea as to what property values have done on properties next to the solar farms at Wellington, a huge solar farm, and Dubbo with a much smaller one.

The question that was raised from the prospective purchasers as feedback was the same from all the agents I contacted. If a home or building entitlement is located near the solar farm the question from the purchasers would be would you want to live next to a solar farm? The answer from everyone would be no. Apart from other problems that they create, and some of the other speakers will cover those, it takes away from the

aesthetics of the whole area. Obviously if you lost purchaser interest caused from adjoining solar farm then a lack of prospective purchasers will, of course, devalue the adjoining properties.

10 Although not being a certified soil scientist I think alarm bells should have been ringing loud and clear with the first soil or land and soil capability land classification report lodged with the Planning Department from SLR Consulting. It claimed that the land in the proposed area was not LSC 2 or 3 but much higher with what I think was a flawed report. Mine Soils was asked to update the study. As with my credentials noted above over 30 years, I would, as an agent, rate land in the proposed area as being amongst the best productive cropping land in the Bathurst area.

20 Not that long ago Clarrie Bourke, a well-known vegetable grower, at 264 Brewongle Lane was growing vegetables for the Sydney market. The story is that he still holds the record for the largest cauliflower ever sold. I can't verify that. This gives an indication of the land quality, whether the certifier says 3 or 4. The Bathurst area is very limited with cropping country. This is confirmed in the Mine Soil's report where it was mentioned earlier within the LGA of Bathurst land use it only has six per cent of 100 percent agricultural ready or amount for cropping. It is not a lack of farmers wanting to do the cropping, it is a lack of the land.

30 Mine Soils also confirm that they added 40 hectares of class 3 representing a quarter of the development now as class 3 over the original SLR report. Mine Soils has a 132 hectares as classification 4. If you look at the definition from Mine Soils it says, "It has moderate capability land. Land has moderate to high limitations for high impact and land users. It will restrict land management options for regular high impact land uses such as cropping and high intensity of grazing. The current owners have been managing this land for cropping and high production grazing for many, many years without any problems.

40 Not being a soil scientist I can't argue with their findings but I can say apart from the huge crop sales I have seen stock from these farms usually fattened on the stubble and plant growth after cropping to top the local livestock markets more often than not. The current owners around this project have paid top prices per acre not just because of the magnificent aesthetics of the Glanmire area but because of the highly fertile soils such as I mentioned above, cropping, grazing, vegetable growing. The owners of these properties and Bathurst in general should not be penalised for a solar farm that has been proposed on some of Bathurst's best agriculture land and the proposal is outside one of the five REZ, or Renewable Energy Zone areas, that was zoned for solar farms from the New South Wales Government.

In the report from the New South Wales Government they state being one of five areas chosen. The indicative location of the Central West/Orana REZ was chosen following a detailed statewide geospatial mapping exercise undertaken by the New South Wales Government in 2018. This initial analysis sought to identify optimal locations to host renewable energy generation around the state including areas with strong renewable energy resource and potential, proximity to the existing electrical network and consideration of potential interactions with existing land use including agricultural land.

The importance of the Central West REZ has also been recognised in the Australian Energy Market Operators Draft 2022 Integrated System Plan. Let's leave Glanmire as it is productive agricultural land and put the solar farm in land zoned REZ.

DR COAKES: Peter, could you just stay, Chris has got a question.

MR WILSON: So, Peter, I just assumed in your submission that the land is well outside the red zone refers to the red soils of the Western Plains, is that correct?

10 MR ROGERS: Yes, that's correct.

MR WILSON: O.K.

MR ROGERS: Yes.

MR WILSON: All right. Thank you.

MR ROGERS: Yep.

20 DR COAKES: Thank you, Peter. Now we have Richard Ivey who is joining us on the telephone. Richard?

MR RICHARD IVEY: Yes, I'm here.

DR COAKES: Yes. Terrific. Lovely. Please go ahead, thanks, Richard.

MR IVEY: Sorry, go ahead. What - - -

DR COAKES: Yes, please go ahead with your - with your submission.

30

MR IVEY: O.K. I'm Richard Ivey, I'm an agricultural consultant and chartered accountant, economist. I did some investigations in relation to the Glanmire Solar Farm. I found that the - the value of production is about \$228,000 per year off that area of land to be used by the solar farm. Operating expenses about 126,000 and, therefore, an operating surplus of about 102,000. I also found that the same area in a less productive agricultural area would return about two percent of those figures compared if it's located in an area not as agriculturally productive. I gather those figures aren't disputed, they were accepted by the proponent.

40

The large-scale solar energy guidelines specify that the infrastructure on lands which are class 3 or above should be avoided wherever possible and the Applicants need to demonstrate that other projects sites and siting options have been considered and they must state the reason for why the site - why this site was chosen over the alternative options. In my opinion - well, I haven't seen any comprehensive assessment that addresses that very requirement required by the - under the guidelines. I haven't seen any comprehensive assessment at all. The - nor has, I think, the DPE addressed that specific issue in its November '23 response report.

That response report refers to a potential loss of productivity, that's their words. I say it's not a potential loss, it is a real loss. It says that the loss of that area wouldn't comprise the long term use of the land because the property can be returned to its previous condition and, indeed, that's, you know, correct but the guidelines say - put a clear obligation on the proponent to show that the project would not significantly impact the local or regional industry and clearly the loss of \$228,000 a year over the life of the project which might be 25 or up to 50 years does have an impact.

10 As a proportion of the whole regional economy - agricultural economy it might be small but that ignores the cumulative effects of when other projects are established. Clearly the requirement is that a project should not be established where it will affect the agricultural productivity. The DPE in their response say that the potential loss and it says - again it uses that word, a potential loss of a small area, must be balanced against a whole lot of factors including the strategic goals of the Commonwealth and State Government, environmental benefits of solar energy, the benefits of dispatchable energy for grid stability, et cetera, and again they certainly can't be disputed, that is true and solar energy does have those effects but I don't understand that issue and the DPE's response.

20 With respect, I would say that it's not the point. The point is can't all those advantages that the DPE state as being flowing from the development of solar energy, can't all those same advantages be gained by siting the solar farm somewhere else on an area that doesn't have the same effect on agricultural land which the guidelines specifically say should be excluded, class 3 land shouldn't be used if unless it can be clearly shown that alternative sites are not available and in my opinion, the proponent has failed to demonstrate that this is the case, that haven't shown that all those advantages could be equally gained by siting the solar farm in an area that doesn't have the same effect on class 3 and, therefore, agricultural production. So I think that's the main - the main points that I wish to make.

30 DR COAKES: O.K. Thank you, Richard. Thank you very much.

MR IVEY: O.K. I just hang up now?

DR COAKES: Yes, thank you.

MR IVEY: Thank you. Bye.

40 DR COAKES: Thank you. O.K. Karyn Taylor.

MS KARYN TAYLOR: I'm just going to start for three minutes because I have a visual presentation for six that we'll run. O.K. So I'm just going to call Polly Venano up here with me because this is exhibit A for me. So I'm actually going to introduce you to the human element of this project and if you haven't actually looked around the room already you'll see that there is a significant number of people here, the vast majority of whom object to this proposal and I guess what I really want to point out is that the people that really matter are the community here and I fail to understand at what point the true value of those people is taken into account by the DPE when you have this amount of

the weight, I guess, of the opposition and you have this representation, you have this proportion of the submissions that were made to that EIS and, yet, here we still are presented by the authority saying that essentially we are collateral damage, that essentially we get thrown under the bus for - in light of what's better for the Commonwealth and better for the State but we are the Commonwealth and we are the State and we contribute to the local economy, the State economy and the National economy.

10 So Polly is a very fine example of what the collateral damage actually looks like because she is the direct neighbour to this particular proposal and has had to - she and her family have had to put up with this fight for several years and it has significantly affected their health, particularly Polly's health. Her mental health, her physical health and her emotional health and this - these are impacts that are real. When we live in a time when suicide is at its highest in regional and rural New South Wales and in Australia it seems disingenuous to ignore the fact that proposals like this have a significant impact on communities and I've actually forgot - yeah, I've got 48 seconds left.

20 And I also just want to point out that it's using language like farm that really gets up my nose and I'm very happy someone mentioned that because that's a soft term. People who farm work hard, they are the ones who have their hands in the soil and they understand what is going on with their climate because their livelihood rests on it. A solar plant does not have hands, it is not connected emotionally and viscerally to a community around it and \$18,000 a year that does not stack up to the \$230,000 that is actively generated into this community and it's just about the profit, it's actually about where that money is spent by the farmer. They use the local shops and they - they hire local people to work on that property.

30 So it's the cost that goes beyond the - beyond what's been stated here, it is the human cost of this project that really needs to be considered and I'd really like you to meet more people from this project and this is an excerpt from a documentary that we put together and as a kindness to you all I've cut it to six minutes but if you want to see the full hour it's on our website glanmireactiongroup.au and I highly recommend you do so because it's full of facts and it gives you a true representation of the impact that this proposal will have and I object to this proposal, it needs to be on some other land. Thank you.

