

Sylvester Cattle Company ATF Sylvester Pastoral Trust
Wombramurra Station
504 Head of Peel Road
Nundle NSW 2340
accounts@sylvestercattleco.com.au
Ph 0427468125

27th January 2021

The Secretary

NSW Department of Planning, Industry and Environment

12 Darcy Street,

PARRAMATTA

Dear Sir/Madam,

HILLS OF GOLD WIND FARM – SSD 18_9679

As directors of the Sylvester Pastoral Trust, we object to the Proposed Hills of Gold Wind farm located at Hanging Rock and Nundle NSW.

Our home and our business comprises agricultural holdings. Our main property "Wombramurra Station" is located at 504 Head of Peel Road Nundle. The property runs on both sides of the Peel River and the Head of Peel Road. It is owned by John Sylvester

We have been aware of the project since early 2018. Since first being contacted regarding the project, we have tried to work with the proponent to achieve a satisfactory outcome as the largest neighbours and probably the most significantly affected by this project. We have had numerous meetings with the proponents and were initially offered to host turbines, substations, works yards and power lines all which we were happy to consider. We were presented with contracts and upon review by our solicitor further information and details were requested as the contracts and /or deeds were too wide ranging in regard to the consent we were giving and the rights then entitled to the proponent. This was not forthcoming, and we were accused of not accepting the offer or being disinterested. The commercial dealings at that point did not appear to be genuine and the proponent appeared disengaged.

We were presented with another offer in November 2019 and thereafter had numerous discussions on transmission line routes etc and heard nothing back from the proponent until we reviewed the maps produced and forwarded to the CCC in March 2020. This is when we found out there were no turbines, infrastructure or transmission lines proposed to be built on our property. They had all been moved to our neighbour's property the major landholder. We understand that something similar to this

happened to a number of other land holders. The approach to commercial negotiations of the proponent has been extremely divisive.

We feel the project should not go ahead (therefore the application should be refused) for a number of reasons including:

1. Inappropriate soil types
2. Lack of true economic benefit sufficient to offset the impacts
3. Access Issues
4. Impact on Agricultural Activities
5. Unapproved Elements of Project Already Undertaken
6. Land Clearing and Ecological Issues
7. Bushfire Risk
8. Economic Risks Associated with Rehabilitation and Remediation
9. Amenity Impacts on Us and Others (visual, noise and social impacts)

Our concerns are more fully laid out below.

Soil Types

The reports included in the EIS show the project is located in an area where the soil and topography are unsuitable for this type of development.

Insufficient Economic Benefits and Social Costs too High

In comparison with other proposed wind farms, this project does not stack up economically. For example, the development consent for the Liverpool Plains Wind farm it shows that development to be far more economically viable and efficient and far less environmentally destructive having regard for the potential energy produced. The Liverpool Range Wind Farm will consist of 267 turbines the project cost \$653 million and the expected energy generation 2,760,000 MWh. The Hills of Gold Project is costed at \$826 million and quoted energy production is only 1,100,000 MWh. The project footprint for the Liverpool Project is 744.94 ha and for HOG 513 ha again showing the discrepancy in the size and costings of the project.

In summary, the benefits in terms of energy from the comparison project (Liverpool Range) are much larger and the environmental costs are materially comparatively smaller than this project. This project creates a lot of damage and detriment to the landscape, the ecology and the amenity of the community for insufficient benefit.

The comparison project benefits many landholders as there are a large number of turbine and other infrastructure hosts who are commercial 'partners' in the project. In the case of this project (Hills of Gold) there are limited landholders who benefit from the project, whilst on the other hand there are a large number of landholders who are detrimentally affected by the project, suffering the noise, traffic, visual and landscape transformational detriments of this project. In short, the burdens of this project

are distributed widely but the benefits are not. This inequity renders this project not in the public interest.

The EIS does not adequately address the project's economic costs and benefits nor the social impacts and costs of the proposed development.

Access Issues

Access to the project area for the purposes of construction and operation relies upon traversing our property. We have not given permission for either that access or for this application to be made. We question therefore the validity of this application on the basis that this landowner on whose land the project is partly proposed does not consent to the application being made. We ask that this issue be addressed and the position confirmed.

