



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF PROCEEDINGS

RE: OXLEY SOLAR FARM (SSD-10346)

PUBLIC MEETING

COMMISSION PANEL: CHRIS WILSON (Panel Chair)
 WENDY LEWIN
 ALISON MCCABE

LOCATION: DANGARSLEIGH HALL, DANGARSLEIGH NSW

DATE: 3.00PM, TUESDAY, 17 OCTOBER 2023

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MR CHRIS WILSON: Good afternoon, everybody, and welcome to the Independent Planning Commission's public meeting into the State Significant Development Application for the Oxley Solar Farm. Before we begin I would like to 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 am Chris Wilson. I am the Chair of this panel. Joining me are my fellow Commissioners Wendy Lewin, on my right, and Alison McCabe, on my left. No
10 conflicts of interest have been identified in relation to our determination of this development application.

The IPC has a limited and specific role at the end of the planning process. We decide if an application should go ahead, and if so, under 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. To date we've met with key stakeholders, including the Department, Council
20 and the Applicant. The transcripts of those meetings are on our website. This morning we undertook a site inspection along with the Applicant and community representatives.

In making this decision, the Commission must obey all relevant laws and consider all applicable policies and the public interest. We are also obliged to consider public submissions and that is the purpose of today. We want to hear what you think about the merits of this proposal. This forum is not a forum for submissions on whether you like or approve of the Applicant, the laws which we must obey or the policies which we must consider. The application has already been assessed by the Department on our behalf. Many of you may have already participated in this process and we thank
30 you for that participation. There is no need to repeat your previous submissions. They are all available to us for our consideration. The Applicant and the Department have considered your submissions and taken them into account in the application assessment and conditions we're considering today. Today we want to hear your response to the Department's assessment, recommendation, and the recommended conditions and whether there are any residual issues that you think require further consideration. Even if your submission today objects to the application being approved at all, we encourage you to tell us whether any of your concerns could be addressed either wholly or in part by the imposition of conditions. Your consideration of alternatives does not in any way compromise your submission and it enables the
40 panel to consider all options.

We will first hear from the Department of Planning and Environment on the findings of its whole-of-government assessment and the application currently before the Commission. In this respect, Iwan Davies from the Department was expected to be here to talk in person, but his flight was cancelled out of Sydney this morning and he's attending via video link. We will hear from the Applicant second, who is here today. We will then proceed to hear from our registered speakers. While I will endeavour to stick to our published schedule, this will be dependent on the registered speakers being ready to present at their allocated time. I will introduce each speaker when it's their turn to present to the panel. Everyone has been advised in advance of how long they have to speak. A bell will sound when a speaker has one minute remaining. A second bell will sound when the speaker's time has expired. To ensure everyone receives their fair share of time, I will enforce timekeeping rules. Extensions may be granted on a case-by-case basis. However, in the interests of fairness to other registered 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 will be appreciated if you could provide a copy to the Commission. Please note that any information given to the Commission may be made public. The Commission's privacy statement governs its approach to managing your information and is available on the Commission's website.

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Now, exits from this venue in case of emergency are located obviously on both sides of the hallway and the toilets are out the back on the right, but I think you people probably know that better than I do.

It's now time to call our first speaker. And Iwan Davies - Iwan, are you there?

MR IWAN DAVIES: Okay, thank you, Chair. Afternoon, all. My name is Iwan Davies, Director for Energy Assessments at the NSW Department of Planning and Environment. I would also like to acknowledge the traditional custodians of the land on which we are joined in today's meeting and pay my respects to their Elders past, present and emerging, and extend that respect to any Aboriginal and Torres Strait Islander people here today. I do apologise for not attending in person. As noted, my flight was cancelled this morning.

If I could see the slideshow, please. Thank you. And could we move to slide 2, please. Perfect. So the assessment process. The Oxley 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 whole-of-government assessment of the application. By that I mean that we have included and consulted with key agencies and Armidale Regional

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Council in preparing our assessment. I do want to note that through the process, as shown by the flowchart, 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.

10 Next slide, please. The Applicant proposes to develop a 215 megawatt solar farm with a 50 megawatt hour battery and an onsite substation. The site is located in a rural area about 14 kilometres south-east of Armidale. Before I go into the assessment issues, it's important to provide some strategic context about the project in relation to its location and access to both the existing electricity network and transport links. The project is located in the New England Renewable Energy Zone, which was formally declared by the Minister for Energy in the Electricity Infrastructure Investment Act 2020. Renewable Energy Zones are the equivalent of modern-day power stations and they will combine new renewable energy generation projects such as Oxley Solar Farm; storage such as batteries, as is included in this project; and high-voltage transmission infrastructure. The New England Renewable Energy Zone was declared due to its excellent renewable energy resource potential and proximity to the existing electricity network.

20 Next slide, please. Building on the strategic context of the REZ, there are additional considerations from a regional context that the project site would benefit from. The site has direct access to the electricity network via Transgrid's existing 132 kilovolt transmission lines that traverse the site. The site has good transport links with access via the New England Highway and Waterfall Way, which are both state roads, with limited use of local roads. The site is located in a sparsely populated rural area with no significant visual or noise impacts on residences or the Oxley Wild Rivers National Park. The site is located on land that is not mapped as biophysical strategic agricultural land, that is BSAL land, and predominantly on land that has a land and soil capability of class 5, which is defined as having severe limitation for agricultural purposes and is currently primarily used for grazing. And there are limited biodiversity and heritage impacts, which has been reduced through project design and avoidance of higher quality vegetation. The project would also provide flow-on benefits to the community, including up to 300 construction jobs and contributions to Council through a voluntary planning agreement. There would be broader benefits to the state through an injection of \$370 million in capital investment into the New South Wales economy.

40 Next slide, please. The Department exhibited the EIS from 17 March until 14 April 2021, and received 79 public submissions, consisting of 78 objections and one comment. Advice was received from 15 government agencies, Transgrid and

Armidale Regional Council. The Department also consulted with Council and government agencies on key issues, inspected the site, visited neighbouring landowners and the national park, and held a community information session in May '21. None of the agencies, Council or utility providers objected to the project. Approximately 15 per cent of submissions were received from residents located within two kilometres of the development footprint. Public submissions typically focused on local impacts and matters related to the local community. The most common matters raised in submissions were land use compatibility, visual amenity, impacts on the national park, biodiversity, community consultation undertaken by the Applicant, water and flooding. After the Department raised concerns with the project as it was initially proposed and exhibited, the Applicant made significant changes to the project.

The development footprint was reduced by 70 per cent from 895 hectares to 268 hectares. The orange layer on the slide depicts where project infrastructure was removed, particularly in the south-west of the site, providing significant setback from residences and the national park. This included an additional 890-metre setback from residence R201, resulting in a 1.5 kilometre setback from the residence; an additional 800-metre setback from the Blue Hole Picnic Area within the national park, resulting in a 1.3-kilometre setback; and an additional 500-metre setback from the associated walking track, resulting in a 1.2-kilometre setback. The amendments also included avoidance of 83 per cent of native vegetation onsite. The Applicant also relocated the site access point to improve road safety and agreed to upgrade the Gara River Causeway to improve road safety, amenity, flood immunity and to enable fish passage. Whilst the amendments significantly reduce the visual and biodiversity impacts of the project, there was only a 15 per cent reduction in capacity from 255 megawatts to 215 megawatts.

Next slide, please. I'll now talk about the five key issues for assessment, being energy transition, land use compatibility, biodiversity, physical amenity and traffic and transport.

Regarding energy transition, the project would generate enough energy to power about 80,000 homes, increase the renewable energy capacity of the National Electricity Market, and contribute to the state's transition to cleaner energy as coal-fired generators retire. The project also includes a 50-megawatt battery energy storage system, which could power around 10,000 homes during peak demand. The battery would also assist with firming the grid and increasing grid stability and energy security.

Next slide, please. While the Armidale LGA has traditionally relied upon agriculture, the introduction of solar energy generation would contribute to a more diverse local

economy. The vast majority of the site is currently used for low-level sheep grazing, and grazing could continue under the panels when the project is operational. The project components have been sited to avoid important agricultural land. Most of the development footprint, about 67 per cent, is on land mapped as class 5, meaning that agricultural use of the land is largely restricted to low-to-moderate impact uses such as grazing and occasional cultivation for fodder crops. The land used by the project would represent a very small fraction of agricultural land in the New England region and it could be readily returned to agricultural land following decommissioning.

- 10 Next slide, please. In relation to biodiversity impacts, in summary, the Department considers that the project is unlikely to significantly impact the biodiversity values of the locality due to lack of native vegetation within the site and low condition of native vegetation being impacted. The site is predominantly comprised of paddocks that have been historically cleared and disturbed for agricultural purposes. The project would avoid 83 per cent of native vegetation within the site. In addition, approximately 65 per cent of the development footprint is category 1 exempt land in accordance with the Local Land Services Act 2013, which can be cleared without approval. The residual impact of the project would be largely to lower condition native vegetation. The Department has recommended a number of conditions to
- 20 mitigate the residual impacts, including retiring the offsets generated by the project prior to carrying out any development that could directly or indirectly impact on biodiversity values, and to prepare a biodiversity management plan, including measures to minimise clearing and avoid unnecessary disturbance of vegetation located within the development footprint, and measures to control weeds, feral pests and pathogens. With the measures outlined in the recommended conditions, the Department and the Biodiversity, Conservation and Science Directorate consider that the project is unlikely to significantly impact the biodiversity values of the locality.

- 30 Next slide, please. The transport route to site would primarily be via the state road network, from the New England Highway through Armidale via the approved heavy vehicle route for vehicles up to 26 metres in length, before continuing on to Waterfall Way, turning right onto the Armidale Regional Landfill access road and entering the site via new site access points in the north-west corner of the site. To address concerns raised by the Department and Transport for NSW, the Applicant has committed to the use of a shuttle bus service to transport the construction workforce to site to ensure light vehicle movements do not exceed 30 movements per day. The use of local roads near the site, including Gara Road and Silverton Road, would be prohibited except to construct a two kilometre extent of Gara Road that would be
- 40 upgraded to allow access between the northern and southern sections of the site. The state road network has sufficient capacity to accommodate construction traffic of all nearby projects, including the approved Stringybark and Olive Grove solar farms.

Next slide, please. The road upgrades required to facilitate construction of the project include widening a 200-metre section of the landfill access road, constructing the primary site access point, upgrading a two kilometre section of Gara Road, constructing four secondary site access points on Gara Road, and reconstructing the Gara Road Causeway. All the road upgrades must be undertaken to the satisfaction of the relevant roads authority, being Council in this instance. The Department has recommended strict conditions of consent, including requiring relevant road upgrades to be undertaken prior to commencing construction, restricting the number of vehicle movements and limiting the use of local roads.