(VIDEO PRESENTATION PLAYED)

(BREAK IN AUDIO)

40

MS CAROLYN KITTO: - - - ending modern slavery in the world and what I would like to ask of the Planning Commission is that it add an additional condition to the proceeding of this application. We are not against the planning - my apologies, I thought I'd get to where I was but I'm on a train station.

DR COAKES: No, that's fine, Carolyn. We completely understand. Just hopefully you can still hear us.

MS KITTO: Yes, I can hear me fine. Can you hear me O.K.?

DR COAKES: Yes, yes.

MS KITTO: O.K. Cool. All right. The - this - we are not against decarbonising or moving to green sources of energy in any way but we do not believe that it should happen at the expense of human rights and what we know is that in the supply chain of solar panels and associated pieces of equipment and instruments that go with that is that modern slavery in the form of forced labour, bonded labour and child labour is throughout that supply chain.

Whether that's from the cobalt that is mined by children in the Democratic Republic of Congo where 70 percent of the world's cobalt comes from through to the smelting of products, the procurement of the various components that go into making the panels from places like Malaysia and Pakistan through to the solar panel themselves. There's a very strong link through the sourcing of poly silicones and solar panels from the Xinjiang region of China where millions of Uyghur ethnic group people are in forced labour to produce those solar panels.

Now, this doesn't mean that you can't source adequate solar panels adequately and that what is required is for reasonable steps to be taken to ensure that modern slavery is not in the supply chain of what is procured to build this solar farm. So that's my submission, thank you.

DR COAKES: Thank you, Carolyn. I think, Carolyn, if you can hear us I think Chris has a question.

MS KITTO: Sure.

MR WILSON: Hi Carolyn, how are you?

MS KITTO: I'm fine, thank you, Chris.

MR WILSON: Carolyn, just - I'm just - notwithstanding this proposal, just generally don't corporations - aren't corporations required to adhere to both State and Commonwealth legislation in relation to demonstrating they don't have those situations in their supply chain?

MS KITTO: Yeah. What they're actually required to do under - under Commonwealth legislation is they're required to produce a risk assessment of the risk that is likely to be in their supply chains. Now, this goes a step further. What it says is that they must, in addition - because this is such a high-risk area that in addition they should take all reasonable steps to ensure. We already know it's a huge risk so reporting on the risk doesn't really give us any additional way forward.

Now, this kind of approach is being considered by the Australian Government at the moment where it's considering a ban on products being imported into Australia where it can't be shown that modern slavery has not been part of the supply chain when it's a

high-risk product. This sort of legislation is already in place in the US and it's on the cards in the EU. Unless Australia steps up and places these kinds of conditions and has legislation and regulations that are aligned with this, we actually risk becoming a dumping ground for these products because if they can't enter the US market and they can't enter the EU market we're one of the other markets where they'll try to be sent.

MR WILSON: Thank you.

MS KITTO: No problem.

10

DR COAKES: Thank you, Carolyn, and we hope you get to your destination.

MS KITTO: Sure. Sorry about that. I'd planned to be there earlier.

DR COAKES: No, no.

MS KITTO: Thank you. Bye-bye.

DR COAKES: Thank you, appreciate you calling in this afternoon. Thank you.

20

MS KITTO: Thanks. Bye-bye.

DR COAKES: Bye-bye. O.K. So next on the telephone we should have Rob Cumming.

MR ROB CUMMING: Yeah, speaking. Hello, how are you?

DR COAKES: Hi Rob, we can hear you clearly so please go ahead with your - with your submission, thanks.

30

MR CUMMING: O.K. Can I start now?

DR COAKES: Yes, please. Thank you.

MR CUMMING: Say again?

DR COAKES: Yes, yes, please continue, thanks, Rob.

MR CUMMING: O.K.

40

DR COAKES: Thank you.

MR CUMMING: Thank you for listening to me. I have some - I've heard a couple of the submissions from people and I've worked in the region for over 45 years and consider this proposal be counterproductive to proper and long term use on some of the best agricultural cropping and grazing lands in the region. The lands are regarded as - they're quite safe rainfall areas and it may not be quite the best but I notice that as this has gone on that there's been a very major review and the Glanmire proposal, as has happened with other proposals around Australia, have attempted to mislead. That was

picked up by Dr McKenzie and the DPI should've picked this up originally. The DPI just dismisses these types of proposals with handfuls of words shows how seriously flawed these proposals and applications are.

Generally the proposal removes from agriculture, even on decommissioning the area to an industrial wasteland. The soils and agricultural lands cannot - cannot, I repeat, and this has been a field I've been working in for - since the early 1970, be rehabilitated to any - on any reasonable basis no matter what the proponent says or allegedly undertakes to do at some point in the future.

10

Further, I believe the area should not be removed from agriculture and I think that the - the Glanmire group should be congratulated on their video and I've worked with a couple of those farmers myself over the years and just to say that you can go sheep grazing will be undertaking, please, and I make this comment before with the Glenellen Solar proposal, the mustering of sheep no doubt would be a hoot and result in serious management issues. Simply how can you manage sheep from the obvious problem of blowfly attack, sheep will just lie in areas that are quite inaccessible.

20

Thus, despite best intentions of an approval will destine large numbers of animals not only to an uncertain future but agonising death. These lands should not be removed from agriculture, they're prime - in the region they fall into the prime agricultural category and the other issue is social licence. These companies do not have social licence, that's quite evident by - and they bribe their way and there's a classic case with Caban, it split the community of Ravensdale, it split - last Thursday, for example, there was a major demonstration against the Caban, it's been put in and when they brought people to the site they turned the windmills off so they couldn't hear the noise. It's just dreadful, just dreadful in their attitude. No social licence and in this one the raw data shows there's no social licence for the proposal and simply this must be rejected as it should be.

30

I don't believe in climate change, I think it's one of the biggest cons in the world. If people want to move to it in areas, why not do it in Sydney, why not do it in the city of Newcastle, offshore, for example. These things should just be stopped. Thank you for listening to me. I appreciate that.

DR COAKES: O.K. Thank you, Rob. Thank you. And just to round off our first part of the afternoon session can I ask Erika Dawson please. Thank you. O.K. Presentation.

40

MS ERIKA DAWSON: Thank you very much for the opportunity to speak today. My name is Erika Dawson, I am a registered town planner and accredited bushfire consultant. I've been engaged by the Glanmire Action Group - sorry, next slide please, sorry - to talk today. I've got a bit to say so I'll have to run through it quite quickly. I'll be talking about the bushfire considerations, the visual impacts, site suitability and cumulative impacts.

It was mentioned before that the site's not mapped as bushfire-prone land, this is because Council hasn't updated its mapping which was required to be done within five years of 2015. The vegetation that's on the site and surrounds does constitute bushfire-prone

land though and the development itself is going to introduce new bushfire hazards to the area including the infrastructure, the layout of the development and also the revegetation that's required. So we're looking at reintroducing pastures to satisfy the agricultural lack of impact. We're putting revegetation in the riparian corridor, we've got some woodland pockets in the northern, southern parts of the site and the boundary screen that's proposed.

10 Planning for Bushfire Protection is a document that guides development on bushfire-prone land in New South Wales or it's known as PBP. The assessment - the assessment or the consideration of bushfire in the EIS was not based on a site-specific assessment which looked at the risk for the different parts of the site. It did not consider the impact of reveg of the site as part of the development and it certainly didn't consider the impact of the adjacent agricultural activities on the bushfire risk from the adjacent land.

Ordinarily PBP has - for developments like subdivisions and dwellings it has a very clear set of requirements as shown in the table on the right-hand side. It's a very easy tick-the-box solution. For solar farm developments this is not the case. It's a far more performance-based approach to demonstrate that it's suitable.

20 Next slide please. So I'll just quickly run through these. These are the requirements for the solar farms. So the first bit is section 8.1. You need to look at the - is there a defensible space provided for the scale and the size of the development? All your mitigation measures need to work together to make sure that you're minimising the impact. Moving to 8.3.5. Solar farms require special consideration. Adequate clearances are required to the combustible vegetation and making sure you've got suitable fire-fighting access and water. There's here a minimum 10-metre APZ. That doesn't say that's what you've got to provide, that's the minimum, it's the starting point. It also be designed to maintain so the solar farm doesn't serve as a bushfire risk to surrounding bush.

30 Next slide please. Also need to provide an emergency management and operations plan to identify risk to make sure your mitigation measures are appropriate. Also something that hasn't been talked about at all is the battery that's proposed is actually considered a hazardous industry under the planning rules. This hasn't been looked at at all in relation to bushfire and as it says in PBP these shouldn't be proposed at all on bushfire-prone land. We need a bushfire - sorry, a fire safety study that looks at those risks and making sure that everything responds to that and the measures that are provided are commensurate to the level of risk.

40 Next slide please. So the other guys have mentioned earlier about the measures that are proposed. So the APZs have been applied to the minimums, they haven't been based on an assessment of the actual risk. The measures that they've applied in terms of water supply and access are based the same as what a single dwelling requires. We've got one access point from a public road. So essentially no consideration has been given to the actual likely requirements of the development based on the risk and what's an appropriate protection?

