

Director – Energy Assessments, Planning and Assessment
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Name : Damien Timbs

Address: 14192 Thunderbolts Way, Walcha

Dear Director

SSD No 10471 - Winterbourne Wind Farm Walcha

I object to the Winterbourne Wind Farm Project.

How does a reader make decisions on an error ridden and disingenuous EIS document that will affect a community economically, socially and environmentally for the next 62 years.

When I visited the Vestas office in Walcha before Christmas, I was told by two ERM consultants who were manning the office, Virginia Baker and Richard Finlay-Jones, that yes, they acknowledge the errors but the documents are "fluid". They further went on to say that Vestas had pushed the document to be released in its current state due to commercial pressures.

An EIS is not a scoping report. It is procedurally unfair to expect a community to be subjected to writing submissions after reading and understanding such a poor attempt by the developers which should have been a professional and what would be presumed rock solid document. It places huge economic and social pressures on a small rural community.

The consultants ERM and Vestas signed off on certification of the EIS. In their declaration they state that the document "does not contain information that is false or misleading."

I am sure that once the Department of Planning reads Walcha's submissions of objection and understands the poor quality of the Winterbourne EIS they will realise that this declaration from the developer is indeed false and misleading, as is the 4000 page EIS document.

As Adam Marshall, Member for the Northern Tablelands stated at a public meeting held in Walcha on 12 January 2023, *"This is the worst EIS that I have ever seen. It is woefully deficient. It is as if the developer is trying to do the bare minimum. The developer is a proponent that is not genuine in any of its actions."*

Aside from the poor quality and the disingenuous EIS, I strongly object to the Winterbourne Wind Project as it is in the wrong place, it is the wrong size and is owned by the wrong developer.

The site (place):

The 700 megawatt Winterbourne Wind Farm, comprising of 119, 230 metre turbines is proposed on prime agricultural land, that has eastern flow water running into the Macleay catchment, surrounded by the World Heritage Oxley Wild Rivers National Park. The developer in the EIS has been reckless in their Biodiversity Risk Assessment. As a farmer and conservationist, I attempt in my profession to encourage, protect and build biodiversity not only on my farm but within my district. The developer has grossly underestimated (even to the naïve eye) the affects on Wedgetail Eagles and other vulnerable Raptors. It will knock 207ha off Koala and connectivity habitat, affecting many species that include but are not limited to the Glossy Black Cockatoo, White Throated Needle Tail, bats and bees and gliders. For this they will pay over \$64 million in Biodiversity offsets. This location is immensely diverse. It is not to be recklessly destroyed by an industrial overseas owned company. The 207ha of destroyed habitat (as proposed in the EIS) must be saved not threatened.

The footprint of the Winterbourne Wind Project is on the North Eastern section of the Walcha district. With all manufacturing goods coming into town from the Port of Newcastle, there is essentially only one road into the site and one road out of the site. Everyone in Walcha will be affected by this development so not only the 315 freehold landholders withing the footprint but all approx. 3000 Walcha residents will be impacted. Our ability to do business due to traffic congestion will be immense. Our amenity and our ability to travel to bigger centres of Tamworth will be affected. Our access to vital services both medical and commercial will be impacted by construction of this mega project. It is simply in the wrong place and there are far better site locations within the New England REZ for this project.

The Size:

Not only the 700 megawatts proposed in the Winterbourne Wind Farm project, but the 4.2 gigawatts of projects architected and sold by the originators of this project, Walcha Energy trading as Mirus Wind. Mark Warring is accumulating 4.2 gigawatts of projects within 50km of Walcha, a prosperous town of 3000 people, that derives its income primarily from agriculture and tourism. The size of these proposals is decaying the social capital of our beautiful community.

The community division, the social pressure and people's mental health is already under threat by the sheer size of this project. It is also compounded by the same original developer selling what is indeed renewable projects to a small few people that are motivated by the offer of "30 pieces of silver", that equates to more energy production than the whole of the Orana REZ, and what will be if allowed, produce enough energy to power 30% of NSW households from a district of 3000 people. This is the wrong size for our prosperous rural community to bare.