Next slide, please. Concerns about visual impacts in public submissions included potential impacts on residences and the surrounding landscape, including the Blue Hole picnic area and associated walking track within the national park. The Department visited the site, Blue Hole picnic area and the walking track within the national park, and nearby residences to assess visual impacts and to further understand residents' concerns. Following the exhibition of the EIS and to address concerns raised by the Department, agencies and neighbouring landholders, the Applicant reduced the scale of the project by removing large sections of infrastructure, including increased setbacks from all residences to the west of the site and residence R5 to the east. All residences within two kilometres of the revised project would experience low or nil visual impacts. The proposed onsite vegetation screening, which you can see in green on the slide, would reduce views from these residences further. The Applicant has also committed to consulting with the landowners to implement vegetation screening at their property. As noted, amendments to the project provide a 1.3 kilometre setback from Blue Hole picnic area and a 1.2 kilometre setback from the walking track. With these amendments and the proposed vegetation screening, the project would not be visible and no visual impact would occur.

There will be no permanent night lighting installed within the solar array, only some security lighting around the perimeter and buildings. The Department has assessed the potential for cumulative visual impacts of the project with Stringybark Solar Farm and Olive Grove Solar Farm. There would be nil or low cumulative impacts associated with both projects due to distance, topography and intervening vegetation. There are no noise exceedances during construction or operation of the project in accordance with relevant noise policies.

Next slide, please. In addition to its contribution to the energy transition, the project would provide benefit to the community by providing 300 construction jobs, expenditure on accommodation and businesses in the local economy by workers and on goods and services. In addition, the Applicant would enter into a voluntary

10 planning agreement with Council, including providing contributions of 5.58 million. There would be broader benefits to the state through an injection of 370 million in capital investment into the New South Wales economy. The Applicant is committed to sourcing workers from the local community to reduce accommodation and service pressures. The Applicant's assessment concluded that there is sufficient accommodation available in the Armidale region and Council did not raise any concerns. To encourage the employment of locally sourced workers and ensure cumulative impacts are considered, the Department has recommended a condition requiring the Applicant to develop an accommodation and employment strategy in consultation with Council.

20 Next slide, please. The operational life of the project is about 20 to 30 years but there is potential for it to operate for a longer period of time if solar panels are upgraded. The Large-Scale Solar Energy Guideline identifies four key decommissioning and rehabilitation principles for circumstances where an Applicant ceases operating a project, which are that the land must be returned to pre-existing use; infrastructure, including underground infrastructure, must be removed if operations cease; the land must be rehabilitated and restored to pre-existing use; the owner or operator of a solar energy project should be responsible for decommissioning and rehabilitation. Regarding decommissioning bonds, it is the NSW Government's policy that financial assurances should not be required by conditions of consent, and any financial assurances should be dealt with in commercial arrangements outside of the planning system. The Department also considered a number of other issues in its assessment of the project, as set out in its assessment report.

30 Next and final slide, please. In summary, electricity generating works on the site are permissible with consent and the project is located in the New England Renewable Energy Zone. It has good solar resources, direct access to the road network and direct access to the electricity network. The project has been designed to largely avoid key constraints, including amenity impacts, agricultural land, water courses, remnant native vegetation and Aboriginal heritage sites. 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 Wales policy. It would generate enough electricity to power approximately 80,000 homes and 50 megawatts of energy storage to dispatch energy to the grid when the energy generation from renewable sources is limited. The Department considers that the project achieves an appropriate balance between maximising the efficiency of the solar resource development and minimising the potential impacts on surrounding land users and the environment. Through job creation and capital investment and a planning agreement with Council, 40 the project would also stimulate economic investment in the renewable energy and provide flow-on benefits to the 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 you.

MR WILSON: Thanks, Iwan. Iwan, can I request that you remain and listen for the remainder of the meeting. Is that okay?

MR DAVIES: Absolutely, yes.

10 MR WILSON: Okay, thank you. Because there may be issues and further questions that come from today that the Commission may need to ask. Just to give you a heads-up. So, look, thank you very much for that, Iwan. So I'll now move on to invite Bruce Howard to come and speak on behalf of Oxley Solar.

MR BRUCE HOWARD: A privilege to be able to present both to the panel and to members of the public. We also recognise the local Aboriginal inhabitants and community, and all their Elders past, present and emerging.

20 So I'll just go through some aspects of the project from the beginning to the current time. So first slide. This is similar to Iwan's slide, showing the context of the project in relation to the Armidale area. And critically, as was already mentioned, we have good road networks, and the powerline, Transgrid's powerline with sufficient capacity to connect to, goes through the northern part of the site. So it has good infrastructure provisions.

Next slide. This is just a bit of a timeline of our project activity. As you can see, we started talking to landowners back in 2018 and developed our scoping report, which was published, and the Department of Planning then provided us with SEARs, which we then moved on and did a whole lot of assessments. Unfortunately that was during
30 the COVID period. We probably lost 18 months to two years almost in study time because we couldn't get ecologists and other people onsite. However, that was interruption for many other projects, not just us. Then we move into, as Iwan mentioned, into the EIS preparation and publication, community consultation and exhibitions and visiting both stakeholders and residences in the area. We also met with the Australian Government, the Australian Energy Infrastructure Commissioner, to get advice and understand what they considered best practice in developing these types of projects. We then receive feedback from the EIS, both the Department and members of the public. As Iwan mentioned, we also made significant changes to the project in reducing the footprint, number of panels and the setback areas. I've got
40 some more slides on that in a moment. We also, throughout this process, we dealt closely with Armidale Regional Council and also we kept the state MP Adam

Marshall informed. In amongst this we also sponsored some charity events in the community as well over this time. Then we move down to late 2022 and actually provided our revised project outline to the Department, and that was assessed. Some more requests were asked of us by the Department, and then in the last few months, in September, the Department assessed it and provided their report, which has been published publicly. And we're now at the end of the planning phase where the IPC makes their determination.

10 Just in a bit of a summary way, we ensured we had newsletters on our website. We posted or emailed everyone on our contact list when we put a newsletter out. We had public information sessions. We did site visits to anyone who requested and we did numerous emails and phone calls. So overall, since the start of the project, we've established open lines of communication with stakeholders and the public. We've had an email, phone number and a website since almost the beginning of the project to receive any communication, queries or requests from any member of the public or any other stakeholder.

20 Next one. This was referred to by Iwan and this is from some of the Department of Planning reports about the issues that were raised. I'll just go through a number of these, particularly the top few.

Next one. This was shown before but, in essence, we reduced the project impact by removing all these orange areas and moved the project or contracted it further north-east to both improve the visual amenity and also reduce any environmental impacts.

30 Next one. We also did a thorough visual assessment. We mapped out where all the houses were or receivers there in the red squares. We then did 17 visual viewpoints and analysis around the area. That's these round circles. And we mapped out - the black line is one kilometre from the project boundary and the yellow line is two kilometres. So we focused obviously on that area significantly.

Next one. Just some comments, and Iwan mentioned a few of these figures, but the total effect of this was to reduce our development footprint by about 70 per cent. Reduced our solar panel area by about 27 per cent. We reduced our number of panels by about 46 per cent. We increased the distance from receiver R5 by about 12 per cent, receiver R7 by about 1.5 kilometres or 113 per cent, R201 by about 154 per cent. We also increased the Blue Hole picnic area setback by about 170 per cent. On the ecological side, there is a slight increase in the native vegetation biodiversity, but that wasn't an actual impact, it was because we reclassified some areas by definition. A 74
40 per cent reduction in box gums affected. A 75 per cent reduction in the effects on hollow-bearing trees. And as was mentioned before, all this with only a reduction in

15 per cent of generation capacity. We're able to achieve that because we're using more efficient panels than we had in the original proposal, so increases in technology have allowed us to be more efficient, have more generation output from a given area. So that's been wonderful.

Next one. So the project amendments overall. We listened to the community and stakeholders and we changed to what we believe is a far less impactful project. A 70 per cent reduction in the development footprint. 330,000 solar panels removed. We relocated the access way to the site off Grafton Road to make it safer and removed any traffic congestion on the local Silverton and Gara Roads. We increased setback from nearby residences. Increased setback from Blue Hole in the Oxley Wild Rivers National Park. We reduced the impact on native vegetation. We reduced the impact on the box gum woodland. And we're committed to upgrading the Gara River Causeway to make it higher, more flood immune, greater fish passage capability, and basically a safer road in that area.

This was shown before by Iwan as well but just this is the proposal for the project footprint. Down at Blue Hole we're putting screening, even though the view there is minimal to nil, we're putting screening along the south of the north-western area and other selected screening areas near where it's close to public roads or where a residence may have some slight view line.

Next one. Just focusing on the national park, which is of quite an interest to many of you. The Blue Hole is here. The vegetation planting will be along here and the track is along here. The panels are up in this corner here. So as Iwan said, the view line is minimal or nil from this track and this picnic area to this area up here. There is quite a bit of detail in our reports that shows the pictorial and other analysis of this issue.

Next one, please. This is a typical screening planting. Obviously it's tailored to the actual location, but in principle that's the approach we take. And of course the species and the type will be dependent on that particular location.

Next slide, thanks. That's just a photo of an area along the walking track in the national park, looking over this area towards the property with the panels almost over that horizon.

Next. Again, the biodiversity or the land and soil capability is low. I think Iwan went into that in quite a bit of detail. This area it's quite low soil capability and that's - there's quite a bit of detail in our reports on that.

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Next one. Again, the BDAR or the threatened ecological communities. We've made a huge effort to reduce our impact or avoid them altogether, and again in the report there's quite a bit of detail behind this mapping.

Next one. In waterways and flood analysis, our consultants have done quite a bit of detail here, but the overall conclusion of their report is that there are no adverse flooding or waterway impacts by way of the project being built.

10 I think that's it. Thank you very much and we appreciate the opportunity to be able to present to the panel and the public.

MR WILSON: Okay, thank you, Bruce.

MALE SPEAKER: The screen's too far away and you can't make out enough detail back here.

MR WILSON: Sorry, is there an issue with the screen?

20 FEMALE SPEAKER: How about a copy of these?

MR WILSON: This will be made available. So that was - if you just bear with me. So for the public record, both the Department's presentation and this presentation will be made available on our website. And I would also like to say that we've had meetings with the Applicant, Council and the Department and we've asked a range of questions and for additional information to be supplied to us, which will also be made available on our website. Also as a result of this morning's site inspection we've asked for additional visual impact assessment work to be undertaken so we can clarify and have some more factual information available to us. So that will also be made available on our website. So that's putting that on the public record.

30 So, Bruce, we thank you, but as you understand, following from today's presentations and submissions from the public, we may have further questions.

MR HOWARD: That's fine, and we understand the process.

MR WILSON: Okay.

MR HOWARD: But our door is always open. Our website's there. We have a phone number, email - - -
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MR WILSON: Yeah, but we from today, we will have, likely to have a range of questions as well and responses, and you'll need to respond to those, which will also be put on our website. But thank you anyway.

MR HOWARD: We look forward to it. Thank you very much.

MR WILSON: Thank you. Now, I would like to now call our next speaker, Lynette LaBlack. Okay, we need to take a short break because we're running ahead of schedule.

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MR WILSON: Thank you. Welcome back, everybody. We've done some rescheduling to make sure that this afternoon flows a little bit better and to accommodate some additional speakers. So I would now like to call on Ian McDonald.