So what's - what's an acceptable level of radiant heat on the development? How - and, therefore, how large do the asset protection zones be? How will the fire authorities respond to the fire approaching the site or within the development? What access do they need? What amount and where does the water supply need to be located so they can accurately or adequately respond to the fire? What special skills are required within - for a fire within a solar farm or affecting the battery storage? Do the local brigades have these capabilities and should the local community be being burdened by having to provide this as a result of the development?

10 So I'll just quickly - we'll focus further on APZs. So they have two functions. The first function is to reduce the impacts of fire on an assets. So in this instance the asset is the solar farm. The second is to provide an area of defendable space where the firies can work to protect the asset. So if you have a look at the diagram on the right this is a cross-section essentially probably looking from the western property on the left and then we've got our 10-metre landscape strip which has significant sort of screening vegetation to fulfil that screening function. We then have our 10-metre wide perimeter road - sorry, asset protection zone with a perimeter road in it and then the solar farm.

20 So if you look at that and there's a fire approaching from the croplands onto the west you can't see it coming towards the property, you can't - you can't fight the fire because - and so, therefore, it fails in that function. It also leaves you with a narrow area which I'll talk about in a minute. Interestingly, the RFS also has a procedure where they won't allow fire-fighters within eight metres of solar panels. So leaves two metres.

30 Quickly I'll just - I did some calculations on different fire scenarios based on that 10-metre wide APZ for the different types of vege and the slope. Just looking at the right-hand side - sorry, so I've looked at flame length and I've also looked at the radiant heat levels. On the right-hand side is a table from the previous PBP document. 10 kilowatts per metre square of radiant heat is considered to be critical conditions and firies aren't expected to work in those conditions and they're considered to be life-threatening within less than a minute. If you look at the radiant hear from the 10-metre wide APZ we provided it's all significantly higher than that.

40 Next slide please. So just in conclusion, the DP report doesn't really actually consider the actual risk of bushfire, it doesn't consider whether the actual bushfire protection measures are appropriate and commensurate to that risk. The consent conditions - it's not actually clear what's required because they're saying comply with PBP, there's no standards in PBP. The conditions are actually contrary to the Department's own guidance on how you write a condition because they're not clear, they're not certain and they require further impact assessment; therefore, it can't be reasonably concluded that they wouldn't result in increased risk and that risk would be appropriately managed.

Next slide please. Just quickly on visual impacts. The development requires substantially on the vegetative screening around the boundaries of the property. The Land and Environment Court actually has a planning principle on this that basically says you should give minor weight to screening because of its lack of effectiveness.

Next slide. Site suitability. I think the report essentially fails to mention the consideration of any hazards, attributes or constraints in its conclusion that it's suitable. It fails to consider whether there are adequate services to respond to the new and the very different both hazard and bushfire risks that are being introduced into the area. To avoid the impact on agriculture it recommends that we reveg the site to provide the pasture grasses which creates a bushfire hazard in itself and the suitability in terms of the visual screen relies on what the Land and Environment Court considers to be an unreliable mitigation measure.

10 Next slide please. In terms of cumulative impacts, a lot of people have spoken about this earlier. Ag land is a finite resource, we need to be really careful about where we're putting developments and making sure that we're not eroding the ability to carry out the preferred and predominant land uses in these zones. Whilst the development - the assessment report says that it's only going to be a temporary loss, 50 years is a long time and there's no guarantee that the infrastructure won't be removed and then the use will continue on.

20 The indirect and direct impacts haven't really been considered appropriately. We need to really take seriously the insurance issues and to make sure that things are being managed properly and from a proper land use planning perspective thinking about strategically where these types of developments are going rather than having a sporadic ad hoc approach that are driven by developers. We need to make sure that the appropriate buffers are provided around those developments as well so we're not getting an incremental creep on the productive - loss of agricultural lands.

30 Next slide please. Just briefly to focus more on the insurance issues. These are a real land use conflict issue that need further consideration. In the response to submissions report it was suggested that the DPE said that they were going to further look into this and I don't believe that was considered any further in the further assessment report. On the basis of the absence of information we need to - approving the application would be erroneous given that we don't have that full and proper information.

40 Next slide please. So just in summary, both the application and the assessment report disputes many of the impacts of the development without full and proper consideration, appear to be written on a bias towards the need to move away from fossil fuels and to focus on renewables without really considering the cumulative impacts to both the local and the wider community. As I said, it hasn't adequately considered many matters that are statutorily required to be considered including the bushfire impacts, visual impact, site suitability and cumulative impacts. Just one other thing I wanted to mention was, was there - my understanding is that RFS did provide some advice, they didn't actually say that the development complied with PBP at all. Thank you.

DR COAKES: Erika, Richard has a question.

MR PEARSON: Thank you, Erika. Thanks for that. In relation to insurance because we've heard this a few times today, do you think is there anything that could be done in that space to deal with that issue? I mean, for example, the Agricultural Commissioner has made some commentary around that about defraying increases in insurance costs

for adjoining landowners or indemnifying them against that. Is that something - I have no idea what the Applicant's view would be on this but is that something that would be considered as a potential offset to the issue?

10 MS DAWSON: That's a difficult question because I think it's kind of out of the wheelhouse of planning. I think we need to be - we need to get a better understanding of the reality of this and what it actually means and maybe the suggestion earlier of how things were done, I think it was in the ACT, the other gentleman that was talking about that, about having greater buffers. So the solar farm's provided within a bit curtilage to be able to somehow manage that risk because it being right adjacent to an adjoining property you are burdening the - from a land use planning perspective you're putting the adverse impacts of this development on the neighbouring property and they're having to provide the mitigation measures instead of the developer. So I think land use buffers and those sort of things need to be far more considered in relation to these types of developments.

20 DR COAKES: Thanks, Erika. Could you make sure - obviously the presentation we have but any further work that you've done in terms of your assessment can be provided to us that would be really helpful.

MS DAWSON: Yep. Sure. Yep. No worries. Yep.

DR COAKES: Thank you. O.K. Well, thank you everyone. That concludes the first part of the meeting. We're going to take an afternoon break and we're going to be back again around 10 to 5.00, 4.50. Thank you.

AFTERNOON BREAK

RESUMED

30 DR COAKES: O.K. Thank you everyone. Hope everyone managed to get a cuppa in the break. Just before we head into our second part of the proceedings, I just thought I would just mention, there's been a lot of significant issues raised in the first part of the session today so we've decided not to have the Department come back, we're going to put those questions to the Department in writing and obviously those will be publicly available. There's just too many, I think, for us. Some of those relate to obviously the agricultural land capability that's been raised, insurances, bushfire risk, et cetera. So we think it's probably better we put that in writing to the Department and you'll be fully aware of what our questions are. So - and the answers to those, yeah. Thanks. So the
40 Department won't be joining us at the - at the end of the session. O.K. Thank you. So I'd now like to call David Harrison. Thank you, David.

MR DAVID HARBISON: Harbison.

DR COAKES: Sorry, David.

MR HARBISON: That's all right.

DR COAKES: It says Harrison here.

MR HARBISON: Does it? Harbison with a B anyway.

DR COAKES: No, it's - on here it's Harbison. Thank you.

MR HARBISON: Another pair of glasses required.

DR COAKES: Thanks, David.

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MR HARBISON: Thank you, Chair. I'm an independent ag advisor, agronomist for the Central Tablelands based here. So I've had a bit to do with the land through the Central West for the last 30 years that I've lived here. I wish to talk today and focus on soil quality and assessment, important agricultural land and farm productivity. The Department of Planning and Environment in their November '23 report appear to me to downplay the issues of concern and exaggerate the errors.

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Under their title 5.2.3 Potential Loss of Agricultural Land on page 17 I wish to raise the following concerns. Paragraph 83, they refer to the site being used for agricultural activities including grazing and some cropping. Google Earth has the ability to look back at past images and as far back as '85 there is evidence that this site has been cropped. It is not some cropping and the locals have verified that. Moreover, the ongoing cropping enterprises have been supporting the grazing activities.

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Paragraph 84. DPE site and land and soil capability from an outdated report as class 3 to class 7. To my knowledge, there has never been any classification of land class 6 or 7 at this site and, in fact, the EIS quotes it is class 4 and 5. The report's been amended since then with land class 3 to 5 reported. So why does DPE make errors and exaggerated statements? More to the point, Tim showed us a slide at the very start, their very first image of this land was three-quarters class 3 and a sniff of class 5. The guidelines say avoid class 3. Why did they proceed? They knew back then it was class 3 land.

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Paragraph 85, 86. The DPE engaged an independent soils expert Dr David McKenzie to review the soil assessment in response to a large number of submissions from the local community that knew better of this land than SLR had reported. Dr McKenzie was asked a key issue, whether or not the SLR soil survey achieved minimum standards outlined in the guideline. He reported in June '23 and he stated, "Major deficiencies were identified. The field work had to be redone." And in the summary of the amended report in September he wrote that "The SLR report failed to report the presence of 40.6 hectares of land class 3 land because of a flawed soil sampling plan, i.e., a very serious error. 20 percent of the site is land class 3 high capability land and should be avoided.

