

I oppose the Capital II modification on the basis of inadequate decommissioning plans. As was common some years ago, decommissioning plans were given scant attention. This is particularly true in this case. In the approval (Instrument), the Department naively believes that, decades down the line, the then owner of the wind farm will decommission the wind farm.

Where addressed, developers rely heavily on the scrap value of the towers (whatever that may be in 25 years) to pay for the decommissioning. Smaller towers, as proposed here, would indicate that the decommissioning and rehabilitation plans should be addressed in detail.

The original approval (01/11/11) was made under the then rules and guidelines. However, the Planning Assessment Commission in rejecting the Gullen Range modification said on October 2, 2014:

“Although this is a modification application to an already approved wind farm, the Commission considers it should have regard to the intent and spirit of the draft guidelines in determining this application.”

The NSW Wind Farm Guidelines have a clear and extensive section on decommissioning and rehabilitation (D&R).

The developer is required to include a D&R Plan which includes amongst other items, the estimated cost of dismantling and the proposed funding arrangements for that cost to be met. As this cost will amount to many millions of dollars (\$103 mill - \$115 mill for Liverpool Range), it is important that the taxpayer is not left to fund it.

The Guidelines do allow for the Department to impose the requirement for a bond for an inadequate D&R plan. By definition, anything based on forecasts 25 years into the future will be inadequate.

Given:

- Infigen's stated desire to sell the Capital Wind Farm complex.
- Infigen's ongoing losses
- The market's assessment of their performance,

a bond is unsuitable and should be replaced with a bank guarantee.

In summary:

- The application should be rejected until a detailed D&R plan in accordance with the Guidelines is submitted.
- A D&R bank guarantee be insisted upon as a condition of approval
- This plan and any others additions required by the Department should be available for comment for 14 days
- As this modification, others already approved, and I note, a new one on Transmission Line relocation, make the current overall proposal nothing like the original approved Capital 2 wind farm, this modification must be approved by the PAC.