MR IAN McDONALD: Thank you very much.

MR WILSON: Thank you, Ian.

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MR McDONALD: I missed the registration date.

MR WILSON: No problem.

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MR McDONALD: So I didn't expect to get the opportunity to speak today, so I do appreciate it. I'd just like to raise an issue which doesn't appear to have been recognised in what I've heard here this afternoon by the Commission, and that is the matters of contamination and waste management. So I'm not necessarily - the issue I have is of a general nature and it pertains to all solar farms, not necessarily just this one, but this one is included. If I could just read some notes here if I may. So the basis, then, of my objection is contamination to waterways, soil profiles. Waste management arising from solar components is acknowledged worldwide as a ticking time bomb. However, these issues don't appear to have been raised today at this Commission thus far. I could be wrong there, but anyway.

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Presently, this is the specific point I'm getting to here, that presently under section 1 of the POEO Act 1997 electricity works that generate electricity through the use of solar are not scheduled under that. So they're not scheduled, therefore that means that the DPE, the EPA and presumably any LGA are absolved from any responsibility regarding contamination caused or waste management arising from solar generation. So I ask who is responsible and I've asked various government, levels of government

this question for probably the last couple of years and the answer I get is there is no plan, and that's from every level of government. I've written extensively to every level of government - federal, state, local - and when I do get a reply it's either they pass the buck to another arm of government, whether it be the EPA or whoever, but then you talk to the EPA and they say the same thing. So I think this is an enormous problem.

10 So I'll just close in saying that no one seems to - well, no one to my knowledge has accepted responsibility for contamination issues or waste management arising. And there's talk today of the decommissioning and what have you, but the problem is there are no financial bonds put in place. There are voluntary agreements and so forth and so on. And anyone I've ever spoken to in government, they won't say this officially but they say, well, it's the responsibility of the developer. And then I say to them, I write to them and say, well, where will the developer be in 25 years' time? And then they say, and I say, well, you should be putting, laying the responsibility with the landowner. And I think this is a very important point because the developer, a lot can happen in 25 years. \$2 companies, they often change hands. We all know those.

20 So if I can just close by saying, basically I'm saying who is responsible? No one seems to be. Until this conundrum has been resolved and an environmentally acceptable plan is legislated, I'm calling on the NSW Government to initiate a moratorium on all solar applications.

Thank you very much indeed.

MR WILSON: Thank you very much. Okay, I'd like to call Mark Fogarty. You there Mark?

30 MR MARK FOGARTY: Okay. Yeah, am I coming through okay?

MR WILSON: Gotcha.

MR FOGARTY: Hi there. Thanks. I'd like to thank the Commission, Chris, Wendy and Alison, for the time to present in five minutes I think my overview of the project and clearly an objection to the project.

40 First issue I quickly want to run through is social licence. The proponent on this particular project has pretty much remained in the shadows from the start. I know it may have been evident over the last day or so there, but there have basically been three directors from Hong Kong, Megawatt Holdings Pty Ltd, and they were largely faceless I think right throughout the early period of this project being tabled. There

was no obvious overtones from the government that they had development experience or they displayed the financial wherewithal to take this thing forward. As the record now sits when the project went on public exhibition, there were 78 objections and no supporting submissions. So from a social licence perspective, you won't get any clearer evidence, I don't think, that this project doesn't have social licence.

When you then look at the comments from the local member, Adam Marshall, who publicly and privately said the project won't happen because of the lack of social licence, further evidence I think confirms that it's just not a suitable project and not acceptable to the community in any shape or form. That also raises a question, I think, for the Commission because I'm assuming that this project wants to connect to the grid. I'm assuming that the project will seek either under the Electricity Infrastructure Investment Act grid access or perhaps an LTESA. And of course within the merit requirements of the Electricity Infrastructure Investment Act, the planner, which is EnergyCo, and then the consumer trustee appointed under that legislation must be satisfied that social licence exists. So I don't know how EnergyCo can give effect to any request when the social licence is clearly missing from the project.

The second thing the Commission will be interested in, because community participation is very much a cornerstone of the legislation, the planning legislation, but in this particular case the level of consultation was very meagre, if any. It was very much a tick-the-box. And I think if the Commission reflects on the 78 objections, you'll find a very common thread right the way through of complete lack of consultation.

Moving to the environmental issues, I think that, as the Commission will probably no doubt be aware, the project fails basic scrutiny. It sits on top of one of our great treasures, the Gondwana Rainforest, heritage listed public assets that are very important immediately to not only the local public in Armidale but of course the visiting public. So there's a very, I think a major issue there in terms of just exposure to biodiversity, platypus sightings, the eagle population that inhabit the park. So I think, you know, the argument really should be there should be a buffer around the national park. I think we should be looking at every opportunity to protect these particular treasures.

I sit also on the, say, the Macleay River body, that we're very interested in the integrity of the Macleay River, and I just reflect on the comments of Mr Ian McDonald just then about I think potential toxicity, and that's a major concern of pollution into the upper tributary of the Macleay River, the Gara River and of course the Commissioners Waters which border this particular project. So I think this answer - I suspect the answer to Ian's question really is that the local government are responsible

in the absence of any scheduling under the PEO Act. Therefore, the liability probably sits with them. I'm not necessarily sure. Like a lot of LGAs, they're fairly conscious of what that actually means, but when you look at the communities downstream on the Macleay and particularly some of the aquaculture, the oyster businesses and the other fishing businesses, together with just the residential population down there, it's a fairly large exposure that I think should be given as much precautionary principle as possible.

10 The Indigenous culture issues, I think the ACHAR was underdone and there was a lack of scrutiny. Talking with the Anaiwan people, it doesn't appear to me that it was done satisfactorily, and that should be of major concern, particularly the debate this country went through over the weekend.

The modifications that have been proposed I think are very cosmetic, and this is what we often see with developers, just fine-tuning.

20 So clearly it's the wrong place, and when you take into account the fire risks, you take into account the visual amenity, the loss of visual amenity, particularly from Waterfall Road and for the residents around it, it's a project that shouldn't go any further. I think it's demonstrable in its lack of integrity, and I think from, you know, I implore the Commission not to give grant consent to the project.

I think that's my summary. I hope that made a bit of sense.

MR WILSON: It did. Thank you, Mark. Appreciate it. Have you finished, Mark? Is that it? He's gone.

MR FOGARTY: Yep, thank you.

30 MR WILSON: Thank you. I would now like to call Arleen Packer.

MS ARLEEN PACKER: My name is Arleen Packer as you've already said. I am a TAFE teacher in agriculture and I also represent an environmental group called Save Our Woodlands, and I am objecting to this solar development on many grounds. And I'm actually going to agree with what Mark has just said. There's no social licence here. The people that want this particular development to go ahead are not the people who live here. They're the people who - they come from far away, from other countries, from the government in Sydney. These people want it. They don't live here, they don't know what the effect is going to be, and they most probably do not
40 care. I don't think that it's good for anyone to be doing stuff just for the sake of the

money. I think that we should be thinking a lot more about our environment and about the people who have to live here.

You know, if we were going to actually succeed in getting solar and wind to fulfil our base electricity needs, somehow or other maybe I could even feel positive. But we all know that it's not going to do that. I mean, we talk about Germany. Germany is the place where all the solar and wind is and they import electricity from France. In my submission, which I have put in, there's the latest figures from April and May. Now, I do know that Germany also exports power, and this is the fluctuating nature of solar and wind, plenty sometimes, none sometimes. It's not base power. We're going to have to keep on having coal or gas or nuclear or something because this is not going to solve our problems. So what are we doing?

You know, people say that when a solar farm is decommissioned we can bring it back to agriculture. Well, solar panels, this is what they contain: lead, cadmium, lithium, strontium, nickel, barium, zinc, copper and selenium. And I have another reference here which is measured underneath solar panels, and all of these heavy metals go into the soil. So what you've got left when you end up, when you finish with your solar farm is a toxic waste dump and it's not ever going to be able to go back to agriculture.

The other thing that really concerns me is this thing of what are we going to do with the solar panels when they're finished with? Now, I had a talk to the Mayor of Armidale about this and he told me, firstly, the Armidale tip does not have to take solar panels. Okay, so where are they going to go? We don't know. At present, solar panels, they don't measure them. They are classified as hard waste and they from - this is anecdotal evidence from the truck drivers that have been carrying the broken solar panels from the Uralla Solar Farm, and they said, now there are two stories here so I'm not too sure, but one of them said there's a whole bay in the new regional tip that has been filled with solar panels already. This is directly above the Oxley Wild Rivers National Park and the Armidale Council is not even aware of this and they certainly haven't done anything to try and mitigate the toxic waste, which has just been dumped. So I think the Armidale Council is so obsessed with making money - again it's a money thing - they've forgotten about their duty of care to the people and their ratepayers. So please, let's start to think about what we are doing here.

Now, I have also been told about the myth of recycling solar panels. Now, overseas they've been doing solar and wind for 30 years. Right here, right now, about 10 per cent of solar panels are recycled but it is not financially economical. So who is going to foot the bill to make our solar panels recycled? Oh, just the public, just us again, you know. So we have a big company making lots of money and we've got to foot the bill yet again.

And then there's the decommissioning thing. When the whole show is decommissioned, where are the solar panels going to go? This is like - there's no provision in the legislation for decommissioning. And what, who's planning this? What sort of people are planning something that does not take care of the decommissioning? We are going to have millions of solar panels which are toxic. The Council doesn't have to take them, I've been told. They can't be recycled unless somebody puts a whole lot of money up. What's going to happen?

10 I think the planning for this has been appalling and I think that, you know, to wreck our environment, to pollute our environment for the sake of our, you know, that our children and our grandchildren are going to have to fix up, I think the people are going to look at us in complete horror at what we've done. So thank you.

MR WILSON: Thank you, Arleen. So may I now call on Heidi - sorry? Oh, it's Lynette. Okay, thank you. Sorry, Lynette LaBlack. Thank you very much.

MS LABLACK: Hello?

20 MR WILSON: We can hear you, Lynette.

MS LYNETTE LABLACK: You can hear me? Thank you to the panel for allowing me to speak today as a directly impacted, long-suffering, emotionally, mentally, physically, socially, economically harmed neighbour and as an unpaid, forced-to-be-conscripted compliance officer for four years regarding obnoxious industrialised solar electricity generating work at Bomen, Wagga Wagga. These were approved against my will, without my consent, in fact with no contact whatsoever at all prior to this shockingly fast-tracked neighbouring and horrific industrialised solar approval. The environmental destruction alone has been so disastrous that one of the three architects
30 of the plan to decarbonise New South Wales within a decade, originally claiming in 2019 to improve biodiversity, the air, soil, water, create lots of jobs, Wagga MP Joe McGirr, finally recognised the practical reality mid last year of his almighty blunder, that the detrimental impacts have been horrendous, declaring that solar factories are environmental vandalism. They are not clean and green at all, raising serious concerns about food security, sterilisation of the soil and dryland salinity.