I highlight here the difference in language used between the Office of Environment and Heritage in their document The Land and Soil Capability Assessment Scheme in 2012 and the Department of Planning. The Office of Environment and Heritage refer to class 3, 4 and 5 land as high capability land, moderate capability land and moderate to low capability land respectively but, no, the Department of Planning prefers to call them

moderate limitations, moderate to severe limitations and severe limitations. When has there been such a diverse difference in intended meaning of two New South Wales State departments. Quite obviously DPE wish to present this side as a rundown piece of agricultural land with huge issues. Fair go. And I remind you in table 6 of their report 93 percent of this site is classed moderate or high capability land.

10 Paragraph 89 DPE state, “The project would include disturbance of a small area of class 3 land.” Since when has 25 percent of anything been small? It’s a quarter of the project, one hectare in every four and as such, the conclusion that Elgin would be required to fully reinstate the agricultural capability of the land. Excavating and trenching landscapes to one or 1.2 metres does not allow you to reclaim it as it was in its natural state.

Important agricultural land is another assessment used by the - to develop rural land. The DPI is yet to complete its map of important ag land for New South Wales and sadly at this time the pilot map doesn’t cover - or of the Central - doesn’t cover the Raglan site. That said, only six percent of Bathurst LGA is cropping country and almost the entire site of this site is in that six percent and has been for 50-plus years.

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The productivity of 16 DSCs a hectare as quoted in the soil assessment is 60 to 100 percent more productive than the other 93 percent of the Bathurst LGA. The potential for growing crop on this site, if it were all to be sown to wheat, 718 tonnes of wheat, 1.2 million loaves of bread. That will feed a few. Let alone the lambs might be able to run on it as well. The food and fibre losses here could be huge.

30 Paragraph 92 of the DPI reports the benefits of such a solar farm. Not one of these potential benefits relate to the quality of land that the project is on. It could be built on the worst small area of agricultural land and we wouldn’t be here having the same issues as we are today. An example, put it on the nearest REZ and the land has no class 3, no significant cropping history and an average or less than average district stocking rate. I have not seen any alternative sites listed in any documentation referring to this proposal but if such was one we wouldn’t be here today debating the attributes of this highly productive and important ag land. I oppose the project. Thank you.

DR COAKES: David, just before you go. We’ve heard that - that figure of six percent, can anyone give us the source for that please? We’ve heard it a number of times through - take it on notice but it would be great to know the source of that.

40 MR HARBISON: Yes. We can certainly track that down because it will be in one of the Bathurst Local Government Area statistics.

DR COAKES: And obviously we’re looking at those as well but it would be fantastic if someone could direct us.

MR HARBISON: Yep. I’ll take that.

DR COAKES: Mine Soil report.

MR HARBISON: The Mine Soil report. Yeah, well, they're quoting the same six percent but where they're getting it from and where - - -

(PERSON SPEAKING OFF MICROPHONE)

DR COAKES: O.K. Lovely. Thank you. Thank you very much. O.K. Next up Sally Newton-Chandler.

10 MS SALLY NEWTON-CHANDLER: We're directly affected neighbours of this proposal. Our property adjoins the site along its eastern boundary for 1.2 kilometres. No significant setbacks - I'm too short. No significant setbacks are proposed. We only get a setback of 10 metres while Elgin provides a self-agreed setback of 300 metres from the Great Western Highway to protect road users. This is not an academic exercise for us or an ideologically-driven approach or against a remote development.

We have owned our property at 4985 Great Western Highway, Glanmire since 2018. We purchased it because it was in the midst of productive rural land but also close to regional Bathurst. The property is some of our family's home, our business and
20 financial support and our children's future. When we purchased our land it was in the certain knowledge that the planning rules, whilst not guaranteed in perpetuity, would ensure the continued residential rural lifestyle which characterises the area and not permit intensive, intrusive, offensive or industrial development and use.

We expected that we could rely upon state and local government planning instruments and policies except for changes for the growth and prosperity of the regional city after adequate and litigate consultation and notice of any significant change. We also expected that the government would always act reasonably, impartially with compelling justification and that local residents would be treated fairly, provided with accurate and
30 complete information and be genuinely consulted.

Regrettably our experience in this process has been nothing like that. Notwithstanding that the zoning is RU1 primary production with the object to maintain rural and scenic character of the land and reduce conflict between land use we're lumbered with a proposal for an industrial facility to produce power. The guidelines which were in place when this process commenced and which the Secretary's requirements reference included requirements for the consent authority to take into account views, lots of rural production, soil, fire and other risks and to ensure appropriate mitigation such as buffer zones where there are adverse impacts.

40 We believe all costs and risks associated with the project should be mitigated within the site, ensuring costs are borne by the party getting the benefit. As the project stands, the site owner and proponent are receiving the benefit while the neighbours bear the cost of being unable to obtain public liability insurance to protect us if a hazard escapes our property onto an industrial site worth many times our maximum \$30 million cover. We've actually sought overseas, all over the world additional cover to \$50 million but we cannot get a cent more than \$30 million.

Whilst we agree with the general community support for strategies to decarbonise we cannot accept that the policies intended to permit the intrusion of this type of facility on the doorstep of a rapidly-expanding regional city or is in accordance with Australian values. The policy creates renewable zones in far more appropriate locations. Not all facilities can be built in those zones but that does not permit them being built just anywhere. Guidelines have been introduced to protect regional cities including Bathurst from this type of development but have been totally overlooked in the assessment of this proposal.

- 10 As a state significant development the proposal has been assessed by the Department; however, there is a significant problem with this as the Department is also charged to deliver the government's policy for energy transition. This is an irreconcilable conflict of interest particularly given the Department also produces the guidelines and amended guidelines which were implemented well into the assessment process.

- Our experience has been that the Department work closely with the proponent giving extensive advice and assistance. The proponent was allowed two extensions of time to obtain further experts reports and to change the application after submissions from objectors had closed. Objectors had to meet arbitrary deadlines and were refused
20 extensions of time. The consultation process which was overseen by the Department was conducted by the proponent, was unfair and failed to provide objectors with a fair opportunity to argue their views.

- For example, the Department and Elgin have not updated the accurate mapping of the site. The current maps omit our proposed house site, our registered bore and contain inaccurate mapping of the stream Elgin are planning to build over. The Department has made their recommendations based on flawed information. These issues were raised on several occasions to no avail. Now the determination has been referred to an independent planning panel. Our observation is that the matter is being progressed with
30 unseemly haste and in a manner which is unfair to all of us.

Under the legislation the consent authority must give proper consideration to matters raised to form proper judgements and to make its own determination. We look forward to finally having our objections heard so that we can continue to effectively run our business and resume the quiet enjoyment of our property. Thank you.

DR COAKES: Chris was just confirming which was your property. No, we're good. Yes, 21. Thanks, Sally. O.K. Michael Lund please.

- 40 MR MICHAEL LUND: Afternoon. My name's Michael Lund, I'm a licenced stock and station agent and real estate agent in the Bathurst district. I've been operating for about 14 years in the district. I'm a Meadow Flat born and bred local boy and I'd just like to speak about the country. I'll speak in general of the country but it takes in this site which I refer to as Dam Diggers but is that. As I look across the room I've either sold or tried to sell many of you, the country in question and when I've sold it to you I've hand on heart said that this is the best country non-irrigation that you can buy in the Bathurst basin. It is the truth.

Driving in from Meadow Flat to school as a young boy my grandmother would begrudgingly admit that that land is the best land in the district ahead of the basalt of Meadow Flat. You know my grandmother used to know that that's no small feat because she's chained to that country. They gaze upon a treeless plain, that is why they stopped, that is why the explorers stopped, the gazed upon a treeless plain. That land there is the most productive land in Bathurst.

10 Clarrie Bourke grew vegetables up until about 15 years ago there. The cropping that goes on in that country, my family has bought the oaks off that treeless plain every year which has gone into the ground at Meadow Flat and fattened every fat beast and fat lamb that comes out of the high country. To sit here and hear people say that this is unproductive, unresponsive land is insulting to the people that have worked it, bled I it and died on it.

20 I could put you in the Ute and drive you 20 minutes either side of this proposed site and show you country where it will work. I am a child that is fixing the mistakes of our great grandfathers and grandfathers by including the environment ahead of just natural farming practices. It's a great idea, it's just the dumbest location you could ask me to put one in the Bathurst basin. If it wasn't so serious we'd be laughing about this. I've been doing this for 14 years and never once have I put my hand up, never once have I got involved in a community fight about it but I've written a letter on the first day of this and I will write letters till the last and I will happily give my time and effort to anyone involved to show them better sites that protect the community and that's pretty much all I've got to say. Thank you.

DR COAKES: Thank you, Michael. O.K. Next up we have Ewan. Ewan Chandler. Thank you, Ewan.

30 MR EWAN CHANDLER: Thank you. Through this process we've been transparent with both Elgin and New South Wales Planning so we've highlighted our issues, our risks and our impacts. We believe that these remain largely unresolved. This proposal introduces a new land use for the Bathurst LGA; hence, new conflicts with agriculture. It's not a farm, it's an industrial plant and what we're finding is because it's a brand new land use we have a lack of clarity when it comes to many of the planning attributes that should be considered. A good example of that is that Bathurst Council has no guidelines when it comes to buffer zones with solar farms. I have buffer zones created for, you know, piggeries and feedlots but there's not - not a mention at all about solar farms.