Wrong Developer:

As a member of the Winterbourne Wind Community Consultative Committee, a failed process in itself, I can genuinely say that Vestas has failed in every way to communicate, consult and engage with the Walcha community in promoting the merits of this project.

Their open days and contacts have been about promotion not consultation. Their information sharing is targeting to community members that have a direct financial interest in their project. They have failed to meaningfully engage with the wider community.

In my attempts to convey information to the community through the CCC, I was subjected to personal attack by host landholders with pecuniary interests in the Wind Farm project and this was supported by the Developers Independent Chair of the CCC. Not only did we have the minutes of the meetings embargoed for up to 2 weeks after the meeting took place, but I was threatened with expulsion in a private meeting prior to a CCC meeting for daring to ask questions and inform the community. I have included a table of communication between myself and the Independent Chair to highlight the procedural bias towards the Developer.

As a founding member of the Voice for Walcha, a community group that was formed in an attempt to open up communication between community and developer. To share information and openly engage partnership between Vestas and community, whereby the developer can promote the benefits to community of their project, and the community can in turn communicate to the developer what it is willing to accept and not accept. I can confidently say that Vestas have refused to engage in any meaningful discussions with the Walcha community and indeed have treated it with contempt.

The results of the Voice for Walcha survey highlight this.

On the grounds that Vestas have not attempted to build a social licence in Walcha is enough merit to say that this developer is here for the short-term profit play that is at the expense of a long and established community. It highlights they are the wrong developers (indeed they are wind turbine manufacturers and salespeople), not long-term players in the New England REZ. They have refused to engage at every level and have relied on a planning process that follows tick the box principles to get their project through. They do not deserve to be developers in the New England REZ.

Summary of Communication		
Date	Consultation Activity	Comment
23-Nov-21	Email DT to MMH	Nomination Form for WWF CCC
23/11/2021	Email MMH to DT	Confirmed receipt of nomination. Will not be back in touch until early
30-Dec-21	Email MMH to DT	Confirming appointment to CCC and attaching CCC guidelines. Meeting scheduled for 2 Feb 2022
10-Jan-22	Email DT to MMH	Returning signed code of conduct and declarations of interest forms
11-Jan-22	Email MMH to DT	Confirming receipt
19-Jan-22	Email MMH to DT and others	Agenda for 2 February 2022 meeting
6 Februaruy 2022	Email MMH to DT and others	Attached draft minutes of 2 Feb 2022 meeting and WWF Meeting Presentation. "I remind everyone the information provided to the Committee is embargoed until such time as it has been reviewed by the committee and published on the company website, in accordance with the Department's guidelines. If you have any amendments to the draft minutes, would you please
10-Feb-22	Email DT to MMH	DT attached letter with thoughts on the CCC meeting and more community engagement and further meetings.
10-Feb-22	Email MMH to DT	Response condescending in nature, "As this was your first meeting of the CCC, I accept that you are new to the committee and not cognisant with how they operate in accordance with the DPIE's guidelines or what
10-Feb-22	Email DT to MMH	"I also request that a further meeting be scheduled before the release of the EIS in March. The responses to the issues I have raised need to be provided before the next scheduled meeting in May. I believe as a Community Consultative Committee we have a responsibility that is not
10-Feb-22	Email MMH to DT	"Address matter for benefit of whole committee"
11-Feb-22	Email DT to MMH	Asking if letter distributed and address questions within
11-Feb-22	Email MMH to DT	Will distribute letter next Monday with minutes of meeting and next meeting in May (after scheduled release of EIS in March??)
14-Feb-22	Email MMH to DT and others	Minutes attached and folliwng response 'Attached for your information is a letter received from Damien Timbs which he has asked me to share with you. Some of his observations and questions contained therein I believe Mike Young, EnergyCo NSW Executive Director Planning and Communities, will be better placed to respond to when he attends our next scheduled meeting. Those specific to the Winterbourne project I have referred to Doug. Regarding declarations of interest for myself and Richard Finlay-Jones, he is not a member of the committee and not required to declare any interest however, you will recall at the start of the meeting, his position as undertaking the community consultation on behalf of Vestas was advised. For myself, as the original members are aware, I am appointed by the Secretary of the Department of Planning
14-Feb-22	Email DT to MMH	My concern is I sense pushback from you, on what should be considered of the upmost importance
15-Feb-22	Email MMH to DT	Thanks for your email Damien. I think you are misguided in your perceptions and can only assume this is your lack of understanding of the process, how the Committee functions and my role.
15/02/2022	Email DT to MMH	Margret I would be very appreciative if you would share all our correspondence with the committee