Oxley Solar and all others are nothing but a fake green renewable solar/wind energy poverty grift and Ponzi scheme/scam that's wrecking Australia so dodgy developers, multinationals, woke corporates and wealthy investors can satisfy their insatiable
40 greed, control us through energy poverty, make us reliant on the Chinese Communist

Party, subject us to a national security nightmare and exploit the victims of cruelly tortured modern slavery, as Oxley Solar will do.

It appears highly likely that Oxley Solar development company would actually be subject to the Chinese Communist Party's national intelligence law. Senator James Paterson has long raised the alarm bells of components manufactured in China, including solar inverters and EVs, being a totally insecure cybersecurity threat, able to be remotely disabled. By far the majority, if not all, solar panels or the polysilicon in the panel used for industrialised solar in Australia are being unethically produced by
10 cruelly tortured Uyghur slave labour supply chains, and there is no clean cobalt being sourced for toxic (not transcribable) wind turbine monstrosities and filthy fire inferno lithium batteries such as Oxley Solar has planned. There is a complete failure in this plan and conditions to properly address the NSW Parliament Modern Slavery Act 2021 and the new modern slavery conditions set 24 November 2022 by the Oxley Bridge Road Uranquinty Solar Determination Meeting.

Additionally, while there is an excessive amount of waffle by NGH Consulting in the EIS about various contaminants and mitigation measures, it is apparent that they and NSW DPE have yet again carelessly and irresponsibly deliberately excluded the
20 specific toxic contamination risks that toxic class solar panels, containing numerous heavy metals including lead, present to this pretty, biodiversity precious, productive, fragile and flood-prone Dangarsleigh Oxley solar site and the surrounding land and numerous onsite water sources, including 34 dams, tributaries of Macleay River, Gara River and Commissioners Waters, Lambing Gully tributary and approximately 15 unknown tributaries that traverse the site, as well as aquatic habitat and vegetation onsite in the Gara River, mapped as key fish habitat. Where are the specific conditions set in recognition of the onsite heavy metal contamination from the more than 385,000 toxic class solar panels as they inevitably cause serious, irreversible environmental harm as they age and degrade? Where is the outline of the required
30 independent expert testing and the reporting of onsite and water run-off; the specific contamination response procedure required prior to construction; required testing of toxicity levels for onsite grazing stock; and any mention of funding required to contain any toxic residue or heavy metal leachate washing from the aged, degraded, inferior, pale, fractured, burnt or subsidence-impacted solar panels during the operation of Oxley Solar? Where is the plan to address a common hailstorm event when we've seen thousands of hail-fractured solar panels, 31 August 2020, left broken in situ for 10 to 11 months? Some still remain broken there today. The Gympie Woolooga solar hailstorm left a trail of destruction last December with 68 semitrailer loads of fractured solar panels replaced, and no one can tell us where they've secretly been dumped, and
40 if anyone has bothered to test the soil and water, and even if anyone has even bothered to test the soil and water for heavy metal contamination.

It is inexcusable that to date these serious, irreversible public health and safety risks to our life-sustaining food resource land and vital water sources have been deliberately ignored, fobbing off the precautionary principle by the NFF, the EPA, DPI Ag, NSW Farmers, Federal and State Governments, including the New South Wales Solar Guidelines

[This section has been intentionally redacted in accordance with the IPC's Public Submissions Guideline]

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This is her quote: “In regard to your query regarding the issue of contamination, the metals in solar panels cannot be easily released into the environment. This is because the metals are enclosed in thin layers between sheets of glass or plastic within the solar panel. Because of this, the use of metals in solar panels has not been found to pose a risk to the environment. To readily release contaminants into the environment, solar panels would need to be ground to a fine dust.” Nowhere is that found in any credible research.

20 I also seek, as a supporter of far superior Australian power and the National Realists Energy Network integrated systems plan, and as a genuine advocate for a sustainability, a protection of nature, our life-sustaining, limited, irreplaceable rich soil heritage, food resource land and vital water sources, representing Save Our Surroundings Riverina. Considering my early childhood teaching and expertise, being a mother and grandmother of numerous, vulnerable young children with a particular interest in teaching children the observable facts about our wonderful creation, it is glaringly obvious that the introduced feral species of toxic industrialised solar, wind and battery energy storage systems, as planned by Oxley Solar, is a transition to extinction and weather-dependent pathetic power. Whilst New South Wales DPIE and the past IPCN panel clearly just trusted the developers, who never meet their
30 conditions and appear to be a law unto themselves, a lack of separation of interests is standing in the way of responsible decision-making.

[This section has been intentionally redacted in accordance with the IPC's Public Submissions Guideline]

MR WILSON: Excuse me, Lynette. Lynette. Lynette, can you stop for a minute, please.

40 MS LABLACK: Sorry?

MR WILSON: Lynette, can you please not personalise this. Can you just please talk to the project and the merits of the project.

MS LABLACK: Yes.

MR WILSON: It's unreasonable and unfair to talk about other people in their absence and this is not the forum. So I would really appreciate if you just stick to topic, which is the Oxley Farm and its impacts. Is that okay?

10 MS LABLACK: Yeah, I've nearly finished.

MR WILSON: Thank you very much.

MS LABLACK: Oh, well, I've finished that bit. Thank you. Yes, well, anyway, we've had some very concerning issues with previous developments, and the Federal Minister Chris Bowen has contributed \$100 million of debt-financed money towards those stitch-ups, as well as with Microsoft's PPA. I quote NSW Fire and Rescue, who have done no research whatsoever regarding industrialised solar risks such as Oxley Solar.

20

MR WILSON: Are you still there, Lynette?

MS LABLACK: "This is a dangerous, delusional renewable experiment, irresponsibly inflicting on us without our consent. It will threaten our lives for numerous people throughout New South Wales." This is the quote from New South Wales Fire and Rescue. 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. That's referring to battery energy storage systems, and they've done nothing whatsoever regarding large-scale solar. The fake green renewable corporation has taken away the science, the engineering and systems that ensure a highly advantageous electricity infrastructure system that actually works, the industry that relies on it, and our once wealthy country.

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The lack of scientific inquiry amounts to negligence. Approvals contrary to the robust independent peer reviewed evidence and the data are wrong. This has paved the way for misinformed decision-making, no longer reliant on the objective truth. We now have Dracula in charge of the blood bank, relying on data provided by vested interests which is clearly not for the greater good. Now, with my photos I think the pretty view

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of the area where my property is located next to industrialised solar should be on the screen. Is that there?

MR WILSON: Yes, if that's the road between the two fields, yes.

MS LABLACK: Sorry, that's what?

MR WILSON: It's the dirt road between the two fields. Is that correct?

10 MS LABLACK: Yes, with all the cropping. According to the Department that area was classed as wasteland and they said it was easy to approve the adjacent solar because there's nothing out there. So you can see that it's a very productive area and I'm concerned about the down-classing of the land in the Oxley Solar area. Secondly, there's a photo of a cut hollow log. This is a typical example of solar construction process where they just clear fell every tree on site, completely denude the landscape, and that's all that's left, a hollow log cut out of the tree lying on the ground. Following that, there's two photos of biodiversity offsets, four years after the destruction caused by industrialised solar, which Oxley Solar will cause. In our area it took them four years until they stuck this sign up on the fence on the gate, and as you
20 can see, there's basically nothing there, so biodiversity offsets are a complete farce.

Followed by that there's photos of the close proximity of the solar in relation to neighbouring surrounding land where the agricultural area around Oxley Solar will be subject to very close fire and contamination risks because there's basically no exclusion zones, there's no evacuation plans. It's a very dangerous risk to have this so close by. And as you can see in the next photo there's a log, that same log from the beginning, covered in weeds, lots of high weeds under the solar panels, which are also an extensive fire risk.

30 Just a couple more photos. The glaring view that we now have, visual amenity nightmare of large scale solar which can never be mitigated, even though they claim it will be. It will never soften and blend into the natural landscape as planned. And then just a series of water run-off and erosion damage photos caused in our area from solar construction. This has told untold distress and damage to neighbouring property where the neighbour's property became inaccessible for six months, and a year later nothing has ever been done to fix this problem, and now it's left for the impacted neighbour to use litigation against the host of this solar because of the damaging water run-off and erosion caused by the irresponsible solar construction.

40 And finally, I don't know if you can see this photo, there's yellow canola with solar panels around it nearby, a cloud above those solar panels. The cloud is actually doing

the finger, and whilst I don't believe in using coarse language at all, in a Christian context I believe in divine intervention, and this cloud to me is saying this is a finger of God in righteous anger because this is wrong. Solar panels should never be forced into our food bowl. And our canola goes directly to the canola factory which is about maybe a kilometre from that photo, and it becomes our own food-grade Goodrop canola oil and we're really worried that in the future this is going to be contaminated by heavy metal leachate from these solar panels. I don't know if the videos were there. I also had some videos of the water run-off. You'll be able to see the water run-off and erosion damage. So you can see how those six photos, it's the same thing
10 in the video. And clearly you can see in those other photos with the hail-fractured panels and the big hailstones, that solar panels do break from just some hail.

MR WILSON: Lynette, can you sum-up now 'cause you're up to 20 minutes almost.

MS LABLACK: Oh yeah. Well, I just going through the photos, so I actually finished my reading. Were you able to see those photos?

MR WILSON: Yes, and if you could provide them to us so we could put them on our website, we'd appreciate it.
20

MS LABLACK: Okay. I have already sent them to you. Will you have them already those?

MR WILSON: Yes, we have. I got a thumbs up, so thank you. We'll put them on our website.

MS LABLACK: Okay. That would be great.

MR WILSON: And thank you for your presentation, Lynette.
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MS LABLACK: Yeah, thank you very much.

MR WILSON: So who am I calling next? So am I calling Heidi McElnea. Heidi, are you there?

MS HEIDI McELNEA: Yes.

MR WILSON: Sorry, you're up the back. Heidi is hiding.

40 MS McELNEA: If I speak like this can you hear me or should I, that's all right?

MR WILSON: I might just get one of the technicians to help you, just for the transcript, Heidi.

MS McELNEA: Yep. Thank you. I'm Heidi McElnea. I work with Community Power Agency. I live in the Armidale regional LGA and thank you for your time today. Community Power Agency began in Armidale 11 years ago to support community owned renewable energy projects around Australia. In the current context of medium to large scale renewable energy projects, our work involves collaborating with a range of stakeholders, community groups, councils and developers, for better
10 outcomes for these projects, particularly around social, economic and environmental outcomes. In these five minutes I'll focus on two topics as they relate to the Oxley Solar Farm proposal. The first is the opportunity to improve biodiversity on the site. After the EIS submission period ended, the proponents amended their proposal to reduce the size of the development by 627 hectares and to increase the setback from the Oxley Wild Rivers National Park, as we've heard. They also committed to working with Armidale Tree Group on wildlife corridor connectivity.