40 The site's inappropriate. We've modelled - based on bond data, government data we've modelled a sample of 20 sites around the state within the REZ and without the REZ. We've modelled their solar irradiance and unsurprisingly the lowest site for solar irradiance is Bathurst Airport and that's not surprising and anybody that lives here knows that Bathurst is prone to frost and fog and mist and, in fact, this site is even more prone because its - its elevation is lower than Bathurst Airport and it's also closer to the Great Western - to the Great Dividing Range.

So it's not surprising that Bathurst has solar irradiance 10 percent lower than better sites in the state and, hence, that equates to about four years out of 40 years, that's essentially

unproductive but they're wasting four years of productive life using this site. It's an incredible - like I just believe that's a reckless financial decision and it would just - it just drives the whole revenue of this site down by 10 percent and that's over the whole life of the 40 years.

10 The reason - and given that it's also - it also highlights a higher trade-off, you know, of land use because you're choosing a site that has less capability to produce power compared to other sites. So, hence, you have a higher trade-off between using the site for solar as for agriculture and, you know, it's very surprising that the proponent thinks that solar irradiance is not a key factor in site development. That's - that's - it's mind-numbing that it may not be the most important but it's pretty much up there because it drives the revenue, it drives how much power's going to be produced on the site and it drives - drives how much revenue. It's the fundamental - the fundamental variable on the revenue side of the equation.

20 We think the site's too small and, hence, as it's too small impacts and risks are not self-mitigated on the site and the impacts are then cascaded onto neighbouring farms. A larger site, say a thousand hectares would allow the solar farm to be contained in the middle of a thousand hectares and would create a proper buffer and it would also mean that the person earning the revenue is self-mitigating the impacts and it would also allow the management of the solar farm and the farm to integrate their management practices when it comes to, you know, slashing a buffer zone in summer and reducing the fire risk.

30 So it would allow for, you know, this integration of practices and management between the solar farm and - and the neighbouring farms. We don't have the - today you're going to end up with conflict. Just quickly, Elgin - Elgin are proposing to us our land as part of their inadequate buffer zone. I find that gobsmacking, you know, without consultation, without engagement, without compensation they just decide to use a slice of our land in their buffer zone. It's bizarre. The proposed screen plantings - screen plantings in the buffer zones are inconsistent along the western perimeter.

40 On the insurance issue - the insurance issue will drive a change not only in land use of the site but it will drive a change in our land use as well as the neighbour because we will have to reduce our fire risk and we will have to change - we would have to provide - we would have to - as they do in Wellington - as they do in Wellington we will have to downgrade our land use from farming, from cropping to just grazing and particularly we will not in those close paddock be able to crop because we can't - we can't cover the risk of stripping a crop in summer.

The assessment by the Department states that there's no cropping activity on our farm adjacent to the site, that is just not true. We have cropped both paddocks that adjoin this - this solar development. Of course, we crop on a rotational basis depending on the season and the market. We will show you that tomorrow, we show you our drill lines. We have recently - we have today - and, of course, farming's not static. When you go out - when we go out tomorrow you will not see a standing crop because we've been in drought for the last, you know, six to nine months. Our sheep have had to eat the crop that we had.

At the moment we have - we're happy for the Department to come and meet our agronomist and our - our share farmer. We have no issues with them asking whatever questions they'd like. At the moment to prove that we have cropped we have 650 tonnes of oaten silage in the ground, we have 500 - we have 200 tonnes of oat and hay in the ground, we have 40 tonnes of seed, oats in silos. All of that has been harvested from our farm and for the Department to say that we don't crop is just - there's been on engagement, it's just ludicrous.

10 We don't understand where that assumption and we don't believe it's based in fact. In fact, there's no evidence where that comment's come from. So I don't think - because we have this assumption that we don't crop we also - Elgin has not - did not have - Elgin have not designed a site plan to adequately mitigate the heat island effect so their buffer zones don't address that and there's no - there's no scientific evidence to prove that the proposed five minute buffer zones will work and, in fact, if they're - if they're there they're going to take years to develop. So they're not going to be there on day one. We have issues again on hydrology and again we also have issues about the elevated road and how it will funnel water into our property. I think - I mean, we plan to put in a detailed submission but that just sort of touches the list of things we have.

20

DR COAKES: Thank you, Ewan, and we look forward to visiting your property tomorrow. One question.

MR PEARSON: Sorry, Ewan, yeah, just one question. What's the source of your solar irradiance figures?

MR CHANDLER: (speaking off microphone).

MR PEARSON: As in it's an accessible source?

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MR CHANDLER: (speaking off microphone). What we find amazing is that Elgin's never done an actual solar irradiance study on the site. Like I don't know how you can - you know, if you're going to spend hundred and - you know, hundred and fifty million how can you invest when you don't know how much it's going to produce? It's bizarre.

MR PEARSON: Thanks. Look, that's something we can follow up with the Applicant if we want to as well.

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MR WILSON: Sorry, Ewan, I know we're coming out tomorrow but just in - you mentioned the use of your land for this project. I'm just - can you just confirm that for me?

MR CHANDLER: Yes.

MR WILSON: What - what - what that statement means?

MR CHANDLER: Elgin - Elgin hasn't given us - I mean, we believe the buffer zones are inadequate anyway.

MR WILSON: Notwithstanding that but - - -

MR CHANDLER: Elsewhere on the site they've provided for 30 metres. On our - on, I think, 85 - 850 metres I think they're assuming that they're also - they're allowing a 25 metre buffer and of the 25 metres 10 of it is on our land.

MR WILSON: On your land?

10 MR CHANDLER: On our land. We'll show you tomorrow.

MR WILSON: O.K. Good. Thank you.

DR COAKES: Thank you. O.K. Next we have Lynette LaBlack on the phone.

MS LYNETTE LABLACK: Hello.

DR COAKES: Lynette, can you hear?

20 MS LABLACK: Yep.

DR COAKES: Little bit quiet. Can you say it again, sorry, Lynette, just so we can hear you?

MS LABLACK: Yeah, can you hear me now?

DR COAKES: Yes, can hear you now. Can hear you now. And just, Lynette, apologies, I think your embedded videos cannot play on our current format but we would ask if you can provide those videos with your submission, that would be great. O.K.
30 Over to you, Lynette. We've got your Power Point up so if you'd like to continue.

MS LABLACK: Thank you to the panel for hearing - hearing us today. All of the principles of ecological sustainable development are defied by Elgin Energy's 250,000 toxic-classed industrialised solar panel electricity-generating works and filthy fire inferno risking incapable battery energy storage system plan to provide pathetic weather-dependent intermittent energy to the grid. Photo 1. Industrialisation of rural New South Wales, Australia is not for the greater good. There are no benefits whatsoever to the local community, New South Wales, the Australian public, the economy or to the planet from this environmentally destructive plan for industrialisation
40 of rural New South Wales, Australia with inferior stone-age electronic garbage as it will never provide reliable, affordable power as required for basic electricity services for the people of New South Wales.

With two days of recent rainy weather and no solar output shows what a disaster reliance on the weather would be making this nonsensical to approve when there are far superior reliable, secure 24/7 Australian power alternatives that are readily available with the clean, safe nuclear power future being the obvious option now being prioritised at COP28 as we speak.

10 With an environmental footprint of only one-seventy-fifth of this Glanmire solar's 160 hectares of the 186 hectare site of high quality cultivation land a comparable nuclear power plant would - would - land take would equate to only approximately 2.1 hectares or 2.5 hectares for the whole site. It's a no-brainer. None of the public health and safety risks of land, water contaminating heavy metals and the ticking timebomb battery with extremely toxic carcinogenic and birth defect-causing solar and battery fire smoke hazard risks as well as bisphenol-A lethal to young children as toxic as blue asbestos shedding from wind turbine blades due to leading edge erosion or the astronomically costly multiplication of transmission lines are needed at all with an Australian nuclear power future which is unstoppable. It's no wonder that today there have been thousands of people rallying in Sydney against reckless renewables, the fake green solar wind energy, energy property drift and Ponzi scheme scam including against Elgin's obnoxious Glanmire Solar Plant.

20 Photo 2 and 3. Clearly Glanmire Solar has a plethora of detrimental practical impacts, does not protect nature as Minister Plibersek says she requires for approvals. As we have repeatedly experienced with the heartbreaking loss of our pressure ecological habitats in the Riverina. Photo 4. The hollow log dumped on the ground is all that's left of Squirrel Glider and Superb Parrot habitat now covered in weeds in the meant-to-be useless vegetation screen perimeter.

Photo 5. The potential loss of this precious reliably-productive Glanmire site as has already occurred in numerous other life-sustaining essential food-growing areas including my own pretty and productive Bomen Eunony Valley district Wagga Wagga, photo 6 and 7, which is now cursed by unmitigable ruination of our visual amenity.

30 Photos 8, 9, 10 and 11, one after the other shows dozens - where dozens of climate-cooling trees have been - excuse me - have been nonsensically felled, threatened species all gone without the protest sign showing, you know, non-existent trees or Squirrel Gliders, Superb Parrots overtaken now by menacing weeds shown in photo 13 with the log in the weeds.