Our business operations will be severely affected should this project go ahead. The Head of Peel Road is included as an access road as is Kirks Road that is a right of carriage way granted to the previous owner of the land that will now host Wind turbines. This was granted in good faith between two owners of agricultural land for access and it was never envisaged to be used to allow the construction and maintenance of a major industrial development. On that basis we say that the easement does not authorise access for the purposes of construction or operation of a wind farm.

The Head of Peel Road will require major upgrades for the transport of the heavy equipment this will disturb many of our farming practices such as moving stock and machinery and property maintenance also the ability to get stock transport trucks in and out when required. During road upgrades and the construction phase, which may be an extended period due to periods of high rainfall events in our location causing delays, we may be unable to use either or both our sets of stock yards located close to the road. A similar situation may occur with access to our horse facility, workshop machinery sheds and dwelling as they are also located close to Head of Peel Road. Once the road is completed and infrastructure construction commences this will again make stock movement and use of our cattle yards very difficult. The road is currently only fenced in some sections and we are concerned for stock losses due to vehicle accidents and as we run stud angus cattle these animals are of very high value. There is also the safety aspect for our employees and the biosecurity risks for introduction of weeds and diseases from the large number of trucks and vehicle coming from unknown destinations.

Our main dwelling workshop, sheds and horse yards are all located within 500m of the Head of Peel Road and during upgrades and construction we may have difficulty accessing these areas. The Proponent has suggested sealing 500m in front of our house however this does not deal with the noise or traffic issues. The Head of the Peel Road is not on the designated crown road and we need to seek extensive legal advice which is very costly to determine our rights in relation to this situation. The proponent is not helping us work through this but rather presently us with a neighbourhood sharing agreement only in relation to the Head of Peel Road, offering a very small sum of money and if we sign the Deed, we then for go any rights to object to any issues related to visual noise or other aspects of the project. All this has been done in a very underhand way, to other community members and is taking advantage of people who perhaps are not in a position to receive independent advice.

Upgrades to the road will also encourage more travellers on the road and as we intermittently have a problem with illegal access for shooting and pig hunters, we feel this could potentially increase. We also have concerns with biosecurity and importation of weeds and feel this has been inadequately assessed in the EIS. As part of our farming business, we rely heavily on aerial agriculture for both weed control and pasture development we feel the EIS does not adequately address the potential changes to these practices that will occur if the Wind farm was to be built.

The EIS does not adequately address the project's impacts on local roads and our access.

Impact on Agricultural Activities

We rely upon aviation activities as part of our operations. After discussions with a number of the agricultural aviation companies that service our area, they are reluctant to fly in areas such as ours in the vicinity of turbines. Despite what the EIS says about impacts on aviation, from our enquiries, the reality appears to be that some operators will not (irrespective of the existing of lights on turbines) operate in the immediate vicinity of wind farms. The EIS does not adequately address the project's impacts on agricultural activities.

Unassessed/Unapproved Elements of the Wind Farm

The vast amount of land clearing and development of water resources including dams and bores that have been carried out on the major land holder's property over the past eight years can only suggest this is all planned towards making the Wind Farm a possibility and speeding the process through the DA and development phase. These activities have at least facilitated the development. In our view, they essentially form part of it. On that basis they would constitute unauthorised development of components of a wind farm, without environmental assessment or approval.

We know there have been investigations into these activities and resulting in a number of guilty findings and we feel these activities will have a negative affect on our property in relation to erosion, environmental pollution and changing of environmental water flows that ultimately end up in Chaffey Dam, the major water supply for Tamworth. The long-term effects on microclimate has not been assessed in the EIS however in a situation such as ours where we are located in the centre of an amphitheatre created by the mountain range science suggests there could easily be a negative affect in relation to rainfall and temperature due to the clearing and changes in airflow generated by the turbines. Our children may be the only people to see this play out and they will be the people dealing with the decommission phase which has not been adequately covered in the EIS.

Bush Fire Risks

2019/2020 Bushfire season was severe however we have had major bushfires threatening our property on a number of other occasions over the past 14 years. The EIS does not cover the need for firefighting equipment to be maintained on site and the operating company to be responsible for defending their investment. We are very concerned that in the event of a major fire resources would need to be used to protect the turbines and infrastructure and that would pull resources from other areas that required

assistance. We are also concerned there is no mention of the fuel and oil storage facilities that will be required on site and are listed on page 314 of the EIS on the catastrophic affect that they could have in the case of a fire especially in relation to neighbouring properties and neighbouring nature reserves. The provision of access roads etc as mentioned in the EIS are of no help if the firefigths are busy defending the investment and not neighbouring properties.

