



EDPR Australia

MISHKA.TALENT@edp.com

Dear Sir/Madam,

Re: Neighbour Agreement – Merino Solar Factory

I write on behalf of a number of local residents who have raised with me serious concerns regarding the “Neighbour Agreement” being offered by EDPR in relation to the proposed Merino Solar Factory development.

Residents have advised me that they are being pressured to sign an agreement which would:

- Require them to commit before the release of the Environmental Impact Statement (EIS), without having full knowledge of the project impacts.
- Effectively prevent them from seeking compensation or raising legitimate objections in the future, thereby signing away their legal rights.
- Include confidentiality provisions that would limit their ability to speak openly about the agreement or the project.
- Provide no clear guarantee of financial support, with EDPR suggesting that if residents do not sign within your timeframe, funds would instead be redirected to Council.

I remind you that Community Benefit Schemes are designed to provide fair and transparent support to communities impacted by major developments. They are not to be used as a vehicle to silence or restrict residents’ rights, nor to apply undue pressure on property owners.

It has been brought to my attention by residents’ solicitors that any attempt to bind property owners into agreements that diminish their rights before statutory processes are complete may expose EDPR to significant legal risks. This includes, but is not limited to:

1. Potential challenges on the validity and enforceability of such agreements.
2. Claims of unconscionable conduct, given the imbalance of power between a multinational developer and individual rural property owners.
3. Reputational harm and regulatory scrutiny should such practices be viewed as undermining proper planning processes.



I strongly urge EDPR to immediately reconsider the use of these “Neighbour Agreements” in their current form. At a minimum, residents must be:

- Allowed to consider any agreement only after the release of the EIS, with full transparency on the project’s impacts.
- Provided with independent legal advice funded by EDPR prior to signing any agreement.
- Assured that any Community Benefit Scheme operates in accordance with NSW Government guidelines and without restrictions on residents’ statutory rights.

Until such assurances are provided, I will continue to support affected residents in raising this matter with the relevant Ministers, the Department of Planning, Housing and Infrastructure, and if necessary, the Independent Planning Commission.

I trust you will treat this matter with the seriousness it deserves and provide a clear response to these concerns.

Kind regards,



Wendy Tuckerman MP

Member for Goulburn