40 As well as this, we are threatened by industrialised electrification species invading our area - that's a photo of the substation, photo 13 - subjecting us to electrical force and electromagnetic radiation and cybersecurity risks with solar inverters produced in China enabling our most hostile enemy, the CCP to remotely disable solar systems. Australian sovereignty and independent energy control is obviously paramount which excludes Elgin's Glanmire solar plant and all other renewable plants controlled by companies subject to the CCP's national intelligence law and based on unethical components produced by hostile actors.

We can't possibly continue to have dodgy companies enabling Beijing to turn our livestock and stitch up power purchase agreements with massive cybersecurity risks as is the case with FRB's clear conflict of interest, Walla Walla Solar, Minister Bowen's \$100 million debt financing of it with our public money and Microsoft's power purchase agreement. Incomprehensible when Microsoft claim to be helping protect Australia

from cybersecurity threats by partnering with the Australian Signals Directorate. One has to wonder if this is intentional sabotage.

As is clearly seen by photo 15 and 16 the far-too-close proximity of industrialised solar subjects us to constant costly weed seed burden, solar water runoff and lack of productivity due to increased microclimate heating with the accurately-researched heat island effect impacts not included in Elgin's plan with the DPE continuing to verb Professor Greg Barron-Gafford, Shepparton, hearing interaction with physicist Peter Hall admitting the 30-metre figure disingenuously being used would not be commensurate with the larger-scale solar and more research was essential to determine the greater extent industrialised solar like Elgin's plan has also placed us in an - sorry, industrialised solar like Elgin's plan has also placed us in an extremely hazardous position regarding toxic solar fire smoke hazard risk, yet to be even researched by New South Wales Fire and Rescue.

Clearly, like the disastrous April cadmium telluride Beryl solar fire at Gulgong and October 6th Tomago graphite block fire, another fake green renewable experiment inflicted on the people of New South Wales against sour will, terrifyingly New South Wales Fire and Rescue have no idea what to do or what to expect. This is a quote. "There is a general lack of guidance and provisions in building code standards and legislation in relation to safety to address the potential risks from these emerging technologies. Part of the problem is that we do not yet know enough about their probability of failure, their mechanisms of failure and potential consequences of failure."

Photo 17 and 18. Biodiversity offsets. It is completely disingenuous that anyone is enabled to claim farcical biodiversity offsets promoted by woke corporates such as Westpac and virtually signalling through power purchase agreements such as the City of Sydney, Opera House, Kiama, Shoalhaven and Shellharbour Councils and Coles, et cetera, all based on unethical, cruelly-tortured slave labour, photo 19 of the tortured Uyghurs and fake green sustainable fudgery right here at Bomen, Wagga Wagga.

I do not consent to Elgin's contaminating Glanmire solar battery plan as the renewable scam is causing outrageously unaffordable electricity prices and consequential cost of living crisis that threatens our health and wellbeing. With heating and cooling unaffordable and basic food staples such as this bread photo reliant on ever-skyrocketing electricity prices now out of reach. My family and I have been tortured for years by the scandalous renewable hopes with Elgin's public health and safety risk plan threatening my family's life-sustaining essential food and water supply which will inevitably be contaminated with foolish money-hungry host pariahs left with a pile of toxic junk they can't afford to remove and Bathurst Council and ratepayers unjustly left responsible, liable due to the - and liable due to Department's risk, immoral hazard inflicted, if approved, for the resulting serious irreversible heavy metal contamination and pollution and toxic lithium battery residue they and previous IPCN panels have to date irresponsibly refused to consider and assess during the operational life of industrialised solar and batteries.

Our iconic rural outlooks such as rich biodiversity and limited irreplaceable uncontaminated arable land, our rich soil heritage and vital water supplies including the catchment area for salt water creek which are required to hand off for future generations in equal, if not better condition than we have been blessed to receive them in are under attack by the government's ecocidal ideological agenda. This is well documented with the evidence of extensive environmental destruction caused by irresponsible solar approvals and the typical irresponsible construction processes of solar developers whose primary focus is fake green subsidy money which is ripping us all off through our ever-skyrocketing electricity bills.

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DR COAKES: Lynette, I'm just going to have to ask you to wrap up please, another literally next 20 seconds because we've got our next speaker in the room. So if you could do that, thank you.

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MS LABLACK: So there's six - there's six photos, one after the other show the water runoff and erosion disaster here at Boman Eunony Valley with litigation of the host pending as the distressed neighbour lost his whole year's income with his crops all killed, his property inaccessible for six months and essential questions never answered prior to approval, conditions never met and no one ever taking any responsibility to remedy this dodgy fake green solar nightmare that should never have been approved and the following damaged hail - I mean, damaged and hail-fractured solar panel photos also shows the potential for contamination of our canola which is also shown in that - grown in the Glanmire solar area showing that our future generations' health and safety is put at risk by these health food products that we are growing all because of the contaminating substances included in toxic solar and batteries and the cloud - the photo of the cloud doing the finger is - well, I don't see it as a rude sign, I see it as the finger of God in righteous anger representing how wrong, inappropriate, totally illogical and how consequential to our essential food bowls Elgin's contaminating solar battery would be.

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DR COAKES: O.K. Lynette, I'm afraid I'm going to have to cut you off there but thank you very much and we look forward to receiving your submission. Thank you. I'd now like to call Jim Blackwood. Thank you, Jim.

40

MR JIM BLACKWOOD: Firstly thank you very much to the Commission for coming up here and hearing everybody. This vest is not bulletproof so I hope I get out of here alive. Somewhat contrarian point of view particularly to the last one and to most of the other speakers. I was born and raised in country New South Wales on a farm, my wife likewise, intergenerational farmers. We come very much from the rural background still with lots of ongoing rural connections. Very sympathetic to just about anything to do with rural life and lifestyle and production.

I was actually a GP in Bathurst for 38 years and that was through the time before specialists when we basically did everything, cradle to grave stuff. So the relationships that I have with most - well, not most but a significant number of the Bathurst community are quiet exceptional and extraordinary and are ongoing. I understand what this country's about. I've got four kids and six grandkids, I ride my bike, now electric-

powered around - all around the Bathurst countryside so I know - I'm very familiar with my community and my landscape and the planet that I'm living in.

10 Since being forced into retirement by health issues seven years ago I've been involved in lots of community activities and have remained connected with lots and lots of people. I'm the Vice-President of the Bathurst Community Climate Action Network which speaks for itself. We're a wide-ranging group of people from all sorts of backgrounds and ages who share a common concern about climate change but that's not our only concern. Our major remit is looking after our local community and caring for our local community and that takes precedence over most other things.

20 So when it came to the Elgin proposal here we all really entered it with an open mind. We have a policy within BCAN of not approving anything from a blanket point of view, of considering everything on its own merits. So we really sat down and - and we were part of the consultative committee, we followed in great detail the concerns of the local residents but we arrived at the conclusion that this proposal was of overwhelming benefit, firstly to the planet, to have solar power being generated rather than coal but also it was of overwhelming benefit to our local community here for a whole range of reasons.

20 Bathurst was very late getting into the electricity stakes for street lighting. It wasn't until 1920 we had Council-owned street light generation and from then until 1930 the Council generated it out of the waterworks. After that it was generated in Lithgow from coal-fired and then on and on to be the major distribution network that we have now. So that 10 years from 1920 to 1930 all of the money that was spent on energy in Bathurst stayed in Bathurst. At the moment it's estimated that there's at least \$400 million a year goes out of Bathurst, every year just sucked out by a vacuum cleaner, now, some now or other to have that same town.

30 Now, I'm aware that if this solar farm goes ahead in its present proposal it won't but I gather that Elgin are proposing to sell it on and I'd suggest that that should be structured in a way that allows some local equity in it. The arguments that have been put forward today I've listened to in great detail. As a farming boy I was most alarmed this morning to go into that, what it's called, prime farming land and be stepping in amongst bits of barbed wire, fencing wire, a carpet of Bathurst burrs, scotch thistles so I found that a bit off-putting to start with but thank you for the opportunity to have a look around the - the area but the agricultural use of it is almost a little bit irrelevant because it's up to the Commission and society to make value judgements about what is the most effective and useful way to use land.

40 We're standing on it now. Mount Panorama is Basel. All of this here was very fertile and it's - society's judged that it should be used as a car - as a car-racing track. That's fair enough if we make those decisions in a - in a sensible manner. Over this - about half a kilometre over there was a very productive orchard, stone fruit and apples. The Council bought it and bulldozed it and it's now car park for car racing. So fair enough when society makes those sorts of judgements. Our productive river flats down on the river are being used for football fields.

Now, I would ask all of you who are concerned about loss of productive farming land that you get involved in a whole lot of the other stuff that's going on because there's lots and lots of this going on. We've been robbed of our river flats, the Regis Goldmine is going to take over serious amounts of land and so there's lots of things that people should get involved in.

10 Climate change from an agricultural point of view, the spring flow in the Upper Macquarie's dropped 30 percent between 1990 and 2020 and projected not only to drop further but for the pattern of rainfall to change significantly. So Bathurst has enjoyed over the last 200 years rainfall through the crop-growing seasons. So it rains in July, August, September, October. It's projected as we found today out there that most of the rainfall will fall in summertime so the ability to grow crops on there is going to be severely limited. So these sorts of things need to be thought about.