I saw the amendment report as evidence of the proponents being responsive to feedback and of them recognising the value of the local environment. I spoke with
20 Bruce Howard first in January and several times since then and I found him to be responsive and open to ideas to improve the project and local outcomes. I'm currently working with researchers from University of New England and local ecologists on developing guidelines for improving biodiversity outcomes on solar farm sites. We're working with Bruce on strategies that could rejuvenate the site, most of which has been heavily grazed for many years and is struggling, particularly in the dry. Some of the strategies we've discussed include revegetation of riparian zones which would prevent erosion and improve water quality in the Gara River flowing into the national park. Revegetation works along the river would also significantly improve wildlife connectivity across the site and with the national park and neighbouring properties
30 who might be interested in exploring biodiversity stewardship agreements. We're also looking at native pasture grasses, shelter belts, vegetation screening and habitat measures for birds and other species.

The other topic I'd like to discuss is the voluntary planning agreement that was negotiated between the proponent and Armidale Regional Council. The VPA includes a community benefit contribution totalling 5.9 million for over 20 years, the general terms of the benefit sharing package the lump sum of 2.79 million on commencement of construction, annual payment of 139,500 for 20 years, an agreement to provide assistance with purchasing solar panels and steel components on behalf of Council at
40 corporate rates, annual sponsorship of Project Zero30 of \$20,000 for ten years and provision of four EV charging stations.

In many respects it's a great example of a VPA. There is an aspect missing, though, and I hope this is able to be coordinated. At the time of negotiation Council hadn't developed a governance structure for the management of community benefit funds from developers. Last month Council put a draft framework on exhibition, but detail on this part of the framework, that is, how decisions will be made on how these annual funds will be used, is still required. It's really important that local residents from Dangarsleigh, Castle Doyle and surrounding areas, as well as the Armidale region more broadly, can shape the projects that this money will fund.

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Research shows the importance of host communities having agency in and benefiting from these funds. So a governance model that includes a community panel, for example, can enable this. It is important too for a representative from the Oxley Solar Farm to have an opportunity to be on the panel as well. This is one way that the relationship between the developer and the community can be ongoing throughout the life of the project and collaboration on projects can occur. The governance structure needs to be transparent with representatives serving set terms so involvement and opportunity is shared. Now would be a good time to review how that governance structure would look to ensure that at least a portion of the money is used for local community-led projects and then for projects more broadly across the region. Thank you.

20

MR WILSON: Thank you, Heidi. I think, Heidi, it's worth stating that in relation to the VPA we have no role. It's a voluntary planning agreement between the Applicant and Council so while I understand what you're saying and the sentiments in your presentation, that's something that you're going to have to take to Council.

MS McELNEA: Yep, for sure, but it is one of the conditions of consent, isn't it?

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MR WILSON: The VPA is.

MS McELNEA: Yep. Yep.

MR WILSON: And the full VPA, and governance structure, they will have to be worked out within Council.

MS McELNEA: Yep. Sure. Thank you.

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MR WILSON: Thank you very much. So I'd like to call Carolyn Kitto, please. Are you there Carolyn? Hello.

MS CARLYN KITTO: Hello. Can you hear me?

MR WILSON: Welcome.

MS KITTO: Oh great.

MR WILSON: The floor's yours, Carolyn.

MS KITTO: Okay. Great. My name is Carolyn Kitto and I wish to thank the
10 Commission for this opportunity to address you today. I am from Be Slavery Free,
and Be Slavery Free is a coalition of civil societies seeking to end modern slavery in
the world today. We are not against the movement for decarbonisation but what we do
believe is that this move of decarbonisation needs to also address human rights issues,
and so we would like to propose an additional condition related to this particular
project which is that reasonable steps be taken to ensure that modern slavery practices
are not a part of the supply chain of products procured. This would be in accordance
with the NSW Modern Slavery Act which became effective from July 2022.

20 So let me give you some background. Modern slavery potentially occurs at many
stages in the products that are used in solar farms and related to these kinds of
projects. First of all, 80 per cent of the world's cobalt comes from the Democratic
Republic of Congo. Here most is mined through young children being forced down
mines under threat of armed guards to mine that cobalt. Children are forced to do this
because they have smaller bodies and you don't have to build as large a shaft if you
are using children. Polysilicon, 45 per cent of the world's polysilicon has come from
Xinjiang in China where some countries in the world acknowledge that there is a
genocide occurring. About a million or more people are in situations where they have
been placed in internment camps and are used for the processing of polysilicon and for
making solar panels.

30 Now, over the last three years as we've been campaigning on this with colleagues all
over the world, we have actually been able to reduce the sourcing from this area from
45 per cent of the world's polysilicon to 34 per cent of the world's polysilicon. So
there are other sources and innovations are happening which mean that this polysilicon
is not as necessary. Polysilicon requires two things, sand and cheap electricity.
We've certainly got one of them in abundance in Australia.

40 Finally, the assembly of solar panels and other components of solar farms and these
decarbonisation projects may be in factories where there is forced or bonded labour,
where people have had to pay for their work, are not free to leave and this is a crime,
as are the other instances that I've mentioned.

So what is the world doing about this? Well, the United States has two measures. One is the Uyghur Forced Labor Protection Act and the other is the Customs and Border Protection laws of the US which state that goods made with forced or bonded labour or child labour are not allowed to enter the US. They're what are known as rebuttable presumption laws which means that if an area is regarded as a high-risk area, whoever is importing those products, they are presumed guilty and they must be able to prove that their products do not have forced labour in them. Currently there are over a thousand containers sitting outside of Los Angeles from Xinjiang in China waiting to prove that they comply with the law.

Similar laws are being introduced into the EU, Canada, Mexico and numerous other markets, and the risk for Australia is if we do not take action, we could become a dumping ground for these products. The Australian Government is being urgent as in discussion to introduce legislation, such as the United States has, and this is part of the National Labor Platform to in fact introduce such legislation in Australia, which means that unless this project begins now, doing the right thing and procuring goods that do not have forced or bonded or child labour in the supply chain, it could be left with problems if these are excluded from entering Australia anyhow.

Fortunately New South Wales already has a Modern Slavery Act and that Modern Slavery Act requires that as part of the procurement in projects such as this, that there would need to be shown that there is no modern slavery in the supply chain and that all reasonable steps would be taken. There is an Anti-slavery Commissioner who can assist with the introduction of this into the program. So our condition is that the project must take all reasonable steps to ensure modern slavery practices are not a part of the supply chain of the products procured for this. Thank you.

MR WILSON: Thank you, Carolyn. So we're just going to take a 15-minute break to enable people to catch up. We're waiting on the telephones. Thank you.

MR WILSON: Ben Beattie, are you there?

MR BEN BEATTIE: I am.

MR WILSON: Sorry about that. We had a technical issue. Welcome.

MR BEATTIE: Thanks.

MR WILSON: The floor's yours, Ben.

MR BEATTIE: Thank you. Hello, my name is Ben Beattie. I'm an electrical engineer with a background in power systems. I hope my submission highlights some of the increased system costs that can be expected as a result of the Oxley Solar project. First, storage, the New South Wales Infrastructure Roadmap demands 2,000 megawatts and eight hours of long duration storage, that is 16,000 megawatt hours in total. The proposed battery for the Oxley Solar project does not meet the definition of long duration. The 50 megawatt one hour battery represents only .3 per cent of the New South Wales storage target. You would need another 300 odd of these batteries to meet the two gigawatt eight-hour target, which communities will be forced to host them all. I note we are discussing this in an environment where impacted residents and farmers are pushing back against renewable projects all over the country. The biggest storage project around, Snowy 2, is over budget and years behind schedule. If New South Wales has a huge storage target to meet, why are renewable projects being considered that have almost no impact on the target? The Australian Energy Market Operator's Integrated System Plan and CSIRO's GenCost report both require, in addition to many other things, the New South Wales Infrastructure Roadmap commitments to be met or their modelling and assumptions must be discarded.

So is it in consumer interest to continue increasing the amount of intermittent generation on the grid while allowing the storage targets to fall behind? In terms of grid security, a battery representing just three per cent of the solar farm's daily output does nothing for grid security. It's not clear if this is a grid-forming inverter. If not, the inverter system installed with this solar and battery project actually reduces grid stability in the same way that rooftop solar does. We are talking about inertia, fault current, transient ride-through and other technical areas where inverter-based resources do not support the physics of the grid and instead increase the demand on existing systems, mostly synchronous generators, to keep the grid stable.

There is no security in hoping the weather works. As synchronous generators leave the grid, the safety margin shrinks, exposing the grid to transience that can result in widespread blackouts from causes that would normally be of no concern, like clouds. Liddell Power Station is closed and New South Wales taxpayers are now paying Eraring to stay open specifically to maintain grid security. Is it in consumer interest to continue to approve subsidised renewable projects that reduce grid security with no penalty while consumers are forced to cover the additional costs?

On costs, the wholesale market prices are increasingly negative during the day because of rooftop solar being incentivised by governments. Is the Oxley Solar project going to be exposed to these negative prices? Well, that's unlikely because if it was, nobody would build it. The solar farm will most likely sell its output at a fixed price with no concern for the market, making wholesale prices more volatile. Worse, in my opinion,

the Oxley Solar project will likely come under the recent LTESA scheme which ensures a floor price for all eligible projects. Has anyone ever heard of a scheme that ensures a minimum price for a commodity?

10 Solar output during evening peak demand is zero, so in these periods the grid requires electricity supplied from coal and gas-fired and hydro generators. In a normal situation, with more supply competing for a smaller market share, the price would go down, but because the base-load market share is disappearing and the base-load generators are closing down, reducing their fuel stocks, postponing or cancelling
10 maintenance, as a result supply scarcity is pushing up prices. These price rises occur in spite of record amounts of solar in the system. Wholesale market volatility forces retailers into more expensive contracts which are passed onto consumers as higher retail bills.

It is clear from the lived experience of every Australian and every global region with high amounts of intermittent supply that wind and solar do push up the prices. This is a negative impact on New South Wales consumers and it propagates through the network into the other states pushing up their prices too. Is it in consumer interest for
20 intermittent supplies to increase the wholesale market volatility which is passed onto consumers in higher retail prices?

Finally, transmission. Network costs are recovered in proportion to the kilometres of wire, the number of poles and transformers, the number of substations and the number of people. The costs of transmission networks are not recovered through usage. The result of increasing the size of the network is higher network costs passed onto consumers forever. There is no consideration of utilisation or efficiency in the network cost recovery. The costs recovery is based only on the amount of the network. More stuff, more cost. And who benefits from the expansion of
30 transmission lines when costs go up as a result?

Is it in consumer interest to permanently increase the transmission component of their bills by connecting more and more wind and solar farms while also subsidising the same wind and solar projects which push up the rest of the components of their bills?
Thank you.

MR WILSON: Thank you, Ben. I appreciate it. I'd like to now call Dennis Armstrong. He's on the phone, I understand.

MR DENNIS ARMSTRONG: Good afternoon.

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MR WILSON: Are you there, Dennis?

MR ARMSTRONG: Yes, I am. Good afternoon.

MR WILSON: Good afternoon. The floor is yours, Dennis.