15/02/2022	Email MMH to DT	More than happy to oblige Damien.
16-Feb-22	Email MMH to DT and others	Forwarded email from Doug Landfear regarding traffic numbers and further clarification
17/02/2022	Email DT to MMH	Letter attached to be provided to the Committee
18-Feb-22	Email MMH to DT	Thanks for your email and further comments Damien. I will include them with those previously acknowledged to be forwarded to the full
21/02/2022	Email MMH to DT and others	Attached is email correspondence between Damien Timbs and myself for your information.
21/02/2022	Mail DT to MMH	
22/02/2022	Email MMH to DT	Thanks for your email Damien, the contents of which I have duly noted. I have nothing further to add at this stage.
22/02/2022	Email Peter King to MMH and D	Noise questions
23/02/2022	Email MMH to PK and DT	Thanks for your email and questions. This isn't something the Committee can answer and accordingly, I have referred it on to Doug.
21/03/2022	Email DT to MMH	Just wondering if you have heard any news or had an update as to where the winterbourne wind EIS is up too?
21/03/2022	Email MMH to DT	I have spoken to the Project Director this morning and can confirm the EIS is still being prepared and is unlikely to be lodged prior to our next scheduled meeting in May.
21/03/2022	Email MMH to CCC	I have spoken to the Project Director this morning and can confirm the EIS is still being prepared and is unlikely to be lodged prior to our next scheduled meeting in May.
21/03/2022	Email DT to MMH	Is there any other developments from the proponent that the ccc should be aware of?
21/03/2022	Email MMH to DT	Not that I am aware of Damien.
28/03/2022	Email MMH to CCC	Department seeking feedback from all users of the Guidelines
1/04/2022	Email DT to MMH	I would like to propose that we take the opportunity to open up mike young's visit to walcha to the whole community.
1/04/2022	Email MMH to DT	I have yet to receive confirmation from Mike Young on his availability to attend our proposed meeting. However, I am happy to put your suggestion to him for his consideration.
12/04/2022	Email MMH to DT	Further to your suggestion Damien regarding Mike Young's visit to Walcha, I have now received a response from the Department confirming either Mike or his 2IC's attendance at the CCC meeting in May. However, this will be via video conferencing and not in person.
12/04/2022	Email DT to MMH	If we can't get mike young to a community meeting in Walcha we have once again failed in our consultative job. We have to put some effort in
13/04/2022	Email MMH to DT	Thanks Damien, you will get the opportunity to voice your thoughts to the Government representative at the CCC meeting.
19/04/2022	Email MMH to CCC	The next meeting of the Committee will take place on Monday, May 2 2022, plus agenda
19/04/2022	Email MMH to CCC	Chris has sent me the following article published in a recent edition of the Armidale Express for discussion in General Business at the upcoming
24/04/2022	Email MMH to DT	Could you please meet me at 4.45pm at the Council Chambers as I wish to speak to you prior to the meeting.
2/05/2022	Hand delivered letter MMH to	Copy of letter attached