So there's lots of concerns that we as a group have about social licence, the trees, the setback and we understand the details about insurance and things but I think they're details to be sorted, not a reason to oppose it. So BCAN and myself we fully support the development of this proposal. So, sorry.

20 DR COAKES: No need to be sorry, Jim, everyone's perspective is - is welcomed here so thank you and as a long term resident of Bathurst that's some helpful insight so thank you. O.K. So I'd now like to call Hayden Fielder.

MR HAYDEN FIELDER: Yes. Hayden Fielder here. Thank you.

DR COAKES: Thanks, Hayden. Please go ahead. We can hear you nice and clearly.

30 MR FIELDER: Thank you. My name is Hayden Fielder. I'm a barrister practicing predominantly in New South Wales. I speak on behalf of the Glanmire Action Group in respect of the proposed solar farm insofar as it concerns liberty of property rights. The common law has long regarded a person's property rights as fundamental and farmers generally need insurance to protect their farms and their crop. That insurance extends to public liability for any damage to adjoining properties, for example, crops in green areas are at high risk of catching fire.

40 Prudent farmers insure themselves in the event of any public liability arising from damage caused to their neighbouring lands. They are liable or may be liable to adjoining owners if, for example, a fire started on their land and stretches over adjoining lands. In the present case a farmer's public liability insurance would be required to cover damage to, or destruction of a neighbouring solar farm worth hundreds of millions of dollars. In that respect, I have read the insurance risk analysis by NLP Insurance Brokers.

From a legal perspective the insurance advice is sound but there is an additional legal element to note. An adjoining owner of - or neighbour of a solar farm would be under a duty of disclosure requiring it to inform its insurer about the existence of a neighbouring solar farm pursuant to section 21 of the Insurance Contracts Act. The existence of such a farm adjoining an insured's property would most likely result in the

insurer increasing its premiums in an exorbitant amount or refusing to provide public liability cover at all.

10 If an adjoining owner is unable to obtain public liability insurance then that owner is forced to choose from three somewhat unjust choices concerning the use of his or her land. (1), destroy the crop and cease farming on that land to reduce the risk of fire or any other activity that might damage an adjoining solar farm. The second option is to continue farming operations without insurance and run the risk of potential catastrophe for that farmer personally if there is any public liability and the third option would be to pay the exorbitant premium for insurance which would likely to result in the farm running at a loss in any event.

20 If the land adjoining a solar farm is owned by a trustee which is not uncommon the option of running the risk and going without insurance is not viable at all because trustees have a duty to their beneficiaries to ensure that the property they hold is adequately insured otherwise the beneficiaries are at risk. So a trustee owner would have to either insure the land at exorbitant cost or sell the farm for the land - farm land presumably at a fire sale price because there would be, I imagine, very few willing buyers who would buy land which could not viably be insured.

30 One alternate method or resolution which I've been asked to comment on is whether a perpetual indemnity could be imposed on the owner of the solar farm. For example, an indemnity by the owner of the solar farm that it will pay for any loss or damage caused to the solar farm by an adjoining owner. There's a fundamental difficulty with that course; namely, there will be, no doubt, successors in title to both the solar farm and the adjoining land and it's well established under the common law that positive covenance such as perpetual indemnities do not run with the land and, therefore, will not bind successors in title. So I presently don't see that as a workable solution. Those are the matters that I wish to address on and I'm grateful for you allowing me the time to speak.

DR COAKES: Thank you, Hayden, and thank you for some of that clarification around the insurance piece which has obviously been a big issue today. So thank you for calling in.

MR FIELDER: Thank you.

DR COAKES: Andrew Bickford please.

40 MR ANDREW BICKFORD: Good afternoon ladies and gentlemen, thank you very much for letting me have a quick talk about this today. For those of you who don't know me my name is Andrew Bickford, I'm employed by Elders Rural Services in Bathurst. I've lived and worked in the Bathurst district now for 18 years and I take great pride in servicing the Bathurst district farming community. Part of my role I sell livestock including sheep and lambs and cattle of all ages to various markets. These sales can include sending stock off to the saleyards, direct to meat processors and back to other livestock producers. I also market rural property in the Bathurst district.

My job takes me to a lot of different properties in the areas including the Brewongle, Glanmire area. The land of the proposed site with Elgin is highly sought-after farming country. I think we've heard that a little bit today but basically they're not making anymore of this prime farming land, as we've just heard, it's been taken away for other uses and this is highly regarded land. I've personally been selling prime stock of these areas, so being second-cross lambs, blue ribbon cattle for our weaner sales, steers that head to the feedlot and also prime cattle headed off to the abattoirs.

10 The growers and producers to achieve these high-level of quality of stock the land has to be of high quality grade and suitable not only for growing excellent pastures but also crop to finish the stock on. The land is actually certainly very highly - it's got a high use for cropping which is also visible from the Great Western Highway. One of my clients Mr Sam Pappa from Sydney on the edge of town near Raglan actually featured in The Land newspaper recently of highlighting the quality of his wheat crop on the side of the road there.

20 So I strongly believe there will be other more suitable sites for the proposed solar farm to be built. We heard from Michael Lund earlier today that actually had plenty of other sites to go and show if it was required and once (not transcribable) with a high level quality of stock and production that are turned off this land so we really want to protect our high quality fertile land. I also have a high level of concern for the rural property prices in the area. This is only going to be driven down by the impact - the visual impact of a solar farm for adjoining property owners. It's already created a bit of a stigma in the area and when people ring up - we're only dealing with a small slice of people to deal with and once a solar farm is mentioned it can turn people off obviously from a lot of the issues that have been raised here today.

30 So from an investment point of view for anyone that has land invested in this area prior to the solar farm coming along it would be a really disappointing effect to have the land values drop around them because this is a place that we've all grown up, lived and worked, you know, for most of their lives. So I really think it would have a detrimental impact to the real estate market and hopefully we don't have to prove that but, yeah, we would certainly want that noted. Thank you very much for your time and good luck everyone.

DR COAKES: Thank you, Andrew. So we next have Levi Thurston who, I think, is joining us by telephone. Levi, can you hear us?

40 MR LEVI THURSTON: Yes, I can hear you.

DR COAKES: O.K. Thank you. Please go ahead.

MR THURSTON: O.K. Thanks for your time. I just wanted to speak for a short few minutes just in regards to the insurance risks and exposure for a solar farm in - basically in the middle of a cropping or a primary producer area; in particular, around the fire risk exposure that is involved for both the surrounding farms and also for the solar farm itself. We often find that the big exposure is during harvest time for these types of installations simply because the crop itself, being at harvest time, is dry. The weather's

a bit warmer and the risk exposure is extensive for that. What we find when we examine this through looking at it from insurance - insuring it is the exposure to the neighbouring farms is extensive beyond the normal - - -

DR COAKES: Levi, sorry to interrupt.

MR THURSTON: - - - public liability realms.

10 DR COAKES: Levi, sorry to interrupt you. Could you just speak a little bit more directly into the - into the microphone on the phone just so that we can hear you. There's just a little bit of breaking.

MR THURSTON: Sorry, I'm also in a bad reception area.

DR COAKES: No, no, that's sounding a lot better. That's sounding a lot better actually.

MR THURSTON: That's sounding - that's sounding better?

20 DR COAKES: Yes, thank you. Thank you.

MR THURSTON: O.K. O.K. So from the public liability insurance perspective for the neighbouring properties there is extensive risk exposure to them if during the course of - of running their business they do cause a fire and the fire does go into the solar - the solar farm itself. We're looking at not just the property damage that it would cause to the solar installation but also any loss of income, loss of power that might end up falling back onto the property owner itself.

30 We would find that the liability coverage that they would need to cover any of those sort of losses that they would actually require somewhere in the vicinity of \$200 million in public liability protection. So in order to obtain that level of cover we would be needing to actually go over to external markets outside of Australia. So we'd be looking predominantly in the London market to gather those terms and by doing so from initial enquiries the premiums attached to that would be in excess of \$200,000 a year for the farmer which is not a sustainable premium amount for them to be able to pay year on year especially with the average income for the farmers. So from an insurance perspective - from an insurance perspective it is deemed untenable to - - -

40 DR COAKES: I think we may have lost - he's just trying to call back. We'll call him back. So we'll go ahead with the next - Stewart? O.K. So we'll go back. O.K. Thank you. O.K. If I can now ask Paul Lalich, have I said that - - -

MR PAUL LALICH: Thank you, yes.

DR COAKES: Pronounced that correctly, Paul.

MR LALICH: Correct, Commissioner.

DR COAKES: Thank you.

MR LALICH: Thank you, Commissioner. I'm speaking this afternoon on behalf of Fitzsummer Pty Limited, the owner of land immediately adjoining the subject site on both the east and west. Fitzsummer land's used importantly for cropping, grazing and residential purposes and we'll take you to the residential parts of the site tomorrow. Look, Fitzsummer and the Waterhouse family, of course, appreciate the need for investment in a circular economy and in renewable energy, I think every speaker here today has expressed a similar desire and can see the benefits of that but Fitzsummer, like everyone else here, thinks that there must be a balance between stateside strategic interests and local interests and impacts.