MR ARMSTRONG: Thank you very much. Thank you, Chair, for the opportunity to address the Commission. Members of Save Our Surroundings, or SOS for short, and others, already live the negative consequences of Australia's emissions reductions feeder. Every advisory body, wind and solar development application and
10 environmental impact statement, climate-related legislation, company reports, et cetera, that we have read use a mandatory reduction of CO2 emissions as justification for destroying the natural surroundings and people's lives in both Australia and overseas, yet global CO2 emissions continue to rise, currently about 419 parts per million, or .0419 per cent of all atmospheric gases.

But why am I spokesman for SOS today? Two reasons, my background in electrical engineering, management accounting, business transformation and project management, secondly, quotes like these from impacted farmers after solar works were approved or built, "Gut-wrenching," and, "Hi Dennis, I'm gutted. We lost. So
20 unfair," in anger. And, "I sold my property as I can't stand it anymore." We all love the environment we chose to live and work in but we are seeing it destroyed piece by piece across our agricultural and wildlife lands. It is heartbreaking for many communities who not only suffer from these developments as the Oxley Solar to their environment, but also the division the planning process causes to these communities.

I will now proceed to our presentation. Save Our Surroundings has several reservations with the DPE's recommendations and conditions and the apparent lack of understanding to key claims of the proponent for the Oxley Solar works. Today I cannot do much more than raise some of the deficiencies we believe exists in the
30 proposal. Our conclusions require an understanding of non-equivalence of capacity, capacity factor and better greenhouse gases, panel toxicity and battery storage limitations.

The fundamental objectives of our governments are to reduce Australia's greenhouse gas emissions and provide cheap electricity to consumers. Secondary objectives are clean, reliable, secure electricity generation. The proposed Oxley Solar works fails the two fundamental objectives. Based on our analysis (1) the project will cause an estimated 4 million tonnes of carbon dioxide equivalents to be released into the atmosphere, and this is before it is operational. It would take at least ten years of PV
40 solar electricity generation to offset those initial embedded greenhouse emissions. By comparison modern high efficiency low emissions power stations currently being built

in many countries around the world would release only .73 million tonnes of CO2 over the same ten years for the same amount of electricity generation.

10 (2) The project will not result in lower consumer electricity prices. Its average generation of electricity over a full year is under 30 per cent. This means electricity generation has to come from elsewhere for at least 70 per cent of the time. At times this deficiency gap approaches 100 per cent. Filling the deficiency gap will add more costs to the grid. This is why all major countries with over 30 per cent of solar and wind capacity, as Australia now has, have near the highest electricity prices in the world.

The project will not close a 70 per cent gap to near 100 per cent gap with its battery energy storage system. The BESS consumes 20 per cent more electricity than it can provide to the NEM grid. More costs added to the NEM grid. Also the BESS can never offset its own embedded greenhouse emissions.

20 I'll now turn our attention to the assessment report and conditions. The DPE assessment report is intended to assist the IPC in making an informed decision to approve the project or not. In a condition that states that there is an obligation to minimise harm for the environment, we believe that the Commission has not been provided with all the relevant information to make an informed decision such as (1) the proponent claims CO2 savings but not provide CO2 deficit in its project, will have at the start, up front emissions substantial and therefore detrimental to the climate. Just as the IPC refused the Bylong Valley Coal Project in 2019 because it was contrary to the principles of ecologically sustainable development, including climate, the Commission should similarly refuse Oxley Solar project for the same reasons. In the case of the coal project the emissions would have been released over the life of the mine. With the Oxley Solar the emissions are released before decommissioning and again on replacement in about 20 years' time.

30 (2) The quoted capacity of 215 megawatts we estimate actually has a BESS capacity equivalence of 36 megawatts when compared with a 24/7 base-load power plant. Our capacity equivalence value, which SOS has developed, takes into account nominal capacity, the capacity factor and the expected economic life of alternative generation sources. Good mathematicians could refine our capacity equivalence by including efficiency degradation, intermittency in availability, for example.

40 The implication of capacity equivalence is that to reach the intended 8,000 megawatts capacity for the New England Renewable Energy Zone, there would need to be an initial build of over 37 Oxley Solar size projects. All these require replacement in around 20 years. The storage batteries would need replacing about every ten years.

However, 37 Oxley size works only amounts to a capacity equivalence of just a single 1,332 megawatt base-load power plant assuming a 50 years life and a capacity factor of 90 per cent for that power plant.

10 All these solar works would up front CO2 emissions which the IPCC has stated will take hundreds of years to dissipate in the atmosphere. The embedded emissions cannot be offset as there would be no fossil power stations to offset against as we move towards 97 per cent wind and solar generation. All PV solar panels are declared e-waste in Victoria, European Union and other jurisdictions. Toxic chemicals are known to leach from panels when in situ and specifically once damaged or disposed of in landfill.

Under condition B27 on page 27, soil and water, there is no requirement to test and report on soil and water at the site before construction and during lifetime operation. We can't wait until the end of life, land rehabilitation to find out it was (not transcribable). Conditions B31 and B33 refer to fires and a requirement for available water to use against fires. The condition requires one 20,000 litre water tank inside the perimeter fence. Firefighters will not enter a burning solar works or BESS.

20 Another solar works proponent has recently acknowledged the absurdity of this condition, especially when the enclosed sites are the size of or multiples of Sydney Airport. There are proposing multiple water tanks placed outside and around the parameter, better but not as good as water pumps and permitter sprinkler systems.

(5) The assessment report on page III outlines the potential financial benefits to the local community but not the larger offsetting cost to them of the Australians. In fact, only about 15 per cent of the 370 million capital investment is Australian content. The project will currently receive 22 million to 29 million annually from the large-scale generation certificate which we all pay through our higher taxes and higher prices.
30 The decommissioning, contamination clean up, recycling, disposal and rehabilitation costs at end of life will be enormous. However, there is no incentive for the then operator to do this work. Unlike some other industries there is no requirement to lodge a bond for an end-of-life work. Even who is responsible for some of all this work is unclear. The landowner, the solar works owner or the local Council are all candidates. This intergenerational timebomb is being ignored. Thank you, Chair. That concludes my allocated time for my presentation. Are there any questions?

MR WILSON: Dennis, there's one. I'm just wondering, have you made a submission to this proposal?
40

MR ARMSTRONG: Yes, I will have quite a substantial submission to submit shortly.

MR WILSON: Okay, because, I mean, there's a lot of people who we understand, who are talking today, who may or may not have made submissions, and I guess while we have you on public record in terms of your presentation, if you have supporting documentation we would like to see it.

MR ARMSTRONG: Yeah I'll have -

MR WILSON: That's just a point I want to make, Dennis.

10

MR ARMSTRONG: Yep. Thank you. Yes, it is quite a substantial document. I hope I can upload it all to the site. I haven't tried your site before so I'm not sure what the restrictions are.

MR WILSON: Just talk to Brad James in the secretariat and he'll assist you.

MR ARMSTRONG: Okay. Thank you very much.

MR WILSON: Okay. Thank you. Thank you for that. Can I now call Rafe
20 Champion. Is that how I pronounce it? I'm sorry if I've pronounced your name - - -

MR RAFE CHAMPION: No, go Rafe, quickly, short, Rafe.

MR WILSON: Sorry?

MR CHAMPION: Rafe. Rafe.

MR WILSON: Oh Rafe. Sorry. Thank you very much for correcting me.

30 MR CHAMPION: No problem.

MR WILSON: The floor's yours, Rafe.

MR CHAMPION: Okay. Well, good afternoon and thank you for the opportunity to
make a presentation to this investigation. I'll be very brief, of course, with three major
points. The first is to emphasise the impossibility of the transition to solar and wind
due to the combination of wind draughts and inadequate grid scale storage. The
second point is to do with the prohibitive cost of the attempt to make that transition
simply because of the impossibility of doing it. There has to be practically 100 per
40 cent backup from conventional power forever and a day, or at least until nuclear power
comes in to replace coal, so basically we get stuck with a hybrid power system.

Now, the third one is of course the sharp end for this particular project. This issue is environmental impact. And the environmental impact comes under two headings. There's the worldwide impact of wind and solar facilities through the whole chain from the mining and resourcing minerals overseas through to transport and processing and very energy intensive processes, to construction and building on site and then there is the disposal at the end of life.

10 Now, the problem here, looking at it from the soil chemistry point of view, is the amount of toxic chemicals generated and used in the course of making panels first up. There's a long list of very toxic substances involved, which I won't list. I'll put them in a written submission. There in the field where the panels are operating there's the danger of breakage, damage through hailstones and other things, and possibly leaching by rainwater. So again there's a leakage of toxins into the soil. And possibly the biggest problem comes at the end of life with the disposal of the panels where again there's a risk, all but a certainty of ending up in landfill and possibly in groundwater, or maybe they're shipped overseas where children overseas pick them apart to pull out bits and pieces of precious minerals. So there you have environmental impact, not just in the vicinity but elsewhere, and you have the impact when these panels are disposed
20 of at the end of their life.

So we have the impossibility of the process of transition, the cost of that process and we have the environmental impact at various stages of the process. So that sums up what I want to say, which I will put quite briefly into a written submission. So I thank you again for the opportunity to have a say and I hope you find that helpful and I hope you find the written submission illuminating, so thank you.

MR WILSON: I would now like to call Rebecca Glencross.

30 MS REBECCA GLENCROSS: Yes.

MR WILSON: Are you there, Rebecca?

MS GLENCROSS: Yep, I can hear you now, sorry.

MR WILSON: Welcome.

MS GLENCROSS: Hi, how are you going?

40 MR WILSON: Good thanks.

MS GLENCROSS: Yeah, apologies. I couldn't hear anything until you just said my name. So, yes, my name's Rebecca Glencross. I'm a mental health clinician. I reside in the Central West of New South Wales. I guess just, yeah, brief introduction, like, my, I suppose my professional expertise, I hold an undergraduate degree in psychology and in sociology and I also hold a masters in social work. I suppose why I was particularly interested in speaking on the panel about this particular project was as a former alumni of the University of New England I do have, you know, obviously a connection back to Armidale and that region, having grown up in the New England area. So why I felt the need to I suppose put forward some thoughts and I guess some professional ideas regarding this particular project was around the mental health impacts of disrupted sense of community.

Now, I guess as someone who has always residing in rural and regional areas and worked in rural and regional areas of New South Wales I gained a firsthand experience and perspective of, yeah, I guess the sense of connectedness that community members gain through the roles as well as the mutual obligation and the social capital that they have as functional communities. And, you know, this isn't just my own perceptions. It's been identified by a number of researchers and academics that place attachment exists, and I see that coming through in the various like EISs I have, sort of had a bit of an opportunity to have a browse through these large major projects that, you know, seem to have inundated rural and regional New South Wales in the recent years, so obviously there has been, you know, the deeming of those renewable energy zones. We've got the New England zone which has seen, you know, some fairly significant developments put forward. There's always already, you know, I'm aware of projects that have been developed.

But coming back to why I am speaking, is that, you know, resilience, which is strongly linked to mental health, is linked to our sense of connectedness as a society as a whole, and when social connection is disruption we see a reduction in resilience as well as a decline in key protective factors for our mental health, and this is well documented through such bodies as like the Australian Institute of Health and Welfare, Beyond Blue, we've got the Black Dog Institute. I could spend five minutes rattling off all the different bodies that have provided research on the importance of social connectedness, especially merging from our COVID isolation time. We saw what a significant global impact that had. So we're not just looking at regional areas. We recognise that as a whole, as a society.