3/05/2022	Email DT to MMH	Following our brief meeting yesterday, please find attached my letter in reply. Copy of letter attached.
4/05/2022	Email MMH to DT	I acknowledge receipt of your email Damien and advise I have referred it to the Department's Secretary. Do you wish to be recorded as an apology to Monday night's CCC meeting?
4/05/2022	Email DT to MMH	If an apology is what is required then yes please to Mondays meeting.
4/05/2022	Email MMH to DT	I will include your apology Damien and no, I don't believe it is appropriate that this matter is shared with the committee.
5/05/2022	Email DT to Secretary of Dept, N	I ask that the Department review the performance of the Independent Chair and I ask for her to be removed from the position due to her breaches of Conduct as outlined.
9/05/2022	Email MMH to CCC	I remind everyone these documents are embargoed until such time as they are endorsed by the Committee and made publicly available on the Committee. They will be uploaded, together with all the presentations to the Company's website shortly. The next proposed meeting of the committee is <i>29th August 2022</i>
16/05/2022	Email MMH to CCC	
20/05/2022	Email DT to Nicole Bewer	The chair is in the critical path to allow this process to function. I feel that the Chair on many levels has been an in appropriate appointment.
10/08/2022	Email MMH to CCC	The next meeting of the Committee is likely to include a road trip to view the Sapphire Windfarm as has been previously discussed by the committee. Logistics would mean an all day commitment with departure time say 8 to 8.30am on Monday, 29 th August. Would you please confirm your interest by return email to me, no later than this Friday, 12 th August so arrangements can be made. No response will be
10/08/2022	Email DT to MMH	I would be very interested in attending the road trip to Sapphire Windfarm. Is it possible for my wife Simone to attend as well?
10/08/2022	Email MMH to DT	Sorry Damien, committee members only.
15/08/2022	Email MMH to DT	With limited numbers going on the trip to Sapphire and in observance of Covid safety measures, we will be travelling to the site in separate vehicles. I have spoken to Doug and if you wanted to drive yourself and bring your wife, that can now be accommodated.
15/08/2022	Email MMH to CCC	As previously advised, the next meeting of the Committee will take place on <i>Monday, 29th August 2022</i> and includes a road tour of the

**WINTERBOURNE WIND FARM
COMMUNITY CONSULTATIVE COMMITTEE**

Correspondence to the Chair:
mmacdonald-hill@bigpond.com
0448 414 888

May 2 2022

Mr Damien Timbs
14192 Thunderbolts Way
WALCHA NSW 2354 **By hand**

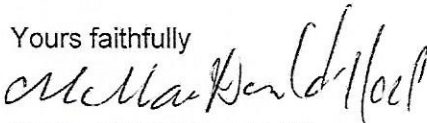
Dear Damien

I refer to your position as a community member of the abovementioned Committee and to the terms of the Department of Planning and Environment's Code of Conduct and Declarations of Interest documentation you agreed to as a condition of your appointment to the committee.

Regrettably you have breached your obligations in a very serious way. You have not declared your interests as a member of a stakeholder group, nor taken any steps to remedy this, which I expect you will attend to prior to today's committee meeting. However, most significantly, I have received a number of complaints regarding your behaviour outside of the committee meetings which are serious in nature and constitute breaches of the code of conduct set out in the Department of Planning and Environment's Guidelines, under which this committee operates. In consideration of these complaints, your actions and lack of respect to others within your community simply because their perspective does not match your own, as the Independent Chair, I must acknowledge these complaints and take steps to address the matter as it not only reflects badly on you but also the whole committee.

I fully appreciate you have concerns with windfarms and certainly, you are entitled to such views. However, I must request that you refrain from any subjective behaviour, including actions that may be construed as personal, intimidating or an affront to those within your community or other members and that henceforth, you act in accordance with the department's guidelines. Given the serious nature of the concerns raised I formally give you notice that any further disorderly behaviour from you will leave me no option but to seek the Department Secretary's endorsement to expel you.