There, importantly, should be no adverse impacts on the locality or specifically on adjacent properties and all mitigation effects must be applied within the boundaries of the solar farm site and not beyond the site. We submit on that basis that the proposal would be better located elsewhere, specifically within a renewable energy zone. There's been a lot said about social licence, I think it's clear that there is social licence for these kinds of uses to be located in those zones but not outside of those zones and in this case it's an entirely inappropriate location.

20 The key issues - I mean, the Commission did ask for some comment in relation to conditions. Whilst not diminishing the strong opposition to the proposal as it is in the - in the location that it's currently proposed, I do wish to make a couple of points about conditions. The key points are these relating to bushfire risk, setback and visual impact. We feel that a setback - an increased setback in this case of somewhere between 40, possibly 50 metres around the boundary would go a long way to mitigating various impacts of the - you know, on those issues I've just mentioned.

30 Specifically in relation to the bushfire risk. I mean, Mr Thurston, Mr Fielder and Mr Hennessy all spoke very clearly about that risk and importantly, the knock-on risk that it has in relation to the ability to obtain appropriate insurance cover. You know, \$200,000 insurance premiums are significant and, you know, prohibitive, in my view. As Mr Fielder pointed out, of counsel, it's difficult to - and beyond the reach of the planning law for an indemnity to be imposed by way of a condition of consent.

40 There can be some private agreements put in place between adjoining owners to do with indemnities for damage to the - the solar array but again what the Commission could do as part of its consideration and determination of this application would be to impose a condition of consent that applied a greater setback which would, to some extent, help in obtaining appropriate insurance cover. There's really not much more, I think, that you could do to address that particular risk.

The other point in relation to the 40 to 50 metre setback that I nominated, I mean, 30 metres is required by the large-scale energy guidelines given the mitigation or the mitigative effect it would have on that heat island generation we'd propose that if that was increased, you know, as I said, by 10 to 20 metres that would serve two purposes, it would satisfy the guidelines and then also provide this additional buffer to address that - that risk.

Finally in relation to visual impact, obviously everyone's said a lot about visual impact. We feel that the vegetative screening that's proposed is entirely inadequate to mitigate visual impacts. The assessment report relies heavily on the Applicant's assessment. Fitzsummer has made its own submission and it was clear in that that what the Applicant's assessment fails to address comprehensively is visual impacts associated with the battery height. We were on site this morning and we heard that the battery's likely to be 12 metres in height.

10 There's also the question of the height of the perimeter security fence. You'll note that a lot of the visual impact assessment takes the fence out of the - the montages so that you can see the solar panels but if you put the fence back in that's a significant - significantly different vista to what we saw when we were out there today, you know, which is a sort of a rural - rural setting.

20 So again - the other point I wanted to make just as a point of clarification, you saw that Mr Petch very helpfully went on site with the height pole and the height pole at its full extent was three and a half metres, I think. 3.6, correct. He held the pole out at three metres because we thought that was a conservative estimate and he did that on the basis of some advice from the Applicant which suggested that the height of the panel would be 2.65, if I remember correctly, but if you have a look at the executive summary on the Department - the Department's assessment report, the bottom of the first page, it says that the highest is three and a half metres. So I just want to clarify to make sure we had that - that the pole that we saw on site wasn't, in fact, where it should be. I've only got another 30 seconds if I can, Commissioner.

DR COAKES: No, you're fine.

30 MR LALICH: So we would propose either that that visual impact associated with the solar panel height could be mitigated by a condition of consent being imposed that limited the height of solar panels to 2.65 metres. That would be one way to address the concern but ultimately, last point, we think that a - as I said, an increase buffer width would allow not only, you know, the fencing and other matters that I've mentioned but it would allow for a more adequate screening - screen planting and you did see that there was the planting that had been put in place about 15 years ago, sort of staggered in a single file similar way that's being proposed in the application.

40 An increased buffer width would allow perhaps for a staggered planting where there's still the same distance between it but it's in two rows so there's some depth to the screening, that wouldn't obviously cause any - any bushfire issues given that it would still be appropriately separated with appropriate canopy distance. So the only other point perhaps if that's the end of what I was going to say, Commissioner, I did note that when Ewan was speaking earlier he was referring to a report and trying to explain where it was that the mitigative part of the boundary was going to be located on his land and I found the reference in the assessment report, it's at page 36 of the submissions report prepared by NGH about - there's a discussion there of the boundaries and then a specific reference about halfway down to the western boundary. It says, "Western boundary southern section, the 30 metres is mostly contained within the perimeter road, 10 metres, plus screen planting, five." Then it says, "Plus existing track on neighbouring property,

10 metres equals total 25 metres.” I think if I’m right that’s what you’re referring so I just thought I’d assist the Commission by referencing that.

DR COAKES: Thankyou.

MR LALICH: Thank you.

DR COAKES: O.K. Thank you. Any questions, Chris? And thank you for turning your attention to the conditions, Paul, we do appreciate - appreciate that. All good. Yes.
10 Yes. Going back to Levi. O.K. Levi, do we have you back?

MR THURSTON: Yes, I’m back, thank you.

DR COAKES: O.K. Thank you.

MR THURSTON: Sorry, sorry about before.

DR COAKES: No, no, no problem at all, we’ve just moved on with the program and we’ve circled back to you. So over to you.
20

MR THURSTON: Fantastic. Thank you. Just - just to reiterate on a couple of points. So the early indications that we have on the insurance premium that would apply to the insurances the farms would require would start somewhere around the \$200,000 mark per annum which is really not a tenable premium considering the turnover in revenue of the farms of this nature. So our view of it would be that the only way for something like this to proceed with offering adequate protections for the farms would be for the owners and the organisers of the solar farm itself to indemnify the surrounding farms in regards to any losses that may be incurred due to their activities impacting the solar farm.

30 That would be the stance and understanding that we have looking at the current market with how difficult it is to place such a risk in the insurance market globally. That’s all that we really wanted to wrap up with, we just wanted to thank you for your time and allowing us to speak.

DR COAKES: O.K. Thank you. Thank you, Levi. Just before we close, I just wonder could I just ask Tim from Elgin just to come back up and just talk specifically, Tim, about the height of the panel issue please that we - obviously we had the site inspection earlier today and I’d just like some - just some information, yes. Yes.

40 MR AVERILL: Yeah. I said on average 2.65 to three metres is - is what we would expect the height of - of the - of the trackers to be because initially we were getting double - we were looking at double portrait which goes up considerably higher but in terms of the visual assessment - the visual impact assessment done it’s quite a bit - quite a bit higher. I’ll have to let you know exactly the height allowing the visual impact assessment was done but it was - it was higher than - than what the average height we’re expecting the panels to be at. So it was - it was - it was a very conservative height that we get the visual impacts assessment at for a reason so - so just to clarify that but we’ll make sure we get back to you exactly the vertical height that was - that it was - that it

was done at but if – because we do it at a couple of different heights and I'll just clarify that.

MR WILSON: Well, I think it's very important because the - - -

MR AVERILL: Absolutely.

MR WILSON: - the report refers to 3.5.

10 MR AVERILL: Yep. That, I believe, was what the visual impact assessment was done at.

MR WILSON: We need to understand.

MR AVERILL: Yes.

MR WILSON: What is the highest - highest point when those arrays are on their, what do you call it - axis. What is - yeah.

20 MR AVERILL: Yep.

MR WILSON: All right. Thank you.

MR AVERILL: Yeah, sure.

DR COAKES: O.K. Well, thank you, that brings us to the end of the public meeting into the Glanmire Solar Farm. We thank everybody who's participated in this very important process, both this morning and - and - this morning and this afternoon and Chris, myself and Richard have greatly appreciated all - all your input. We do
30 acknowledge the time it's taken by community to review all the documents, provide the submissions, attend the meeting today.

So we do very much - very much acknowledge that. Just a reminder it's not too late to have your say on the application. Click on the make-a-submission portal on our website or send us a submission by email or post and we would greatly appreciate any of the information that's been presented today is provided to us as part of that submission just noting that that will be obviously made publicly available. The deadline for written comments is 5.00pm next Friday, the 8th of December. In the interests of openness and transparency we will be - we have made a full transcript of this public meeting which
40 will be available on the website in the next few days.

At the time of determination we will publish the statement of reasons which will outline how the panel has taken the community views into consideration as part of its decision-making processes - process. So thank you to Chris and to Richard and thank you very much for watching, for those who are watching online, and those who are with us. Yes, we've got a question.

(SILENCE)

MR WILSON: It depends on how much information you request and - sorry.

(Someone speaking off microphone)

MR WILSON: Yes. Any information we put on our web you have additional time to respond to. So if we ask for information from the Department and they give us a response, that response goes on our web and you have additional time to respond to that. Thank you.

10

(SOMEONE SPEAKING IN THE BACKGROUND)

DR COAKES: We'll provide it. And there is a make-a-submission portal on our website so you click on that - that button and you can pop your submission in there and any attachments as well. So thank you very much for your time, as I said, from all of us here and enjoy the rest of your evening.

MEETING CONCLUDED