Why it's more significant in rural and regional areas is that I guess we're looking at, there's like a compounding effect around protective factors. So, you know, as you guys would be well aware, in rural and regional New South Wales, like, a lot of our residents are faced with greater adversity, so in the nature of our work, like, and where

the Oxley project is located, it is identified that the primary use is agriculture so agriculture is uniquely impacted, and the way we understand agriculture in communities is that, you know, we see our sense of connection and obligation towards one another through adversity, but that adversity, like such as our draughts that, you know, we saw a major draught that sort of somewhat wrapped up in 2019 but has sort of come back to linger a little bit now, and then we've seen major flood record years. So all these things affect our ability, you know, to be resilient and, you know, reduce our protective factors. And, you know, it's sort of like, when we're coming with these large projects, and it's not just, you know, the fact that we've got the Oxley Solar
10 project but then we're going to have a compounding effect throughout the red zone because all our agriculture areas are going to be affected by like a conglomeration of these projects and major projects that no-one could have ever thought would have been placed in the areas where they're being placed. I don't think any, you know, agriculture landowner, especially with the strict zoning laws that we see from our regional councils around land use and what we can do as producers, et cetera. But - I don't know what the bell was for. But anyway, so, yeah, so we're seeing, you know, that we have companies coming in with these major projects and they sort of target communities. They cherry-pick, they divide, they offer, you know, financial gains, I guess, to community members, which then, I guess that's why they buy in and it
20 divides the communities up.

Now, I guess, you know, with people that are sort of, you know, they're I guess neighbours and whatnot, like I'm concerned about not only the people that are impacted but having their land, you know, bought out by, you know, such projects. But also it's the disconnectedness for those that remain, like such as the neighbours. And, you know, I guess it's sort of like while all these projects tend to tick SEARs boxes, et cetera, what it tends to overlook is the human rights and violates the human rights of the individual. So, you know, as we're aware, like our human rights, things like that are protected through common law, so we all have a human right to, you
30 know, to see optimal physical and mental health, and this is in the International Covenant of Economic Social and Cultural Rights. And so I don't, you know, and with these, with the EIS and with the social measures that are put forward, none of these things are ever measured or considered. We look at society as a whole, so we're looking at financial gains, things like job gains, et cetera, but we're not necessarily looking at the impacts on the individuals, nor are we measuring it. And, you know, from my conversations with people from the Department of Planning and, you know, the various developers, it's not even a requirement.

And I guess that's what I'm pushing for is that we have a greater requirement on
40 protecting, you know, protecting our communities. And this is why, you know, like, I just see this project as another one of these tick-box projects where we're not

considering the direct impacts on our communities and on our community members, and we're going to see really adverse mental health outcomes in the future that these communities potentially don't have the infrastructure to support that. Already it's identified by numerous councils that, you know, and Armidale is no exception, that access to mental health support is very poor, and when we introduce, you know, large volumes of external workers into these communities that need to access these services also, we're going to see a decline in the mental health of those that already exist there and are seeing the impacts of the project.

10 So I think there's a lot to consider when we're looking at these major projects, you know, beyond these perceived, like, financial benefits for communities, you know, which the communities just simply don't have the infrastructure but also the fact that the - is that it?

MR WILSON: If you can sum up, please, Rebecca, I'd appreciate it.

MS GLENCROSS: Sorry, yeah, so I guess where I was heading was that with the approval processes, I just think it considerably overlooks the way that we're assessing individuals and we're understanding the impacts of projects because rather than, you
20 know, when we look at major projects when they're introduced into broader, you know, into cities and into urban areas and we're looking at putting them into, you know, the largely industrial zones where we don't have people, you know, with the social capital that's invested in the way these small communities are, there's probably not necessarily the opportunity to do those direct things. So I think that when we're approaching major projects in regional areas, we really need to adjust the way that we're understanding the community and their needs and also understanding that these are going to have some really significant adverse health and mental health impacts.

MR WILSON: Okay. Rebecca, have you made a submission?

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MS GLENCROSS: That's a good question. I may not have made a submission yet.

MR WILSON: Okay, good, because interesting discussion, I'm sorry, and if you - we'd appreciate, we've got you on record, but if you - - -

MS GLENCROSS: Yep.

MR WILSON: - - - if you feel like providing us with a submission, we'd appreciate it.

MS GLENCROSS: Yep, I certainly can. I can provide you with some greater research and links and things like that. I just didn't want to go into that, keeping in mind I only had five minutes. So, yep, no worries.

MR WILSON: No, no, thank you for your contribution. Appreciate it.

MS GLENCROSS: Okay, not a problem. Thank you very much for giving me the time to speak.

10 MR WILSON: Thank you.

MS GLENCROSS: Great.

MR WILSON: Next I'd like to call Bill Stinson. Bill, are you there? Bill, Bill Stinson, are you there?

MR BILL STINSON: Yep. Yes, I am. Can you hear me?

20 MR WILSON: Yes, we can, Bill. The floor is yours.

MR STINSON: Okay. I want to comment on three things. The first thing is decommissioning and rehabilitation. There's grossly inadequate obligations on the Applicant pursuant to clause B38. It lists the rehabilitation objectives. The Applicant, Oxley Solar Development Pty Ltd, is an Australian proprietary company registered with the Australian Securities and Investment Commission in New South Wales. The company's limited by shares. It's a private company with an ordinary class share structure with 9,794,854 shares issued. Solar Megawatt Holding Pty Ltd, incorporated on the 10th of October 2017, is a private Chinese company limited by shares and was registered in Hong Kong. It is the beneficial owner of 8,650,000 fully paid shares in
30 Oxley Solar Development. Australasia Agriculture and Food Holding Group is an Australian proprietary company registered with the Australian Securities and Investment Commission in New South Wales. The company is limited by shares and is the non-beneficial owner of 1,144,854 fully paid shares in Oxley Solar Development. The sole director, Jisheng Sheng, is also director of Australia Echo Technology Pty Ltd, the exclusive supplier of Tongwei solar panels, which are manufactured in China.

40 Mining companies in New South Wales are required to pay a rehabilitation bond prior to the issue of mining licence. This is to ensure that there are funds available for rehabilitation of the mine site at the end of life if the mining company goes into liquidation. The Applicant, Oxley Solar Development Pty Ltd, could be liquidated

prior to the end of the life of the project, with the beneficial owner, Solar Megawatt Holding, having received through dividends all income earned by Oxley Solar Development during the life of the project. The beneficial owner of Oxley Solar Development, Solar Megawatt Holding, as a condition of approval of this application, should be required to pay a relevant rehabilitation bond. The amount of the bond should be determined by an independent registered quantity surveyor or such other competent valuer to be nominated by the independent planning panel. This is to ensure that funds are available for the decommissioning of the solar infrastructure, which is then disposed of in accordance with the requirements of the NSW
10 Environmental Protection Agency, then the land is to be fully restored to its pre-existing capability. Currently there is no incentive for the Applicant to comply with condition B38. There are many abandoned solar and wind projects in the USA and Europe where entities have gone into liquidation and left the landowner to decommission, remove the infrastructure and rehabilitate the property.

The second item I wanted to talk about was critically endangered, endangered, vulnerable, threatened flora and fauna. The collective approval of solar projects, wind projects and HV transmission projects is a threat to the survival of Australia's unique flora and fauna. Currently a documentary is being produced by Steve Nowakowski, a
20 noted environmentalist. The documentary is entitled Transition to Extinction. No one wants our unique flora and fauna to meet the same fate as the Tasmanian tiger. We have to speak for them. The EBP search undertaken on 20th of November 2018, the 10 kilometre buffer of the site, identified three threatened ecological communities, 32 threatened species and 14 migratory species of relevance to the site. Threatened species either known to occur or with the potential to occur include: seven bird species, three critically endangered, two endangered and two vulnerable; eight mammals, five vulnerable, three endangered; 12 plants, one critically endangered, three endangered, eight vulnerable; and two reptiles, one vulnerable and one unlisted.

30 The final comment I want to make is on soil erosion and pollution of waterways. For the information of the panel, a major Australian university is currently preparing a paper on the legal ramifications of soil erosion caused to adjoining properties as a result of the construction and operation of solar projects. In the United States recently, four companies that developed solar energy facilities have agreed to pay a total of \$1.3 million for violating construction permits and rules for handling groundwater, authorities said on Monday. A statement by the Justice Department Environmental Protection Agency said the companies used a common construction contractor. In each case, the government alleged companies failed to take steps to control run-off water. Thank you.

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MR WILSON: Thank you very much for your contribution, Bill.

MR STINSON: Thank you.

MR WILSON: I would now like to call Cedric Creed. Cedric, are you there? Cedric, are you there? Cedric Creed?

MR CEDRIC CREED: Yes.

MR WILSON: The floor is yours, Cedric. We're here and listening.

10

MR CREED: Righto, thank you for allowing me to present my presentation. I'm a fifth-generation food producer in Central Queensland. We've had a fair bit to do with solar company up here on a 9,000-acre lease. With Oxley Solar, I mean, the land is classed RU1, which is A-grade food-producing land. That should be enough to stop the development in its tracks, really. Australia only has 6 per cent of its land mass is our good food-producing land, and people need to realise that we need this land preserved for future generations, and intergenerational farmers like ourselves to produce food for you people to eat. This blind rush into this alternate power source is not being thought through properly.

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This site, just looking at this site alone, it's got 34 dams, 18 water courses on 1,000 hectares. It tells me straight away that it would not be suitable to build a solar plant on. These panels, they're not allowed in landfill because they pose a toxic risk of leaching, and yet they're allowed to be stood out in a paddock on our prime food producing land. That just, it just doesn't make sense. The Gara River is mapped as a key fish habitat, so the potential for contaminants and pollutions, even silt run-off for these fishes is going to be, you know, it's not going to do them any good. With all the hard facing on the site, the increased run-off is going to be immense. I don't know how these solar companies think they can mitigate the run-off. I mean, we've got a 5,000-acre footprint where we are, and all our water is, for our stock dams, is all, it's all surface water, so we rely on that run-off. And they say they're going to stop the run-off, but that's going to stop the water into our dams, but then the toxic's going to end up in it too, so I don't know how they're going to do that there at Oxley.

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It's obviously a very closely settled area. It's got 200 residents within a seven kilometre radius of the solar plant. I mean, that could be 400-plus people. They should be building these things out in the desert, away from people, where they won't impact on people.

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There's been a lot of hazards identified in this development, yet what is going to be done about it? I mean, we've learnt up here that there's no police to follow anything

through. The conditions on this thing, yeah, there's nobody, no government agencies will stand up and say no to these companies. It's really a disgrace that the government are allowing this stuff to happen.

And these BESS battery storage things are a huge danger to people and animals. Just in New South Wales and Queensland alone this year, there's been over 200 lithium ion batteries catch on fire in both states. So that just shows you how dangerous these batteries are, and you're putting them in a closely settled area and they produce highly toxic gases when they burn. It's just - you know, that should be enough of a risk
10 assessment done on that just to stop the development as well.