Yours faithfully



Margaret MacDonald-Hill
INDEPENDENT CHAIR

'Uki" 14192 Thunderbolts Way
Walcha NSW 2354

3 May 2022

Dear Margaret,

I write in reply to your Letter of 2 May 2022 referring to the terms of the Department of Planning and Environment's Community Consultative Committee Code of Conduct and Declarations of Interest documentation.

I was extremely upset with the manner in which the letter was provided to me and the material contained within.

In reviewing the Code of Conduct Agreement – Members (attached) I cannot see how I have breached my obligations and your letter is opaque in regards to how I have breached my obligations "in a very serious way".

I am not a member of any stakeholder group. I do not have any financial or pecuniary interest in the Wind developments.

The most serious and upsetting allegations made in your letter refer to a number of complaints made regarding my behaviour outside of the committee meeting which you claim are of a "serious nature and constitute breaches of the code of conduct". Unfortunately you have not seen fit to investigate these allegations further, nor allowed me the opportunity to defend myself before making judgement and acknowledging the complaints without investigation.

There is no particular reference to the code of conduct which I have allegedly breached , nor have you provided me with any detailed information about the nature of the complaints.

As far as I am aware, the role of the CCC is to provide information to the community and this is what I have attempted to do following my one and only meeting of the CCC on 2 February 2022.

My personal view of the Wind developments has not been my motivation in being a member of the CCC. My only consideration is to be informed and to help inform the community about what the Wind developments mean for the future of our town, a town I love and where I intend to live and work for many more years.

In my writing to you on several occasions I have made it clear that the Walcha Community is at a distinct disadvantage as we have not received adequate and robust community consultation or information sharing between the proponent, local community and stakeholder groups.

Prior to the writing your letter of notice to me dated 2 May 2022, on your own admission, you did not consider that the complainants may have pecuniary interests in the Wind developments and therefore prefer the community do not know information about the Wind farms should they form an opposing view to the proposed development.

Since the beginning of the year, and in particular, since the first CCC meeting of 2 February 2022, you and I have communicated by email, text and telephone on over a dozen occasions.

Many of our communications have been in context that the CCC in its role of being able to properly present credible engagement and consultation with the Community, something that in the reading of past minutes indicate it has fallen woefully short of its obligations.

This has been evidenced in the minutes of the 2 February 2022 meeting, and also raised with you in my letter of 10 February 2022, the community is not engaged as the numbers of the proponents Open Day in December 2021 reflected this with only 68 registrations over 2 days.

In accordance with the CCC guidelines Committee members are encouraged to discuss concerns and disseminate information about the project with the wider community, including stakeholder groups. Also any documents and information provided to the committee can generally be made available to the community.

The fact that the community have limited knowledge of the scale of the renewable energy development proposed for the New England area, and in particular the effect this will have on the Walcha LGA, is an indictment on the CCC and you as its Chairperson.

This raises pertinent issues of lack of procedural fairness, refusal to share information and what I see as an ongoing perception of bias on your part. I note that you are being paid for your Chairing Services and that you are being paid by the proponent.

As I previously mentioned, you and I have had numerous communications over the past few months however, the allegations of complaints were not provided to me until 15 minutes prior to a scheduled CCC on 2 May 2022, when you personally handed me your letter. You put me on notice that you wanted to meet prior to the meeting in a text message on 27 April 2021, however despite several requests in the days leading up to the meeting, you would not indicate what the issues were or indeed that there was a breach of the code of conduct. That you have not "actively worked with the members of the committee to try and resolve any disputes that may arise during the committee's activities" is a direct breach of your role of Chairperson.

In your letter you accuse me of "actions that may be construed as personal, intimidating or an affront to those with your community" and further "lack of respect to others within your community simply because their perspective does not match your own" without any discussion or investigation.

This further demonstrates that you have also breached the code of conduct set out in the Department of Planning and Environment Guidelines in not being "independent and impartial with respect to all members of the committee", nor have you "created an atmosphere of open and constructive participation by the members of the committee where they can communicate relevant concerns, interest and ideas and express their reasons for any disagreement."