Rehabilitation and Remediation

There is no mention is the EIS of a fund for decommission or rehabilitation. The ridgelines where the proposed turbines will be built are of significant environmental value and once cleared and developed are lost forever. Rehabilitation and offset credits do not create 100-year-old trees and sensitive environments that are home to endangered species. One of the proposed sites for a batching plant and works yard is very close to a permanent stream and we feel has the potential for contamination of waterways. The proposed transmission line and access roads require large amounts of clearing, power lines will be suspended across gullies and nature reserves. Our discussions with independent consultants in 2020 suggested the lowest impact for construction of the transmission lines would be through our property as the amount of land clearing and earthworks would be minimised.

The visual and amenity impacts of the development extend off the land on which the project is actually constructed (visual impacts in particular). There must be a rehabilitation bond lodged with government to ensure that the infrastructure is removed and the land reinstated and rehabilitated at the end of the project for the benefit and protection of the environment and the whole community. To say that there are contractual commitments between landowner and developer to remove and rehabilitate simply isn't good enough because:

- i. the impacted landowners and community and the environment more broadly extend well beyond the boundaries of the land on which the development is constructed;
- ii. nobody but the parties to those agreements knows what is in them or can enforce them;
- iii. if the developer fails financially then nobody is protected.

The mining industry requires bonds and so should this industry.

The question of rehabilitation and remediation of the site at the end of this project is not sufficiently addressed in this EIS and the application should be refused on this basis.

Offences Against Amenity

This proposed development will virtually surround our beautiful property and will blight the landscape and the visual amenity which we enjoy every day. That will be the same for many of our neighbours (although we feel that we are affected in this way probably more acutely than any others).

All the impact studies produced by the Proponent regarding noise, visual and other disturbances have all been based on our dwelling without taking into account the fact we spend most of our days out on our property within far closer range to the Wind turbines. The proponent does not consider us to be significantly impacted . After numerous phone calls and emails we are still awaiting contact from a

representative of Engie. This has been going on for over two months. We would welcome the opportunity with meet with the Department of Planning to discuss further our unique situation.

The EIS section on blade throw makes no reference to damage to neighbouring farm workers and there is no area in the EIS that relates to risk management of things that may occur on neighbour's land. This leaves us very uncomfortable about our position to negotiate with whoever ultimately builds and runs the project if there was an incident that affected our employees, livestock, land or water resources. There is also no section in the EIS that addresses Conflict resolution.

This project is proposed in an area of high ecological value, is difficult to access and there is very large community opposition to the project. The project should not be approved as the destruction to the natural environment and the harm which will be caused and has already been caused to the tight knit community of Nundle and Hanging Rock would be unrepairable.

This project will change the character of our locality and we and our community will suffer solastalgia from the nature and extent of that transformation. This has not been considered in the EIS. In our discussions with the proponent about our concerns about the extent of the visual and other construction and operation related impacts of this proposal on us, the proponent has been dismissive and not acknowledged that we are severely impacted.

The consultation regarding the visual impact was done in a very rushed manner. After extended conversations with the company conducting the socio economic impact we are unable to see any or many of our comments in their report. The section in the EIS with regard to community contact also fails to identify us on the log of phone calls emails etc.

The EIS fails to properly address the impacts on amenity (visual, noise and other) as well as social impacts.

Acquisition Condition

It should be noted that our property is a unique piece of property with a unique microclimate which has enormous ecological values and special value in terms of its ability to produce the highest quality protein through livestock. A development which puts this property at risk should not be allowed to proceed.

Having regard for the extent of the impacts on us, the nearest neighbours of this proposed development, we submit that the application should be refused.

If it is not refused then the consent should include a condition requiring our property to be purchased on request at rural market value disregarding the existence of the wind farm and also including payment of costs, expenses and compensation for disturbance and to reflect the costs of us relocating our operations to an alternate property.

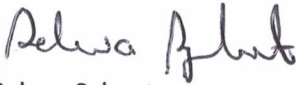
Further Submission

We have sought more advice in relation to our position in this project and we will likely make a further submission in relation to this project once we have that advice. It is unfortunate that this project's EIS went on exhibition during the holiday period.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'John Sylvester', with a stylized, cursive script.

John Sylvester

A handwritten signature in black ink, appearing to read 'Selena Sylvester', with a stylized, cursive script.

Selena Sylvester