We've seen with our experience all these documentation these companies do is all desktop. No one actually comes and sees the site. I'm not sure that's what's happening at Oxley, but governments are not chasing up and following through with their stuff that they put in these documentations. And in our case, the company does not care about the neighbours one bit. We've been told that we'll get nothing out of it, they won't do anything for us, they won't talk to us, they won't tell us anything. In our case, the fire management plan for up here was cut and pasted out of a New South
20 Wales urban fire mitigation plan. I mean, it talked about carparks and road verges. I mean, we're in Central Queensland. We've got a 37-degree day today. We've had south-westerlies blowing since this morning and they're coming around to the east. It's just a horrible day. I mean, if one of these fires gets started, we've got no hope of putting them out. The fire retardants used in the fire suppressant will be toxic. They all are. PFAS, everyone knows about PFAS fire retardant that the air force have been using. It's destroyed and contaminated a lot of country. Is that going to contaminate our food-producing land down there at Oxley as well if they have a fire and the suppressants go off?

A moratorium should be immediately put in place till there's some rules put in place to
30 just keep an eye on these companies that are doing these things. They've just got free rein, pretty much free rein. No government department will stand up and say no against them. That's about all I've got to say.

MR WILSON: Thanks. Cedric, where did you say you were in Queensland?

MR CREED: I can't hear you, sorry.

MR WILSON: Cedric?

40 MR CREED: Yep, now I can.

MR WILSON: Whereabouts from Queensland are you from?

MR CREED: Central Queensland, near Biloela.

MR WILSON: Okay.

MR CREED: South of Rockhampton.

10 MR WILSON: Okay, thank you very much, Cedric, and thank you for your contribution.

MR CREED: Thank you. All right.

MR WILSON: I'd like now to call Stan Moore. Stan, are you there? I'm a bit quick I think. Stan? Okay, thank you.

MR STAN MOORE: Righto, I'm just unmuted.

20 MR WILSON: Hi, Stan. How are you?

MR MOORE: Very well, thank you.

MR WILSON: Okay, the floor is yours, Stan.

30 MR MOORE: Okay, thank you very much for the opportunity. I sent through some notes, and firstly I'd like to touch on the definitions in relation to these projects. Decommissioning is basically just the removal of the facility from service, whereas what we'd like to see is remediation and rehabilitation requirements. Rehabilitation as to reversing or stopping any environmental damage, and clearly there is when you have these facilities on agricultural land, and rehabilitate, which means you restore it to what it was before.

40 Under the current obligations on our proposers, the current planning approval for large-scale solar energy facilities for developers and landowners is totally inadequate and it permits the use of weasel words, which you will see in just about any of their documentation around decommissioning. In relation to any enforceable, it just allows them to get away from enforceable guarantee in relation to remediation and rehabilitation. The concern is that in the rush that we're seeing to get all these renewable projects up, the current planning and approval provisions for these large-scale facilities does not take into account the long-terms of agricultural land, rural communities and rural landscape following what they call decommissioning. There is

no incentive for companies to carry out remediation of solar energy generation sites. The company, as they're operating, is able to expense their costs, depreciate the investment, and when it gets to the end of its life, it is effectively of no value. The only thing that is left when you turn off such a facility is expense. And the incentive how it currently operates is that it is likely to be in the hands of another company. And why I say that is these developers get the projects up and running, then they spin them off to institutional investors. And the number of projects that are launched, and particularly the one that I'm personally involved in is one by Lightsource bp. They currently have five of their developments on the market to institutional investors. And
10 so what could happen here is that at the end or when it's getting close to the end of its life, basically they flick it off to another company. Oh, that poor company goes bust, has no money, unable to remediate and rehabilitate, and it's left up to the taxpayer or the government to fix up the site.

Our solution is basically what is required of mining companies, and that is to have them put up in place a rehabilitation security bond of sorts. Basically it's upfront funding for rehabilitation and remediation. Upfront and it stays with the site, so if the company sells that particular site and its operation, it transfers to the new owner. And so it ensures that the cost of remediation and rehabilitation is there with the
20 government, or they can call back their bond if they've completed the works effectively so the taxpayer and the government are not left with rotting and toxic solar panels on agricultural land.

And I'll just quickly touch on a couple of other quick things. The requirements to remove all above-ground and underground infrastructure. There are a number of examples that you see from developers where they take away all the above ground, except the concrete pads that house the batteries and the inverter stations. Like for instance if you have a look at Wellington, Goolma Road, you'll see there that particular proposal or, sorry, the particular undertaking allows the developer to leave
30 behind those concrete pads. Now, I cannot see how that can be returned back to its original state or agricultural land if you allow these developers to do this. So in this case I see that there should be a requirement for all above-ground and underground infrastructure to be removed.

I'm also a member of the NSW Farmers Association and the chair of the Goulburn branch, and at our recent annual conference New South Wales farmers agreed that there should be requirements to remove all infrastructure above and below ground. They also support that there be a security deposit regarding rehabilitation. And in order to make things happen, they are calling for a moratorium on large-scale energy
40 developments, solar energy developments, so that this planning deficiency can be

addressed. That's pretty much my presentation. I will be making a submission on this and, therefore, are there any questions?

MR WILSON: No, I don't have any questions, Stan, but what you've - - -

MR MOORE: Cannot, hold on, I cannot hear you.

MR WILSON: So the issues you raised today, Stan, are a common theme. It's been raised several times today, so we appreciate your contribution.

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MR MOORE: And I will be making a submission, so there'll be more detail for the Commission to have a look at.

MR WILSON: Thank you, we appreciate that. Thank you. So we've lost one of our speakers, who's fighting a fire. I'll just put that on the record. So next is Alan Moran. Alan, are you there?

MR ALAN MORAN: Yes, I'm here. Can you hear me?

20 MR WILSON: We can indeed.

MR MORAN: Thank you very much. Well, I'd like to focus just on one aspect of the panel's deliberations. That is the key assessment which includes energy security. If the project proceeds, it will deliver electricity at excessive costs with unacceptable reliability. The project is said to contribute 215 megawatts of renewable energy to the National Electricity Market, including a battery storage facility with a capability which it says is 50 megawatt hours. The battery is falsely billed as enabling, and I quote, "potential to contribute to increase grid stability and energy security", unquote. Now, whether or not the proposal stacks up as commercial for the sponsors, the cost to the community is considerable. The Oxley Farm, in addition to its market revenue, will obtain a subsidy through the large-scale generation certificate scheme, which is currently \$52 per megawatt hour. Now, the wholesale price of electricity before renewable energy subsidised supply starting to eat into the coal-fired generators' market, and thereby causing them to become economic, was rather less than \$52 per megawatt hour, and that subsidy will actually amount to about \$30 million per year to the Oxley Farm if it goes ahead.

30

Last year, the wholesale price of electricity in New South Wales was \$145 per megawatt hour. The direct subsidies for renewables actually dominates their revenue, and the effects of subsidised renewable energy supplies forcing out cheaper coal has been a three to fourfold increase in the wholesale price of electricity, to the great

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disbenefit of the community as a whole. ABS data shows that the overall price of - prices increase overall about, they've doubled since about 2000, whereas the price for electricity increased three and a half times since the year 2000. That price trajectory will continue because although renewables are said to be cheaper than coal and gas and nuclear, this is only the case if the costs of firming of the intermittent renewables are excluded and if we exclude the cost, which is now set to rise considerably, of providing the increased transmission.

10 Firming costs are incurred because the proposed facility's unreliable, high-cost renewable energy must be balanced. We can't rely on electricity to be supplied only during daylight hours and subject to the vagaries of the weather. The project itself, as I said, incorporates a proposal for 50 megawatt hours of battery. In fact, the storage required for the system reliability we saw is far more than this. Because a solar facility can only operate for one third of the day, even if operating at 100 per cent during those daylight hours, the 250-megawatt facility is actually only 72 megawatts and it produces 72 times eight, 576 megawatt hours per day. To back this up, even with a perfect day, batteries of 144 megawatts providing 1,152 - in other words, twice as much as is supplied - are required. The 50 megawatt hour as proposed is less than
20 factor in provision for, say, five cloudy days or 120 hours of storage, the de facto capacity of 72 megawatt hours actually requires - megawatts - actually requires 8,640 megawatt hours. Now, these are actually quite conservative numbers. They don't take into account losses in storage or in charging and discharging. But even then the facility with a capacity said to be at 215 megawatts, but actually rather less, needs 9,800 megawatt hours of storage. Compare that to the 50 megawatt hours which the sponsor wants to introduce. 9,812 megawatt hours of storage is very expensive to provide. The US National Renewable Energy Laboratory puts the cost of storage, of battery storage, at \$300,000 per megawatt hour. That's US dollars by the way. \$300,000 per megawatt hour.

30 Now if we just sort of look in terms of what that means, we're talking about 3 trillion, 3,000 million, additional costs for batteries and these would need to be replaced every ten years. The project sponsors would not incur these costs themselves, but the replacement of the existing coal capacity (not transcribable) requires such additional costs to allow present levels of reliability. So the community itself would incur costs about sixfold the stated costs of the project itself. Add to this the increased transmission which is necessary because renewable energy is intrinsically less dense and more difficult to supply. In this respect, the cost of the additional transmission, which are at the heart of the sort of planning process we're going through now,
40 compound the high cost of solar energy as generated. Transmission is only necessary because of the nature of the generation to be supplied. It is unnecessary for the

consumer who pays for it and constitutes a further subsidy to the solar electricity provider.

So the conclusion, my conclusion is that the Commission should reject the proposal as being against the public interest.

MR WILSON: Okay, Alan. Thank you very much for your contribution. Appreciate it. Alan, have you made a submission?

10 MR MORAN: No, but I can pull this together as a submission.

MR WILSON: Well, it's up to you. I'm not forcing you to make a submission. But if you'd like us to further consider a submission, we're happy to do so. I mean, we have you on record today so up to you.

MR MORAN: Okay.

MR WILSON: Thank you. I think that is it because our last speaker is unfortunately out fighting a fire. So, look, that brings to an end today's public meeting into the
20 Oxley Solar Farm. Thank you to everyone who's participated. It's an important process. Commissioners Wendy Lewin, Alison McCabe and myself have really appreciated the input. It's been very useful. A lot of information has been garnered today. Just a reminder, though, that it's not too late to have your say on this application. You can simply click on "make a submission" on the Commission's portal on our website and send us a submission via email or send us a submission via email post. The deadline for written comments is 5.00pm next Wednesday on the 25th of October. In the interests of openness and transparency, we'll be making a full transcript of today's public meeting available on our website in the next few days. At
30 the time of determination, the Commission will publish its statement of reasons for decision, which will outline how the panel took into consideration the community's views as part of its decision-making process. Finally, a quick thank you both to my fellow Commissioners, Wendy and Alison, and thank you for watching. From all of us here at the Commission, enjoy the rest of your evening. Thank you, goodnight.

MEETING CONCLUDED

[5.53pm]