From the statements made in your letter you have caused me personal reputational damage by making incorrect and unsubstantiated reference to my character and behaviour without any examination or discussion with me. Most distressing to me, when on 2 May 2022 in front of the General Manager of the Walcha Council, you stated that I am "disrespecting of women in general". I am extremely offended by this comment as it is simply untrue.

In view of the above breaches to the Code of Conduct Agreement as an appointed Independent Chairperson, you have left me with no option than to refer this matter to the Planning Secretary of the Department for their attention, and seek that you recuse yourself from the role of Independent Chairperson of the Winterbourne Wind Farm Community Consultative Committee.

Kind Regards

A handwritten signature in dark ink, appearing to read 'Damien Timbs', with a stylized flourish at the end.

Damien Timbs

FINAL SURVEY REPORT TO COUNCIL 7/12/22 – KERRY FAIR

It's a good thing that 46 Walcha Shire residents submitted a survey to say they support the Winterbourne Wind Farm.

It's good because it showed that people took up the invitation to have their say, be they for or against the development.

Of the 46 individuals supporting the project, it is worth noting that around half are host landowners.

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The stated purpose of the survey was to collect enough data so that council could feel confident in deciding the appropriate position regarding this project.

523 Walcha Shire residents took the time to send in a survey and I think it's very safe to conclude that the opinions of these people do indeed reflect that of the whole community.

79.7% of survey respondents – that's just a shade off 80% - said that they object to the project. Added to this, an additional 54 people wrote about their concerns.

This means that a total 471 people expressed concerns - that's 86.2% of the returned surveys.

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Many very thoughtful and lengthy responses were submitted. People wrote in depth about their concerns and genuine fears: their concerns about the lack of integrity shown by the developer; their fears for the future of farming, for the environment, and for our quality of life.

I'm going to share just a few comments ...

From a farmer...

- "The project will ruin our environment and will denigrate the productivity of our land. We will be leaving our land to the next generation with huge environmental problems as decommissioning occurs."

This same person went on to say ...

"There has been no health impact study done and the transmission lines are extremely hazardous to our health, especially me as a cancer patient."

From a commuter ...

- "There are many Walcha locals who work in Tamworth, myself included, and our daily commute will be impacted. Of particular concern, though, are the ramifications for emergency services vehicles travelling to and from our town. Their movements are

unpredictable and not able to be timed outside of the transport of turbine blades. Imagine needing critical care that can only be provided in Tamworth, and the trip just got longer.”

From a concerned citizen ...

- “I had to do my own research as Winterbourne Wind would not provide information when asked.”

From a recent arrival ...

- “We moved from the Hunter Valley 18 months ago to escape the deteriorating climate. We moved for a cleaner, cooler more pristine environment; not to be once again industrialised. Wind energy is being rushed through to satisfy political pressure. Other alternatives are available.”

From a farmer ...

- A wind farm is not a farm. It is a factory. Farmers grow and nurture things.

From another very concerned person ...

- Any information offered by the developer is very glossy, with little substance. Please fight this development. These turbines are not green. There are so many alternatives. These foreign investors and our negligent state planners are treating us like idiots.

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In terms of the community’s view of the developer, 78.4% of the survey respondents – that’s 410 people – said that the developer has not provided enough information for them to form an accurate picture of what the project entails.

As Bruce Rutherford so aptly said in the Advocate ...

My concern is that if we let this first project get established without community expectations and concerns addressed, we have no hope of having our concerns met when it comes to the multitude of other wind farm projects being proposed.

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In light of the survey results, and all the concerns raised by community members through other avenues, council now has the information it needs to be very comfortable with submitting an objection to the EIS.

Not only that, council has an ethical responsibility to do so.

As stated by The Office of Local Government in its code of conduct, and I quote...

It is critical that the community can have confidence in the decisions made, on its behalf, by its elected representatives at council and committee meetings.

The whole Walcha community knows the results of the survey. There are at least 471 people (& no doubt many more) now waiting to see if they can continue to have confidence in council.

Thanks for your time.

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